Environmental citizenship: politics, practices, representations

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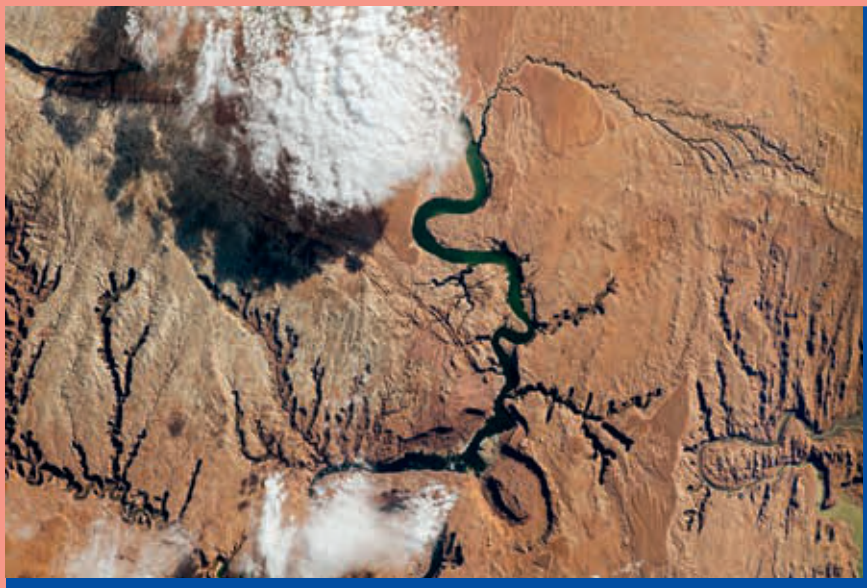

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Environmental Citizenship

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The photo depicts the Colorado River, which has obtained "legal personhood" status by the Colorado River Indian Tribes in November 2025.

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Introduction

Environmental Citizenship: Politics, Practices, Representations

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> The future of the Inuit is the future of the rest of the world – our home is a barometer for what is happening to our entire planet.
>
> Sheila Watt-Cloutier, *The Right to Be Cold*

What's at Stake?

Ours is an age marked by the accelerated intensification of the planetary climate crisis. At the end of July 2025, "daily sea ice extent in both hemispheres ranked third lowest in the 47-year satellite record" (National Snow and Ice Data Center). There are estimates that by 2050, "one in every seven people in Bangladesh will be displaced by climate change" (Rojas). According to one projection, "at least 13 million people in the United States will be forced to move by 2100 because of climate change" (Peterson). And at the time of writing this introduction, Spain and Portugal suffer one of the worst fire seasons in recent memory (Nierenberg and Bautista). These are just a few of an enormous array of possible examples of a global polycrisis. Devastating heat waves, droughts, and wildfires, equally devastating floods, desertification, acidification of the oceans, and the dramatic loss of biodiversity, to name but a few of the accompanying developments, demand urgent action that cannot be put into effect by individual nation-states but that require concerted effort. Thus, they also imply both the necessity for and experience of changing notions of political belonging, responsibility, and accountability beyond the nation-state, not only on a transnational, but on a planetary scale.

In this context, the concept of environmental citizenship has become a crucial site of critical inquiry in American Studies and across academic disciplines since the early 2000s. Given that 'citizenship' is traditionally bound to the nation-state, this may seem, at first, counter-intuitive. And yet, 'environmental citizenship' (as well as some of the overlapping and often interchangeably used terms 'ecological,' 'green,' or 'sustainable' citizenship, see Vihertalo 344) has advanced to a concept in and beyond academic discourses. Today, environmental citizenship has become an important reference point in the field of so-called "green political thought" (Dobson; see also Gabrielson) and even more so in education (Hadjichambis et al.). In the latter context, "environmental citizenship" is understood as "the responsible pro-environmental behaviour of citizens who act and participate in society as agents of change in the private and public sphere**,** on a local, national and global scale**,** through individual and collective actions, in the direction of solving contemporary

environmental problems, preventing the creation of new environmental problems, achieving sustainability as well as developing a healthy relationship with nature" (European Network for Environmental Citizenship). It has been translated in educational programs from high school to college levels (e.g., "Syllabus") and projects on citizen science (e.g., "EnviroCitizen Project").

The concept, therefore, has seemingly gone 'mainstream.' And despite remaining fuzzy in meaning and open to contestation, it can offer a productive umbrella to think about the relations between individual, collective, and systemic action, between rights and responsibilities, and between different species. Regarding environmental citizenship as an evolving conceptual framework, one that extends beyond anthropocentric, Euro-American, and state-centered paradigms, the essays collected in this volume respond to the need to ground the concept in relational thinking – across species, geopolitical boundaries, and academic disciplines – in order to reconsider what it means to act, belong, and care within a more-than-human world.

This volume brings together perspectives from an array of disciplines – literary and cultural studies, history, law, geography, philosophy – to explore the possibilities and limits of environmental citizenship as a form of political belonging and identification. While it emerged out of an interdisciplinary American Studies context and its initial focus is thus on the United States, it takes the trans- and postnational trajectory of environmental citizenship seriously and seeks to connect different discourses and contexts. This introductory outline will first discuss some of the crucial questions that continue to shape and haunt the concept of environmental citizenship and its diverse uses before highlighting its relevance to American Studies (and vice versa) and briefly introducing the contributions.

The Environment and Notions of Citizenship

Since the 1990s, a set of related questions across and within academic disciplines – from transnational studies and the spatial turn via the already discussed citizenship studies to ecocriticism and posthumanism – has paved the way for contemporary debates about environmental citizenship. The rise of ecocriticism and the environmental humanities, on the one hand, and what Will Kymlicka and Wayne Norman in 1994 have called the "return of the citizen" – that is, the renewed attention to the concepts of citizen and citizenship in the social sciences, political theory, and literary and cultural studies – on the other, led to the emergence of environmental citizenship as a plausible conceptual outcome. Systematic scholarship on the crucial link between environmental issues and questions of citizenship has emerged over the past three decades, productively combining seemingly divergent ways of thinking about relationality, responsibility, and agency. After the end of the Cold War, the intensification of economic globalization and its attendant transnational political, social, and cultural forces had stimulated debates on citizenship in the social sciences

and humanities, thereby ushering in a new phase of critical revision of established concepts such as T.H. Marshall's influential identification of civil, political, and social citizenship as historical steps from the eighteenth to the twentieth century in 1950. In 1994, Bart van Steenbergen was among the first to link discourses of environmentalism with this renewed scholarly interest in concepts of citizenship. Van Steenbergen saw new conceptualizations of citizenship responding to the momentous political changes in Eastern Europe, to the contemporary feminist movement, to "new immigrants" and "new forms of social exclusion" (141), but he noted a curious absence of attempts to address what he calls the "environmental or ecological '*problematique*'" (142) in the context of citizenship debates. Taking his cue from T.H. Marshall's three dimensions of citizenship (civic, political, and social), he proposed ecological citizenship as a 'fourth dimension' that would both complement and correct Marshall's three dimensions (ibid.).

In the context of this development "environmental citizenship," as Derek Bell put it in 2005, "is one of many new forms of adjectival citizenship, which have emerged since the resurgence of interest in citizenship theory" (179). Indeed, since the revival of citizenship in political theory in the early 1990s and its growing reception not only in the social sciences but also in literary and cultural studies, conceptualizations of 'citizenship' have proliferated (Isin and Wood; Tan). Unlike 'adjectival citizenships' such as gendered, diasporic, cultural, or Indigenous citizenship that tend to refer to a particular group or identity, however, environmental citizenship denotes a particular type of behavior. "As it is commonly used," continues Bell in his discussion of liberalism and environmental citizenship, "the idea of environmental citizenship makes demands on people to act differently for the sake of the environment" (179-80), thus stressing the *practice* of the individual agent, not their identity or territorial affiliation.

Nevertheless, Bell also emphasizes the concept's complex history (180) thus suggesting that making it a shorthand for individual behavioral change towards the environment would be reductive. Environmental citizenship shares with other 'adjectival citizenships' a history of being conceptualized in a tension between rights and obligations as well as between status and practice, poles that have traditionally been associated with liberal or republican understandings of citizenship respectively. A rights-based approach links environmental citizenship also to questions of environmental justice and thus places it as a potential next step in Marshall's influential historical narrative of civic, political, and social rights. In the overall discussion, though, environmental citizenship does not fit neatly with the major traditions of citizenship as a political idea, status, and practice in liberalism and republicanism. As Mirja Vihersalo has observed, from its early conceptualizations onwards, 'environmental citizenship' has been interpreted by critics, depending on

their own leanings, as compatible with both liberal and republican conceptions (344).[1]

Since the turn of the millennium, scholars such as Andrew Dobson, the already cited Derek Bell, and Sherilyn MacGregor have begun to more systematically fill this gap and explore said "ecological paradigm." Andrew Dobson's work and his coinage of the relevant terminology have had a significant impact, drawing attention to potential differentiations between ecological and environmental citizenship, to the tension between rights- and obligations-based approaches, and to the dissolution of public and private spheres of action. Dobson, while regarding environmental and ecological citizenships as complementary concepts in their shared goal of building "a sustainable society" (89), distinguishes between 'environmental citizenship' as referring to the liberal and contractual discourse of rights and as thus limited to the public sphere, and 'ecological citizenship' as encompassing both the private and the public sphere, building on a non-contractual understanding of ecological responsibility. Dobson's dissolution of the boundary between the public and private in thinking about citizenship and the environment stands in a longer tradition of questioning citizenship's exclusive relegation to the 'public sphere' as well as the very boundary between public and private in, e.g., feminist theories of citizenship.[2]

In addition to the much-contested and discussed boundary between public and private, there have been two probably even more influential deconstructions of boundaries that had been taken for granted in established understandings of citizenship: the territorial boundary and traditional link to the nation-state; and the limitation of a rights-bearing status to humans. While modern citizenship has a strong historical link to the nation-state, an important aspect of the discussion in the past decades has been severing that link in favor of affiliations beyond that framework. The concept of cosmopolitan citizenship is an example of this, and it is to ideas of cosmopolitanism towards which many understandings of environmental citizenship gravitate. As Nick Stevenson describes it, "a cosmopolitan political community would be based upon overlapping or multiple citizenships connecting the populace into local, national, regional and global forms of governance" (39) and belonging, highlighting identification with and action within interconnected frameworks. Dobson offers 'post-cosmopolitan' citizenship as an alternative, on the one hand, to liberal and republican understandings of citizenship (both of which he sees as territorial and as upholding the distinction between public and private) and, on the other hand, to classical cosmopolitan citizenship, which he sees equally bound up with notions of the public, but more importantly, as disregarding care, compassion, and affect (80; the question of post-cosmopolitanism is discussed by both Joshua Trey Barnett and Judith Rauscher in their respective contributions to this volume).

[1] For a more detailed discussion of how 'environmental citizenship' is connected to other specifications of 'citizenships' see also Cao.

[2] Dobson acknowledges this link 51ff; see also Lister.

But even though environmental concerns are global issues and environmental activism as well as environmental agreements have internationalized since the 1970s, it does not follow necessarily that all conceptions and practices of environmental citizenship display a cosmopolitan or planetary mindset. Liberal notions of environmental citizenship in particular – in their focus on individual consumer's decisions – have been critiqued as entirely compatible with neoliberal self-optimization within the nation-state context (MacGregor 11-14) as well as with choices that disregard the impact of national and individual practices on other, usually poorer countries (Lenzi 19) and that potentially even include environmentally oriented practices that benefit some at the expense of others, as Simone M. Müller's contribution to this volume shows.

There are other concerns and limitations of environmental citizenship that can be traced back to more general conceptualizations of citizenship. In its various manifestations, the concept of citizenship and of rights-bearing subjects unquestioningly referred to humans only, and at least initially, notions of environmental citizenship – whether Dobson's or those shaped mainly by ideas of environmental justice – also tended to limit the scope to humans. This implies a sometimes very explicit conceptual anthropocentrism that has more recently also come under scrutiny in the context of expanded understandings of kinship and interdependence (Häkli). Planetary and posthumanist thinking in particular have suggested relational ontologies that redefine "personhood" as firmly related not only to humans, but also to the more-than-human world, an aspect that comes to the fore most prominently in the discussion of legal personhood, of, for example, rivers or other natural entities. In legal thinking, this idea found expression with Christopher Stone's groundbreaking essay "Should Trees Have Standing?" in 1972, but it can be traced back to the Romantics in western traditions (discussed by Jens Soentgen in his contribution) and has long been central to many Indigenous epistemologies (e.g., Butler; see also Tsosie in this volume). The subjecthood of environmental citizenship is to an extent also connected to the previously discussed question of territorial scope, namely by the notion of planetarity. Amy J. Elias and Christian Moraru regard planetarity as a "worldly structure of relatedness" that transcends a focus on humans and "opens itself as well to the nonhuman, the organic, and the inorganic in all of their richness" (xxiii). The ethical implications of such ontological thought bear directly on the discourse of (re-)defining environmental citizenship in that they call, as Jouni Häkli's contribution discusses, for a recalibration of human responsibility and accountability within more-than-human worlds, or even, as analyzed by Isabel Kalous in her essay on environmental anti-natalism, for antihumanism.

Both aspects – the deconstruction of territorial boundaries and the expansion of subjecthood to more- and other-than-human relations – provide not only a challenge to conventional understandings of citizenship generally, but they also present important points of contention in the discussion and critique of environmental citizenship specifically. To these must be added further points: environmental

citizenship explications that problematize an issue, satirized e.g., in Athena Copenhaver's novel *My Days of Dark Green Euphoria,* analyzed by Linda Hess in her contribution to this volume; the link between citizenship and environmental protection turned into oppressive state policies against both migrants and environmental activists, discussed by Axelle Germanaz and Sarah Marak in their essay; and, finally, environmental citizenship's limited attention to diversity within and across societies. The latter has given way to more systematic, yet nuanced explorations of the impact of intersectionality on the rights, obligations, attitudes, and positionalities associated with ecological and environmental citizenship (e.g., Clarke and Agyeman), including, specifically, increased attention to Indigenous conceptions of relationality. This attention has, however, not yet found adequate responses in legal contexts to the conflicts between national policies and Indigenous sovereignty. As Rebecca Tsosie argues in her contribution to this volume, notions of "Indigenous sustainability" and "citizens of the land" can offer alternatives to environmental citizenship that pay tribute to non-state sovereignties.

Inter/Disciplinary Conversations: American Studies and Environmental Citizenship

Drawing on these new perspectives concerning core debates about relationality, personhood, justice, and agency, notions of environmental citizenship have come into play not only in education and the political sciences, but also in other disciplinary contexts. In American Studies in particular, the affirmative and critical engagement with the concept can be placed in the larger frameworks of the impact of the new social movements, the transnationalization of American Studies, the revival of citizenship studies, and, most importantly, the consolidation of ecocriticism and the implementation of the Environmental Humanities as an interdisciplinary field.

American Studies and its subdisciplines have a long and complicated history of analyzing the relationship between humans, societal structures, and the environment in North America. Classic studies such as Henry Nash Smith's *Virgin Land: The American West as Symbol and Myth* (1950), Leo Marx's *The Machine in the Garden: Technology and the Pastoral Ideal in America* (1964), or, in a more critical vein, Rachel Carson's *Silent Spring* (1963) and Annette Kolodny's *The Lay of the Land: Metaphor As Experience and History in American Life and Letters* (1974) have developed highly influential critical accounts of North American subject formations predicated on nonhuman nature. They have recognized the latter's impact in shaping Americanness, questioning the logic of extraction underlying American identity constructions, and seeking protection for so-called natural resources in opposition to hegemonic regimes of exploitation as part of a settler-colonialist citizenship (see Heike Paul's reading of Sarah Orne Jewett's "The White Heron" and its subversive use of sentimentality, and Andrew Wildermuth's critique of Thoreau in this volume).

Since the last third of the twentieth century, American Studies have, moreover, participated in the emergence and rapid growth of the environmental humanities, including ecocriticism, environmentally oriented literary and cultural studies (e.g., Glotfelty and Fromm; Gersdorf and Braun) and environmental history (e.g., Gottlieb; Spears). Ecocritical works in literary and cultural studies have analyzed the ways in which American literature addresses, for instance, the effects of climate change, environmental refugeeism, or natural disasters thematically, how human relations to their environments are conceptualized in terms of 'citizenship' (e.g., Adami), how writers and artists imagine eco-cosmopolitan environmental relations in place as well as across national borders (e.g., Heise), how authors connect political and aesthetic aspects in negotiating environmental justice (e.g., Myers), or how life writers and artists narrate themselves in responsible relations to the environment and in face of its destruction (e.g., Batzke et al.). Environmental historians have looked at how human interactions with their environment over time have shaped national, regional, and local identities and forms of political belonging and conflict (e.g., Merchant; Müller) or how human and more than human relations can be understood from global and planetary perspectives (e.g., Chakrabarty). Scholars in Indigenous studies (e.g., Whyte; Gilio-Whitaker; Liboiron) as well as in Citizenship Studies (e.g., Isin and Wood; Tan; Kingston) have contributed significantly to questions of participation, justice, and epistemology in the humanities and social sciences. And numerous individual critics – drawing on an increasingly interdisciplinary framework – have combined questions of citizenship and the environment with food or labor studies (e.g., Wald; Wald et al.; Estok et al.).

Revisiting Environmental Citizenship: The Contributions to this Volume

All this scholarship signals important attempts to create more systematic and sustainable interdisciplinary conversations between American Studies, ecocriticism, and citizenship studies (prominently Adamson and Ruffin). These attempts have, however, still remained comparatively isolated. Given the importance and urgency of the topic and the need for precisely such interdisciplinary exchange, this volume revisits and renews a critical interdisciplinary debate on the complexity of both 'environmental' and 'citizenship' and their conceptual link. It thus operates with "environmental citizenship" not along the lines suggested by Dobson but as a more inclusive term: a focus on the environmental includes, but is not limited to ecological relations; likewise, environmental citizenship is meant to denote a relation of rights and responsibilities that pays tribute to the fuzziness of delineated 'public' and 'private' spheres of action in its attempt to understand human and more-than-human relations in North America and Europe. While focusing on American Studies as an inherently interdisciplinary field, some of the essays actively connect discourses in North America with those in Europe. Together they investigate the affordances and

limitations of environmental citizenship as a conceptual and methodological tool, also demonstrating the significance of an interdisciplinary engagement with the complex entanglements of environmental justice, global inequities, and more-than-human agency.

The essays collected in this volume demonstrate the range and depth of this critical inquiry by covering, e.g., forms of relationality (Tsosie; Soentgen; Barnett; Müller), critical engagement with historical developments (Soentgen; Müller; Wildermuth), questions of justice and ethics (Tsosie; Barnett; Germanaz and Marak; Müller), and potential limits of environmental citizenship as a concept and practice (Wildermuth; Kalous; Hess; Germanaz and Marak).

In "Rethinking Reconciliation: Land-Based Citizenship and Indigenous Futures," Rebecca Tsosie discusses the concept of environmental citizenship in the context of Indigenous cultural, ethical, and epistemological discourses in which 'land' tends to be understood not as a resource but as a living entity to which humans hold collective responsibilities. Asking what it means to be "a citizen of the land," she looks at this question from the perspective of a legal scholar and draws on both nation-specific constellations in the United States and on international law to explore the basis for a process of reconciliation able to "restore or heal broken relationships between the nation-states, indigenous peoples, and their traditional territories." Tsosie's essay demonstrates that in the context of Indigenous land relations, ecological issues cannot be separated from cultural rights.

Joshua Trey Barnett, in his essay "Thinking Like and Caring for a Land Community," draws on the work of Aldo Leopold, Donna Haraway, and Hannah Arendt to critically revisit Andrew Dobson's notion of ecological citizenship as deterritorialized and post-cosmopolitan. Reading these thinkers in conversation, he sets out to theorize ecological as an imaginative, care-centered practice grounded in plurality and ethical attention to specific land communities that encompass both the human and the more-than-human.

That – even in western thought – not only the idea of care for, but also that of assigning rights to other-than-human beings dates back longer than we tend to assume is addressed by Jens Soentgen's contribution. Titled "Civil Liberties – Not Just for People," Soentgen brings the Romantic political thinker Adam Müller's considerations about the rights of what he then called 'things' into conversation with Christopher Stone's seminal 1972 essay "Should Trees Have Standing?" In doing so, the contribution gestures toward the significance of Müller's writings from the early nineteenth century for debates about environmental citizenship today.

In his contribution, titled "Foraging, Forging, Forgoing – or, Thoreau as Settler Disaster in the Age of Walker and Apess," Andrew Wildermuth challenges the canonical status of Henry David Thoreau as environmentalist icon by reading his environmental thought as an extension of settler-colonial entitlement, rather than resistance to it. In contrast, he centers the radical critiques of David Walker and William Apess, who articulated environmental and political visions grounded in anti-racist and anti-colonial struggle. This call to decolonize environmental

citizenship underscores the volume's broader aim: to confront the concept's exclusions and complicities while exploring its transformative potential.

The ambivalence of environmental or ecological citizenship as a potential tool of oppression is also explored by Axelle Germanaz and Sarah Marak. In "Bad Environmental Citizens? Tracing the Limits of (State-Sanctioned) Environmental Citizenship," they critique the state's appropriation of ecological citizenship as a disciplinary tool, exposing how environmental norms are weaponized against migrants and activists in the name of ecological virtue. They call for a justice-oriented rethinking that legitimizes protest and foregrounds structural critique.

The role of the state is also at the center of Simone M. Müller's contribution, if with a different focus. In "Global Environmental Citizenship and its Limits. On US Hazardous Waste and the Universalists' Struggle of Framing Environmental Protection, 1988-1992," she discusses a key moment in US environmental history when, between 1988 and 1992, a bipartisan group of senators attempted to modify US waste transport, disposal, and export regulations in a way that the country could ratify the Basel Convention. Beyond the immediate legal question, waste reform proposals in the United States, as Müller shows, raise questions about the relationship between state-bound citizenship on the one hand and global environmental concerns and rights on the other.

In "Satirizing the Eco-Citizen: *My Days of Dark Green Euphoria*," Linda Hess offers a literary perspective through her analysis of Athena Copenhaver's *My Days of Dark Green Euphoria*, where satire becomes a powerful device for revealing the psychological toll of eco-anxiety and the futility of individual ecological virtue under capitalism. She argues that the novel's satirical modes serve to critique performative environmentalism and opens space for inquiring into more relational, emotionally honest forms of care.

Isabel Kalous takes this critique into the ethical domain of reproduction, exploring in "'Stop Having Kids'!? Climate Change, Reproductive Decisions, and the Resurgence of Antinatalism" how environmental antinatalism emerges as a radical, if deeply fraught, articulation of ecological citizenship. Her essay historicizes the trope of the child as future, cautions against echoes of coercive population control, and calls for imaginative rethinking rather than prescriptive solutions.

The volume closes with a forum section that presents three concise theoretical discussions of environmental citizenship, centering questions of affect, posthumanism, and settler colonialism.

Judith Rauscher opens this section with a conceptual reflection on everyday cultural practices as "Affective Practices of Ecological Citizenship." Drawing on queer theory, affect theory, and the environmental humanities, she argues that material re-/productions of daily life and mental activities – such as reading and writing – should be regarded as especially effective in producing affective relations that can sustain forms of ecological citizenship. This, she suggests, is particularly relevant for marginalized groups for whom, due to entangled histories of capitalism,

settler-colonialism, racism, sexism, and environmental crisis, more common practices that forge meaningful human-nature relations are no option.

In "Environmental Citizenship Beyond Posthumanism," Jouni Häkli then considers environmental citizenship from a new materialist posthumanist perspective. Häkli points to a moral dilemma that emerges from this perspective: While posthumanist thought seeks to decenter the role of the human, assuming that agency is shared among all beings, posthumanists risk diluting notions of individual responsibility. As a resolution for this moral dilemma, Häkli points to the work of the German philosopher Helmuth Plessner, who regards humans as 'eccentric' beings at the intersection of nature and culture – a position that Plessner assigns an increased responsibility. Following this line of thought, Häkli suggests, may help transcend the impasse of the posthuman dilution of human moral rights and duties.

Bringing the discussion back into the realm of American Studies and American settler colonialism, Heike Paul turns to Sarah Orne Jewett's famous short story "The White Heron." In her contribution "Resisting the Romance of Extraction," Paul argues that Jewett's text offers a broad concept of what environmental citizenship might entail: She argues that it constitutes an antidote, an alternative to the male frontier romances, one that "replaces the romance of extraction with an appreciation of nature not as a resource but as a kind of atmospheric attunement to the environment and its cohabitors."

Taken together, the essays frame environmental citizenship as a plural, relational, and deeply political practice that, as its history unfolds, must continually reckon with its own exclusions in order to imagine more just and sustainable futures. Therefore, this volume invites readers to think across disciplinary, historical, and ontological boundaries. It is an intervention in a growing body of scholarship that seeks to redefine what it means to be a citizen – not merely of a nation, but of a planet. In doing so, the essays advance a critical, interdisciplinary conversation that engages environmental citizenship not as a static concept, but as a contested, evolving field of negotiation between rights and responsibilities, individuals and collectives, humans and more-than-humans, justice and care.

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Rethinking Reconciliation: Land-Based Citizenship and Indigenous Futures

Rebecca Tsosie

Introduction

Settler colonialism has had a profound impact upon the construction of Indigenous 'citizenship.' Looking at the land and peoples of what is now called 'North America,' we see the territory of Indigenous peoples as it has always been, and then we see the political borders of the settler states that emerged from European colonialism: Canada, the United States, Mexico.[1] Today, those borders define 'national citizenship' and the Indigenous people of the Borderlands, once known in their collective identity as 'O'odham,' or 'Seneca,' are now split into 'Americans,' 'Mexicans,' and 'Canadians.' Their Indigenous identity is inherent and intergenerational, but it is also negotiated by the politics of 'recognition' within and across the nation-states.[2]

This essay engages the concept of 'environmental citizenship' as a tool of transdisciplinary inquiry that can illuminate the discussion of climate change, loss of biodiversity, and the toll of extractive industries.[3] In particular, I link this discussion to the topic of Indigenous futures, which is the continuing focus of my research and scholarship.[4] Scholars contend that the concept of 'Indigenous futures' opens space for new social and ecological constructs and Indigenous relationships with knowledge, time, and landscapes.[5] Linking this discussion to 'global futures' paves the way for the discussion of climate change impacts, sustainability, technology and innovation, and development. There is a pressing need to examine

1 See Riley and Carpenter; this powerful article represents the most comprehensive account of the complex history and legal framework governing the rights of Indigenous peoples across borders.

2 See, e.g., Coulthard, who discusses the politics of Indigenous recognition within a settler state and argues for a place-based and relational construct of self-determination.

3 This essay is based on my keynote address for the conference "Environmental Citizenship: Politics, Practice, Representation" held in Munich, Germany in July 2023. I thank Katja Sarkowsky and her colleagues, in particular Linda Hess, Sylvia Mayer, and Christoph Straub, for their superb work in organizing the conference and producing this volume.

4 See generally Champagne and Abu-Saad; this compilation of essays probed the trajectory of 'Indigenous futures' at the global level, and I contributed an essay on 'Indigenous futures' in the United States, as did Dr. Duane Champagne, who co-organized an international conference on this topic with Dr. Ismael Abu-Saad.

5 This is the theme of *Indigenous Futures and Learnings Taking Place*, edited by López López and Coello. It should also be noted that there is a parallel movement around the concept of 'Indigenous futurisms' in the creative arts, such as literature, visual arts, comics, video games and media, often depicting Indigenous perspectives within the context of Science Fiction, see Dillon.

how these global structures and systems impact Indigenous peoples, and that is a primary motivation for this essay.

I explore the theme of environmental citizenship in the context of disputes between Indigenous peoples and national governments over land and resource use and development. Indigenous peoples often claim that they belong to their traditional lands and territories. Some say that the Creator placed them on their lands with original instructions to guide the relationship of the people to the land through successive generations (Tsosie 2001). Although they have different languages, cultures and religions, Indigenous peoples tend to have a land ethic that emphasizes permanence, stability and balance, and they hold themselves to a duty of stewardship (Tsosie 2019). They are more apt to identify responsibilities to the environment, than 'rights.' Indigenous peoples often conceive the earth as a living being and say that humans are related and interconnected with the natural world (Tsosie 1996). Humans have specific duties to respect the earth and water, as well as the natural systems that support the land. For most Indigenous peoples, "sustainability" is the result of "conscious and intentional strategies designed to secure a balance between human beings and the natural world and to preserve that balance for future generations" (Tsosie 2019: 1013). Indigenous sustainability works to foster environmental values. Today, Indigenous peoples comprise less than 5% of the world's population and occupy 25% of the earth's surface, but those lands also house 80% of the world's biodiversity (United Nations, Department of Economic and Social Affairs).[6]

What can the dominant society learn from those deep and longstanding relationships? Is there a way for external entities to put the lessons of Indigenous sustainability into practice? In this essay, I ask: What does it mean to be a 'citizen of the land' and why does this inquiry matter? I intend to explore the concept of environmental citizenship from a cultural perspective, drawing on the ethical systems that often guide Indigenous peoples in their relationship to the land and the natural world. Referencing the theme of reconciliation, I will explore how nation-states can rework the imbalances caused by colonization, globalization, and environmental exploitation and recognize their own moral duties to Indigenous peoples and to the land, as well as to future generations.[7] I will argue that Indigenous sustainability embodies a unique set of ethics that attaches to place and can potentially guide the discourse of environmental citizenship.

Unpacking 'Environmental Citizenship'

Environmental citizenship is widely associated with the pro-environmental behavior of individuals, in public or private spaces, that is driven by a commitment to fairness

[6] See also Nitah.

[7] This inquiry is the topic of my book manuscript in process entitled *Justice as Healing: Native Nations and the Politics of Reconciliation*.

in the distribution of resources and notions of environmental sustainability (Dobson 2007: 280).[8] At the global level, the concept has grown in popularity due to the unprecedented events associated with climate change, including loss of biodiversity, ice melt, drought, desertification, and ocean acidification. In addition to managing the impacts of development, such as loss of habitat, and transitioning energy economies to minimize the level of greenhouse gases, the climate crisis has presented us with new problems related to environmental health (e.g., management of plastics), climate engineering (including solar radiation technologies), and genetic engineering (GMO crops, climate adaptation). How should governments and societies respond?

The discourse of environmental citizenship posits that we can develop a more sustainable society by transforming the values, beliefs, attitudes and behaviors of *individuals*, who see themselves as part of the "global environmental politic" (Isin and Wood 158).[9] In this way, individuals might conform their conduct to align with a broader construction of 'global citizenship' in a way that can ensure justice to the earth and between and among human communities, as well as 'other-than-human' communities. This idea appears to resonate broadly, and there is even a "global citizen app" that people can download on their phone in an effort to track their sustainability practices.[10]

Of course, this model of environmental citizenship is built on a foundation of 'virtue ethics' and it does not comport with the reality of international law, which supports the power of nation-states to adopt their own sustainability policies and practices. Nation-states have the capacity to regulate greenhouse gases or refuse to regulate them. They can engage in climate engineering, genetic engineering, and forms of development – such as exploitation of fossil fuels – that are best suited to their short-term economic goals, rather than long-term environmental goals. Policy decisions are commonly tied to a utilitarian calculus, in which economic benefit is a primary motivating strategy and long-term harm is often undervalued. Nation-states regulate their borders, and national security is an overriding theme. There is currently no legal category to define the rights of a 'climate refugee,' as opposed to a 'political' refugee. This means that human communities that are displaced from their lands or homes by climate events or flooding have no legal right to relocate as a community. Rather, they must rely upon the beneficence of others to allow them to move to a different community, state, or nation. It is unclear what will happen to the South Pacific Island Nations that are in jeopardy of losing their entire land base due to the rising oceans, but some have advocated that they should be able to

[8] See also Dobson 2003 where he argues that liberal and civic republican theories of citizenship are inadequate foundations for 'ecological citizenship' and arguing instead for a 'post-cosmopolitan' version of citizenship that would transcend the traditional boundaries associated with citizenship.

[9] In that volume, Isin and Wood discuss 'ecological citizenship' within a global and pluralistic account of 'radical citizenship.'

[10] See <www.globalcitizen.org/en/app/download>.

continue their existence as a sovereign state within another state (Watts). The concept of environmental citizenship is deployed in much the same way as other liberal constructions of citizenship, as a means to promote individuals to participate in behavior that is socially beneficial, while still leaving the architecture of sovereign states to regulate within their territorial boundaries and to voluntarily agree to treaty arrangements when there is a coalescence of interests.

Under our current international legal framework, corporations have an important role as agents. Some corporations market sustainable consumption and benefit from convincing consumers to adopt 'green lifestyles.' Other corporations, such as extractive industries, continue to profit from fossil fuels, but they can offset their destructive activities by purchasing 'carbon credits.' Some critics call this 'greenwashing,' and even Indigenous peoples can participate in carbon markets, gaining passive income by preserving their forest or farmlands. Under a liberal theory, environmental citizenship can be consistent with the market system. Of course, some theorists advocate going beyond the liberal construction of citizenship to expand the notion of relationality and collective responsibility.

In this essay I explore environmental citizenship as a legal scholar, assessing whether the term comports with United States' law and policy, as well as international law and policy. I will offer an alternative account of environmental citizenship and ask: What does it mean to be a citizen of the land? The politics of 'reconciliation' between Indigenous Nations and the settler states suggest that we must create a place-based relationship between land and people. The experience of Indigenous peoples with settler colonialism is bitter, and nation-states must give sustained attention to healing current forms of injustice that are rooted in past policies, including the displacement of Indigenous peoples from their sacred places, the need to address and repair the legacy of the boarding schools, and the catastrophic levels of violence against Native women and other Indigenous persons. Those are serious, on-going human rights issues that require attention.

The ethical framework that has always united Indigenous peoples with their ancestral territories can potentially create a land-based concept of citizenship that promotes values of Indigenous sustainability and might also promote collaborative governance across real and imagined borders. I first started thinking about this issue in the context of Indigenous peoples' rights within the 'Borderlands' where the state of Arizona is located, on the US/Mexico border (see Tsosie 2024). As I was researching tribal rights to the Colorado River, I saw that the sustainability of the river implicates the water rights of seven states – Arizona, New Mexico, Colorado, Nevada, Wyoming, Utah, and California – as well as 30 tribal governments within those states. I also looked at the analogous issues on the US/Canada border. As I examined those cases, I saw marked differences between the political and legal construction of Indigenous peoples and 'citizenship' on the Northern and Southern borders. In both cases, the international border separates Indigenous nations that are in continuous occupancy of their territories, and in both cases, Indigenous peoples have attempted to steward the collective resources – including rivers, forests, and

fish and wildlife – across the international border. Yet, their efforts can be frustrated to the extent that they are not recognized as 'Indigenous peoples' with distinctive rights, which is the case with Indigenous communities in Mexico living within the borderlands.

The tensions around environmental use between Indigenous communities and settler populations within the nation-state are a product of settler colonialism and the enclosure of Indigenous territories.[11] Even if there is not an 'international border' that negates Indigenous self-determination, there might be a 'cultural border' that interferes with Indigenous stewardship of traditional territory. This is true in Hawaii, where the Native Hawaiian people lack the same political status and rights that US tribal governments enjoy when regulating their reservation lands. Despite these limitations, the Native Hawaiian people maintain a robust commitment to stewardship of their ancestral lands.

When I gave an early version of this paper at the University of Hawaii in 2021, I learned of the concept of *Aloha Aina*. Several Native Hawaiian faculty and audience members shared that 'Aloha Aina' means 'love of the land,' and it is a central idea within Native Hawaiian thought, cosmology, and culture. Similar to other Indigenous peoples, Native Hawaiian people perceive deep connections between all living beings, so the ethical values of relationality and reciprocity are fundamental. According to Professor Jon Osorio (UH, Director of Hawaiian Studies), "Aloha Aina is a relationship not just with the land but really with nature itself and in particular, that part of land and sea and streams and water that actually sustains life." In this sense, the land 'feeds' all living things and "everything is directly dependent and interdependent with the aina" (qtd. in Steele).

Professor Osorio's description evokes an ecological, spiritual, and cultural understanding of the relationship between land and people. The concept is also linked with the political sovereignty movement in Hawaii. Sovereignty proponents continue to argue for the restoration of the Hawaiian Nation, after the illegal overthrow of the Hawaiian Constitutional monarchy in the late nineteenth century. The Hawaiian Kingdom was recognized internationally as a sovereign nation until a group of American insurgents seized control of the country in 1893 through an illegal coup, backed by the US Marines. The insurgents formed their own 'Republic,' without any Constitutional or statutory authority, and then the insurgents ceded the lands to the United States as a 'territory.' The territory was annexed into the United States by the unorthodox mode of Joint Resolution of Congress, rather than by Treaty (Kauanui 28).[12] After World War II, Hawaii was placed on the United

[11] For a powerful account of this dynamic on the US/Canada Border with the Mohawk people, see Simpson.

[12] Acquisition of territory into the United States usually requires an annexation treaty that is ratified by a ¾ vote of the US Senate. Due to the circumstances surrounding the unlawful overthrow of the Hawaiian Kingdom, this was not possible. Instead, Hawaii was annexed under domestic law through the "Newlands Resolution," a joint resolution of Congress that only took a simple majority vote of the House and Senate.

Nation's list of "non-self-governing territories," and potentially had the right to withdraw from the involuntary colonial rule of the United States, but this right fell by the wayside when Congress fast-tracked a petition for statehood in 1959 (29).

Today, Native Hawaiian people have some rights under state and federal law as 'Indigenous peoples.' However, unlike federally recognized tribal governments, Native Hawaiian people are not recognized as a sovereign government with the right to exercise jurisdiction over trust-protected reservation lands. Rather, the Supreme Court has held that the state of Hawaii today is composed of a 'multicultural' citizenry and that all of its citizens, whether Indigenous or not, share a common identity as 'citizens' of the United States, protected by the US Constitution.[13] According to the Supreme Court, the Constitution reflects the 'shared' values of a multicultural citizenry.

By contrast, many Native Hawaiian people link the term *Aloha Aina* to the right to self-determination, which belongs to the Native Hawaiian people under international human rights law.[14] The Native Hawaiian people have a right to their cultural identity as the people of these particular lands, with a duty to steward First Foods (such as Taro) and tend to the spiritual needs of the land, including volcanoes and mountains, and the oceans that surround them. Native Hawaiian values, teachings, and practices of caring for the land and ocean are rooted in their culture. They 'belong' to the land in a way that is very different from any other people. Belonging to the land is different than owning or controlling the land or its properties, such as geothermal energy. The intergenerational relationship between land and people is vital.

Can non-Natives people craft a similar ethic? When the Kingdom of Hawaii was annexed into the United States, Queen Lili'uokalani said: "*When I speak at this time of the Hawaiian People, I refer to the children of the soil – the native inhabitants of the Hawaiian Islands and their descendants*" (qtd. in "Aloha 'Āina": 2148, italics in the original). The land and people are linked across multiple generations, and they culturally belong to the land. Today, some non-Native citizens of Hawaii respond to the ethic of *Aloha Aina* by differentiating their own presence on the land as that of a 'guest.' The Native Hawaiian people are the 'children of the soil.' The non-Natives are guests on the land, but they can adopt the principles of relationality and reciprocity that ensure the sustainability of these lands out of respect for the Native Hawaiian people and love for the land.

I would like to engage with what it would mean to be a 'citizen of the land' in the sense that one would be held to a place-based notion of collective values. To be a citizen of the land is not the same as being Indigenous to a place, but it is a respectful frame that may motivate some form of reconciliation between the settler

[13] See United States, Supreme Court 2000.

[14] The *United Nations Declaration on the Rights of Indigenous Peoples* states that all Indigenous peoples have the right to self-determination and that this is an inherent human right, rather than a right accorded under domestic law (United Nations).

society (in their capacity as 'guests') and Indigenous peoples (in their capacity as 'children of the soil').

Reconciliation and Indigenous Citizenship

Colonization initially involved movement of foreign peoples onto Indigenous lands and the exploitation of resources. At that time, Native Nations existed as separate Nations with the right to enter treaties and declare War and Peace. Settler colonialism was the next phase as the modern nation-states emerged and the settler population developed its own identity in relation to Indigenous territories by appropriating Indigenous lands, relocating Indigenous peoples, and then establishing the settler population as the dominant culture and rights-holder. The European sovereigns and their successors asserted political control over Indigenous territory, regulating rights to land and citizenship. They also appropriated features of Indigenous culture and identity to distinguish themselves from their European forebears.

Although this essay focuses on environmental citizenship as a form of cultural citizenship, it is necessary to understand the different frames of political citizenship that have been applied to Indigenous peoples within the United States.

The Five Frames of Political Citizenship for Indigenous Peoples in the United States

In the United States, the identity of Indigenous peoples transitioned from the status of separate Nations during the colonial era to the status of non-citizen 'wards' of the federal government in the nineteenth century. In the nineteenth Century, the Supreme Court described Indian nations as 'domestic dependent nations' and the federal government assumed control over tribal lands and Native children, forcibly acculturating Native peoples under the 'civilization' mission of the United States. In that respect, cultural difference became a technique to disenfranchise Native peoples of a political identity that was equal to that of European peoples and the modern settler states that they created.

The settler nations, including the United States, Canada, and New Zealand, used the fiction of 'discovery' to appropriate title to Indigenous lands through the international law "Doctrine of Discovery."[15] The claim of title paved the way for the United States to open huge swaths of land for ownership by European settlers. In addition, the United States created new governance structures to regulate who could hold US citizenship. The US Constitution distinguishes between those persons who

[15] See Tsosie 2012. The Doctrine of Discovery held that only the European sovereigns could hold 'title' to the lands that they discovered and settled. My article discusses the impacts of the Doctrine of Discovery on Native people in the United States, who are held to have the right of occupancy to their lands until the United States extinguishes this by "purchase or by conquest" (1145).

had the right to 'immigrate' into the country and become citizens (Europeans), versus those who could be 'imported' as chattel (Africans).[16] Indigenous peoples preexisted the United States, but they were not politically incorporated into the new country at its inception. By suppressing Indigenous governance institutions and practices, the settler nation assumed control of land and people. There was tremendous harm to Indigenous peoples in terms of appropriation of land, natural resources, and cultural heritage, as well as loss of access to traditional foods, medicines, educational systems, languages, and legal systems.

The United States signed hundreds of treaties with Indigenous Nations from 1778 until Congress discontinued the practice in 1871. Most of these treaties were ratified by the US Senate and continue to have the status of federal law, unless they were later abrogated in whole, or in part. Some Indian treaties, such as those with several Indigenous peoples in California, were not ratified because of the genocidal politics of the nineteenth century gold rush. In California, eighteen treaties were negotiated between 1851 and 1852 and then placed in a vault in the National Archives until they were 'discovered' at the end of the nineteenth century, when ratification was no longer possible (see Miller).[17]

In the United States, Native Nations have been described as separate Nations, as 'domestic dependent nations,' and as 'wards' of the United States.[18] These status transitions have been messy and fraught with inconsistency. American Indians and Alaska Natives were specifically exempted from Constitutional citizenship because of their primary political allegiance to their own nations (US Const. Art. 1, sec. 2). This was true even after the 14th Amendment to the Constitution was adopted in 1868 to afford African Americans citizenship (US Const. Amm. XIV, sec. 2).

In 1924, Congress enacted a statute granting federal citizenship to American Indian and Alaska Native people, creating the third frame of citizenship for Indigenous peoples as both citizens of the United States and their Indigenous Nation (Riley and Carpenter 87-88). Despite the later enactment of the 1940 Nationality Act, some states continued to contest that American Indians had the right to receive state services or to vote in state elections on the theory that they were still 'wards' of the federal government. The rights of Native people to 'equal' state citizenship were contested well into the 1950s and 1960s, leading to several civil rights cases. The fourth frame of Native identity was that of 'minority' citizens in need of protection under US civil rights law. Racial discrimination remains a fact of daily existence for many Native people in border towns adjacent to the reservation and in the exercise of voting rights and treaty-guaranteed hunting and fishing rights.

[16] Although the original Constitution does not refer to 'slaves,' it expressly protected the 'importation' of persons who were held for 'labor' and mandated their return to the state where they were owned in cases where they ran away. See US Const. Art. 1, sec. 9 and Art. IV sec. 2. Both provisions were repealed after the Civil War, when citizenship was extended to persons of African descent.

[17] Miller describes the historical circumstances and impact on the tribes at issue.

[18] I described the five frames of citizenship in an earlier article, see Tsosie 2016.

Today, we are living in an era where Indigenous peoples have a recognized right to 'self-determination' as 'peoples,' which has generated a fifth frame of citizenship. Federally recognized tribal governments enjoy political sovereignty, and they have legal rights to land, resources, and self-governance under federal law. In addition, their identity as Indigenous 'peoples' gives rise to the human rights associated with the right to self-determination under International human rights law. The right to self-determination is a right to autonomy, and for Indigenous peoples, it relates to their rights of self-governance on their traditional lands and territories. Notably, the human rights construct of self-determination is one of 'inherent rights' and is not dependent upon the nation-state's construction of Indigenous peoples' political and legal rights under its domestic law.

Within an Indigenous metaphysics, the categories of 'people' and 'place' are inseparably linked, given the relational understanding of the Universe that most Indigenous peoples have (Deloria 2001: 3). Moral principles ensure survival across generations, while political principles guide our social and economic interactions within each generation. For this reason, Indian treaties are important constitutive documents. They are created by governments and fit the circumstances of a particular time and place, but the principles are binding upon the descendant nations and their citizens. Justice between Nations is the foundation for treaties, just as the US Constitution is the foundation for civil rights between and among its citizens.[19]

Importantly, the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP), which was adopted in 2007, distinguishes the identity of individual Indigenous people as citizens of the national government from their identity as a separate people with a right to self-determination. To conflate the two would erase the claim of collective rights that is at the heart of Indigenous self-determination. The Declaration requires nation-states to reconcile these two sets of rights that Indigenous peoples hold within the nation-state's governance structures. However, nation-states have different laws and governance structures, raising the question of how the principles will apply.

In 2019, the Expert Mechanism on the Rights of Indigenous Peoples (EMRIP) of the United Nations Human Rights Council generated a report exploring how nation-states should implement the rights listed within the UNDRIP. EMRIP's recommendations were organized thematically and called for nation-states to engage in 'recognition' of Indigenous peoples as rights holders, provide 'reparations' or compensatory justice for 'past wrongs,' and restore a more vibrant and functional relationship in the current day through a process of 'reconciliation.'

Reconciliation is the most abstract and contested concept of all of these principles. Some critics say that reconciliation is impossible without a serious effort by nation-states to make material amends and assume responsibility for continuing wrongs. Under this view, for example, a 'land acknowledgement' of Indigenous presence is insufficient, and a 'land back' policy is likely required. I will use the

[19] I discussed this dynamic in an earlier article, see Tsosie 2000.

term 'reconciliation' as a way to describe the process that is necessary to restore or heal broken relationships between the nation-states, indigenous peoples, and their traditional territories. I will argue that the concept of 'Indigeneity' embodies a relationship with the land that contains a distinctive set of values and can inform a cultural construction of citizenship.

In the next section, I will move from the liberal notion of political citizenship as a source of rights to the notion of citizenship as a source of responsibility to the collective. Andrew Dobson equates the notion of responsibility-centered citizenship with 'republican citizenship,' and he describes this as one foundation for environmental citizenship (2007: 280).

Cultural Citizenship as a Source of Responsibility

The function of political citizenship within a democracy is to control the international borders, offer a unitary identity that can be embraced by a multicultural constituency, and define a set of secular values for civic virtue that is devoid of cultural or religious content. For purposes of political citizenship, 'the people' are a homogenous entity and domestic law binds the collective. This is why the Supreme Court maintains that the US Constitution is the common "heritage of all citizens" (United States, Supreme Court 2000: 524). In the United States, political citizenship promotes a 'colorblind' notion of the Constitution in which race is not salient to political identity and therefore cannot be used to effectuate 'equity' in college admissions or access to public goods.[20]

At the current moment, the status of federally recognized tribal governments is understood to be political and not 'racial,' so there is not a direct threat to the notion of political citizenship. There is an embedded debate, however, over which groups and individuals are entitled to claim that distinctive political status, and the relationship between 'race' and 'Indigeneity' is not always clear. Moreover, the existing hierarchies of power that privilege the federal government may preclude true self-determination for Indigenous peoples because eligibility for benefits may be conditioned upon compliance with federal standards.

The *United Nations Declaration on the Rights of Indigenous Peoples* calls upon nation-states to recognize Indigenous peoples as equal citizens and also as members of distinctive collective groups that possess the right to self-determination. In the United States, the treaties demarcated the traditional territory of many Indigenous Nations. Even though tribal reservations constitute a mere fraction of their traditional territory, the right to self-determination suggests that there should be an ethic of collaborative management in the current day, regardless of which entity currently 'owns' the 'property.' In that sense, the land and waters of the territory remain under the *stewardship* of Indigenous peoples over time and through tradition. Stewardship

[20] This logic is well-represented by Chief Justice Roberts' opinion in United States, Supreme Court 2023c.

implies a cultural form of authority to care for the land and water. Today, the *obligations* of care should fall upon all of those who are 'citizens of the land.' This is most easily understood within the territorial boundaries of the nation-state, but I also believe that it is necessary to look at transboundary citizenship for those Indigenous peoples whose traditional territories have been split by international or domestic state borders.[21] The notion of transboundary citizenship is rooted in recognition of Indigenous human rights, and for this reason, it is likely to be contested by the nation-states as they carefully police their borders and their laws governing citizenship. As Seyla Benhabib has observed, liberal democracies continue to differentiate their domestic sovereignty from international law and transnational legal agreements. Although there is a discussion about 'global constitutionalism' and 'global citizenship,' many liberal democracies, including the United States, are unwilling to adopt a robust notion of human rights law because they fear any limitation on their domestic sovereignty.

In the United States, we typically rely upon legal definitions of citizenship to determine who is included or excluded from the nation's political community. These definitions have changed over time, in part because of racial politics. For over a century, the US laws regulating naturalization restricted citizenship to 'free White persons.' This did not change until 1868, when the 14th Amendment determined that all 'natural born persons' could be citizens, even if they were not White. However, the naturalization laws did not change for many years. Asian people were not eligible to be naturalized to citizenship. Mexican people living on the lands annexed into the United States were treated as 'White' by law because that was a requirement of the Treaty of Guadalupe Hidalgo in 1846.[22] Many Congressmen grumbled that this was not fair because Mexican people were predominantly 'Indian,' but Mexico refused to sign the treaty without that guarantee in place, because there would be no way to protect the civil rights of those Mexicans who stayed on their land when it was annexed into the United States. Today, there is a political attack against 'illegal' aliens who 'cross the borders.' Because Mexican identity is racialized, even American-born persons of Mexican descent must sometimes prove their citizenship.

What are the cultural dimensions of citizenship? According to Nick Stevenson, cultural citizenship is an interdisciplinary concept that has relevance at both the global and national levels because it involves an ethics that can guide issues of respect, recognition, marginalization, responsibility, and visibility. Stevenson believes that liberal and republican accounts of political citizenship are still relevant, but he says that our new "information-based society" requires a more nuanced view of how dialogue and communication work within civil society. Stevenson notes that many contemporary social movements disrupt settled views of citizenship by invoking constructs of race, ethnicity, gender and sexuality. Consequently, questions

[21] Article 36 of UNDRIP specifies that Indigenous peoples who are divided by international borders should have the right to maintain their relationships with their members and other peoples across the border, and also to practice shared cultural and spiritual activities.

[22] I discuss the historical circumstances behind the Treaty of Guadalupe Hidalgo in Tsosie 2000.

of "'cultural' citizenship seek to rework images, assumptions, and representations that are seen to be exclusive as well as marginalizing" (Stevenson 18).

In contemporary terms, we might frame this process to align with the discussion of 'belonging.' What does it mean to belong to a society and how can modern societies become more 'inclusive'? In recent years, the Supreme Court has embarked upon a campaign to reject constructs of race, ethnicity, and gender as salient to political identity. Nor can it be said that the United States has a 'national culture.' There is an extremely polarized view of political citizenship operating right now that is closely tied to political party as ideology, rather than to any notion of civic virtue. With this backdrop of political and cultural citizenship in mind, I will now turn to explore the frame of 'place-based citizenship.'

Cultural Citizenship as Place-Based Citizenship

Nick Stevenson suggests that environmental citizenship can be enfolded into cultural citizenship if we cojoin our understanding of culture and nature to develop a concept of "ecological citizenship" (68-72). Stevenson observes that "an ecologically informed citizenship depends not as much upon 'nature' as upon the links between 'nature' and 'culture.' We need to come to terms with the limits of our bodies, our 'use' of 'nature' and our relations with the other life forms with which we share the planet; this requires a new cultural language within which we might reinterpret ourselves" (70). In his chapter on ecological citizenship, Stevenson discusses what processes might work to develop "new narratives and discourses" through which we can experience our 'naturalness,' while still noting the paradox that we will do so through some orientation of 'culture' (70-71).

I appreciate Stevenson's broad and creative assessment of how we might transcend our cultural blinders even as we seek to develop new narratives of ecological citizenship, but I will make the argument that the best starting place would be a *place-based view of citizenship* that invokes Indigenous norms about the optimal relationship of people to the land, water, species and other natural components of a specific place.

In my prior work, I have constructed the term "reconciliation" as a process between the national government and Indigenous peoples that can accommodate terms of their respective commitments to citizenship founded upon a place-based relationship between people and land (Tsosie 2022). *What does it mean to be a citizen of the land*? Not just any land, but the actual land that is a place of origin for the people over time, often dating from 'time immemorial.' Maybe the Indigenous peoples have been removed from the land, or maybe they are still on the land, but the national government does not recognize their presence. At the heart of "reconciliation" is the need to recognize the spiritual, moral, and political status of the Indigenous people in relation to their territory. This is a construct of 'citizenship' that is anchored in the land and not in the supposedly neutral democratic values that are associated with US citizenship.

What are the features of this type of place-based citizenship? There are at least two central components. First, we must return to the principle of territoriality for Indigenous peoples in order to culturally transcend the construction of "borders." We must recognize the continuing presence of Indigenous peoples even where they have been removed from significant portions of their traditional territory. Let me offer an example. The Lummi Indian Nation is a federally recognized tribal government within the United States. The Lummi Nation's reservation is in the state of Washington, but their Treaty-reserved lands included all "usual and accustomed places" where they traditionally fished for salmon. Most of those places are now off the reservation. Their salmon runs are in jeopardy due to climate change and pollution from oil refineries and a shuttered aluminum plant. Recently, the Lummi Nation worked with local governments and federal representatives to promote an Indigenous framework of land management that combined Tribal knowledge with scientific analysis. This gave rise to one of the most protective plans in the state. Delegates from the Lummi Nation also traveled to Canada to join the First Nations of that territory in their effort to develop Indigenous frameworks for the protection of coastal areas and fisheries in Canada. The Traditional Lummi territory extends across the US/Canada border and the collaborative effort of Indigenous peoples on both sides of the international border confirmed their shared ethic of stewardship.

Second, it is necessary to recognize that Indigenous traditional knowledge constitutes a source of law, as well as place-based ethical principles and norms. Many Indigenous peoples have adhered to these 'natural laws' since 'time immemorial' and these laws continue to govern the relationship between the people and the land. In addition, Indigenous law often accords moral weight to other aspects of the natural world, so there may well be a viable category for 'other-than-human persons.' Within an Indigenous metaphysics, as the late Vine Deloria, Jr., wrote, the categories of law, theology, philosophy, and psychology intersect and are linked to principles of justice (between humans and between species) in a way that is profoundly relational.[23] Within this world, humans inhabit the land on the same basis as other-than-human persons. There are duties and responsibilities that exist as moral principles, ensuring the survival of peoples upon the land.

In a 2021 lecture at the University of Arizona, Ponca elder Casey Camp Horinek referred to Indigenous Traditional law as a "living entity" that has the purpose of "regeneration" of earth and people in each generation.[24] In comparison, she described the "man-made laws" of the nation-states as "stagnant," fostering the exploitation of earth and people, and then denying fundamental rights to those who appear to threaten the folks in power. Ms. Horinek discussed the way in which

[23] See Deloria Jr. 2001, 2023.

[24] During the 2020-21 academic year as many faculty members were still teaching remotely, Casey Camp Horinek gave an incredibly inspiring Zoom lecture for our Native American Law Student's Association at University of Arizona College of Law and I had the opportunity to attend and take notes. She is a renowned Indigenous environmental activist and acclaimed public speaker.

Indigenous peoples and their non-Native allies came together and organized themselves as "Water Protectors," seeking to block the construction of oil pipelines, such as the Dakota Access Pipeline, that jeopardize Indigenous territories and waters. The Water Protectors have been disproportionately prosecuted under state laws that enhance penalties if a protester challenges the construction of "needed infrastructure."

The use of the state's criminal law to punish Native people for protecting their land and environment is not a new phenomenon.[25] In 1915, the state of Washington prosecuted a Yakima fisherman who was engaged in traditional salmon fishing practices that had been criminalized under the Washington state code. The state wanted to capture the resource for non-Indian commercial use in salmon cannery businesses. Chief Meninock of the Yakima Nation testified that

> God created this Indian country and […] the rivers. […] Then God created fish in this river and put deer in these mountains and made laws through which has come the increase of fish and game. Then the Creator then gave us Indians life; we awakened and as soon as we saw the game and the fish we knew they were made for us […] I was not brought from a foreign country and did not come here. I was put here by the Creator (qtd. in Tsosie 2001: 1291).

Under Indigenous law, Native people, the land, the waters, and other-than-human persons interact under a divine plan created for a particular place on Earth. The same set of laws governs all living things, and even rocks have life and essence under this view. This worldview promotes order, balance and abundance. It also depends upon humility from human beings.

In comparison, state and federal laws governing the exploitation of natural resource often allow toxic pollution of air, water, and land, and climate change has resulted in the most catastrophic loss of species that we have ever witnessed. The climate crisis is real, but will we be able to expand the dialogue about place-based citizenship to address the multiple harms? In the United States, we are turning the clock backward as the Supreme Court challenges the ability of federal agencies to protect land and water from pollution, given the 'rights' of states to authorize development.[26] Some citizens have tried to promote a conversation about the 'rights of nature,' but each of the cases has failed because the United States does not

[25] See Barker for a powerful account of this troubling history and the associated contemporary events.

[26] See United States, Supreme Court 2024 which overruled several decades of case law to hold that courts may exercise independent judgment in determining whether a federal agency has exceeded its statutory authority and that there is no need to defer to the agency's interpretation of a federal law that is ambiguous. This pro-development line of thinking is also present in the controversy over the definition of what falls within "Waters of the United States," and what waters are solely under state jurisdiction. Tribal governments are often associated with 'federally protected waters' but that does not mean that they have no interest in the waters claimed by the states. See United States, Supreme Court 2023a.

recognize the 'standing' of a river or mountain or forest to enjoin harmful actions or sue for damages.[27]

In comparison, the Ponca Nation of Oklahoma and the Yurok Nation of California have enacted Tribal laws recognizing the Rights of Nature, and this discourse is also present in New Zealand, where the legislature recognized the personhood of a specific river and a particular mountain in alignment with the Maori understanding.[28] There is also an active Rights of Nature discourse in several countries in Latin America, including Ecuador and Bolivia.

In Minnesota, the White Earth Anishinaabe Nation enacted a provision of Tribal law protecting the sanctity of "Manoomin," which is the embodiment of wild rice (Kronk Warner and Lillquist 388-92). The Ojibwe people expressly protected their ability to access wild rice from the lakes within Minnesota and Wisconsin through their treaties, much as the tribes of the Pacific Northwest protected their right to fish for salmon in usual and accustomed places. In 2018, the Enbridge Corporation, which is chartered in Calgary, Canada, sought state permits to construct a new oil Pipeline (Line 3) to move oil from Canada to Texas oil refineries. The oil pipelines authorized under state law posed the risk of catastrophic contamination of wild rice beds, but the state issued the permits anyway. The issue was litigated in White Earth Tribal Court, but ultimately the off-reservation claim was dismissed for lack of tribal jurisdiction (Kronk Warner and Lillquist 391).

In the case studies that follow, I will build the case for why we must recognize a citizenship in the land, on the theory that the Traditional laws of Indigenous peoples represent the first laws or original instructions of the territory. The Treaty based jurisprudence, read in light of international human rights law, should instill an obligation on settler societies to collaboratively manage Indigenous peoples' territories in a way that protects the rights embedded in land.

The Legal Challenges for Indigenous Futures

I come from the desert Southwest, where the land and water are incredibly resilient, but also incredibly fragile in an era of climate change. Although policymakers continually seek to separate the legal analysis of "land rights" from "water rights," the two are very interconnected. Energy resource development has had tremendous impacts on land and water. Food access and food security are also inseparably linked to water access and water security. The rights of Native peoples must be considered by the state and federal governments, yet tribal rights often are not given the same weight or respect as the rights of non-Native citizens. I will discuss three examples involving the nexus between land, water, and energy in the Southwest. These are all stories about a distinctive place that has been the home of many Indigenous peoples

[27] See Stone 2010. Christopher Stone's original work, "Should Trees Have Standing – Toward Legal Rights for Natural Objects" dates to 1972 and remains the classic text on this problem.

[28] For an excellent analysis of Indigenous peoples in relation to the rights of nature jurisprudence, see Kronk Warner and Lillquist.

for generations, but rapid development over the last sixty years has changed the character of the land and people. Without a conception of place-based citizenship, rights to own and use the land are determined by the standard frameworks of property and economic rights that have incentivized development without reference to environmental harm.

Case Study: Coal and Uranium Development in the Four Corners Region

The story of energy development in the Four Corners Region of the United States, where Arizona, New Mexico, Utah, and Colorado intersect, illustrates the dominant "ethic of opportunity" that has characterized development in the United States since the nineteenth century, despite periodic interventions from ecologists such as Aldo Leopold (see Tsosie 1996: 255-62). The lands of the Colorado Plateau also house the Grand Canyon, a place of incredible beauty and an important national park.

The four corners region of the American Southwest is and always has been the ancestral homeland of many Indigenous peoples, including the Hopi and Navajo Nations, both of whom hold beneficial title to their reservation lands and share long histories of occupancy that intersect, but are quite distinctive. Each Nation has its own culture, language, traditional religions, and origin stories. The Navajo Nation occupies a reservation that was originally created by an 1868 Treaty and then extended several times to its current size, which is similar to the state of Connecticut. The reservation sits on top of parts of Arizona, New Mexico, Colorado and Utah. The Hopi people have occupied their villages in Northern Arizona for many centuries – at least 1000 years and probably more. The federal government created the Hopi reservation by Executive Order in 1882, setting aside the land in trust for the Hopi Tribe, as well as any other "Indians" residing there at the time, in recognition that some Navajo families were also living on the land. At the time, federal policymakers viewed the land as relatively undesirable because it seemed dry, barren and rocky.

By the 1950s, that narrative had changed. A significant portion of the Navajo Nation was surveyed in the 1930s and 1940s and found to house some of the richest uranium deposits in the country. At that time, the US government controlled all uranium as an aspect of its national defense strategy. The states knew that radioactive waste was dangerous for miners, and they had state laws in place to protect their health. The federal government did not extend any warnings or protection to Navajo miners, and from the 1950s to the 1980s, uranium mining on the Navajo Nation contaminated the land, water, and mine workers.[29] The US Public Health Service covertly studied the health impacts, but did not warn Navajo miners, families, or communities. Although the Navajo Nation issued a moratorium on uranium mining in 2005, the health impacts of abandoned mines and contamination of water are

[29] I wrote of this history and its legacy in an earlier article, see Tsosie 2015.

serious and debilitating. The US government has not conducted long-term epidemiological studies in this region, however health professionals report that within many communities located near the uranium mines, there are higher than average rates of cancer and other health conditions typically linked to radioactive exposure (Pasternak 156).

At the same time, the federal Bureau of Indian Affairs negotiated leases for coal mining to Peabody Coal Company and others. Coal mining was the major mode of economic development for the Navajo and Hopi people from 1968 on, and corporations built several large power plants in the region, which literally fueled the growth and development of several major cities in the western United States, including Los Angeles, Las Vegas, Phoenix, and Albuquerque. The environmental consequences of coal mining and the concentration of large power plants were significant. The American Academy of Sciences actually described the Four Corners Area as a "National Sacrifice Area" because the environmental impacts were so severe and irremediable (Tsosie 2007: 1625, 1630, n. 17).

The Navajo Nation and the Hopi Tribe each received monetary payments for leasing their lands for coal mining and for construction of the power plants, but they also entered a protracted litigation with one another over the "ownership" of the subsurface resources. The litigation extended for over 50 years and resulted in an "equitable partition" of land that required the relocation of over 12,000 Navajo people. The tribal governments also received payment for allowing the Peabody Coal Company to pump billions of gallons of pristine groundwater annually from deep aquifers on the reservation in order to operate a "coal slurry pipeline" that extended from Arizona to a processing plant in Nevada. The Western frames of "ownership" and "exploitation" of resources provided a modest economic benefit to the tribal governments, but at a tremendous cost to land, water, and human health.

Today, climate change and environmental concerns over air pollution have caused the closure of several of the coal-fired powerplants in the Four Corners Area and others will close in the near future. Oil and gas development on tribal lands and adjacent federal public lands, including hydraulic fracturing, has expanded, and some tribal members favor leasing lands for mineral development. There is active uranium mining on state lands adjacent to the Navajo Nation, and the contamination of groundwater in the area is severe. The remediation of harm to the land caused by coal and uranium mining has barely started and will likely take generations. The narrative of a "National Sacrifice Area" is that the American public benefitted from the many years of energy development, and the Native people were paid for the value of the mineral leases and secured well-paying jobs at the mines. The contamination of the land, water, and air on the Navajo Nation and Hopi lands are seen as an acceptable "price" to pay for development.

Within this model, the extractive industries are temporary visitors on the land. They do not have any duties at all beyond what their lease agreement requires. US environmental law is notoriously lax and allows an unbelievable amount of pollution, particularly in rural areas where population density is low. Harms to living

persons might be actionable if the plaintiff can prove negligence, for example in the case of a toxic spill that contaminates land or water. Otherwise, the health impacts to Native people are not part of the analysis of benefit and harm.

The *United Nations Declaration on the Rights of Indigenous Peoples* offers a more accurate framework to account for the harms. The document regards energy exploitation in Indigenous territories as a potential human rights abuse and further counsels against activities that harm the health of Indigenous peoples or result in their removal from their territories.

The dynamic that I have described is occurring throughout North America because the corporate actors are multinational companies engaging in energy development. The corporations are not "political" citizens, and they certainly do not share a common "culture" with the people who live on the lands that they exploit. The oil pipelines have a similar devastating impact, but the corporate actors do not share a sense of accountability or responsibility for leaking pipelines and spills. They also lack regard for the wild rice, fish, or migratory species that are affected.

Case Study: Colorado River Water Rights

The story of water rights on the Colorado River is also a story about the development of the western states, including the infrastructure for energy development that allowed those states to grow to their current size and capacity.[30] Economic development in the West is heavily dependent upon water-intensive uses, including mining and commercial agriculture. The law reflects a principle of 'prior appropriation,' which grants individuals a senior water right if they are the first to divert the water to a beneficial use. The system of 'beneficial use' does not consider water conservation or preservation to be worthy of protection. Only active "uses" of water give rise to water rights.

The Colorado River today serves the US and Mexico, seven states and thirty tribal governments – collectively some 40 million individual "water users." In 1922, the seven states entered a compact to divide 15-million-acre feet of water annually between the 'upper basin' states and the 'lower basin' states. The federal government completed construction of the Glen Canyon Dam in 1963, including the reservoirs at Lake Powell and Lake Mead, to create hydroelectric power to fuel the region. Today, the project generates four billion KW hours of electricity per year, but the river is barely carrying 12-million-acre feet of water. The "Central Arizona Project" is a 336-mile system that brings Colorado River water to southern and central Arizona and serves 80% of the state's population. The levels in each lake have dropped precipitously in the wake of a twenty-year drought that is the worst the region has experienced in recorded history. The threatened loss of hydro power has prompted an active discussion of how water use of the Colorado River can be

[30] See generally Robison.

curtailed to preserve the dam infrastructure and the needs of the large cities that were created by the development of coal in the Four Corners area.

Needless to say, the states in the upper basin are at odds with the states in the lower basin. California only recently agreed to have any cuts at all because of its "legal priority" to water. The most vulnerable people are those who lack a legal decree of water rights. Most urban residents consume water through the right of the municipalities. Agricultural users, housing developers, and industrial users might be affected by the cuts, which would force them to purchase water on the market, which is quite costly. They can also potentially use groundwater. Arizona does not regulate groundwater except if it is in managed aquifers adjacent to big cities, such as Phoenix, Tucson, and Flagstaff. Agricultural users have been pumping groundwater, and some rural farmers and ranchers are selling or leasing their lands to foreign companies from Saudi Arabia and other dry climates for use in growing alfalfa and other water intensive crops. Mining companies also have the right to use groundwater for their operations without any need to compensate the state. With a limited amount of groundwater in the desert Southwest, the prediction is dire.

Tribal governments have a reserved right to water to serve the purpose of their reservation as of the date that the reservation was created. These federal rights exist as of the date of creation, but they must be "quantified." Some tribal governments have concluded water rights settlements and have stipulated to accept a quantity of water below what they are legally entitled to, as a mechanism to gain actual rights to access and use the water.[31] In Arizona, some of the 22 tribal governments have concluded settlements, but many still lack settlements (see Krol 2022). A recent Supreme Court case held that the United States does not have to take affirmative steps to protect the tribe's water rights if they are not yet quantified.[32] This leaves some tribes in a vulnerable position. They have legal rights to water, but their rights are largely unenforceable in a world where access is jeopardized by the climate crisis. The Navajo Nation, the Hopi Tribe and the San Juan Southern Paiute Tribe share a significant claim to water rights to serve their respective reservation lands in Northern Arizona. Recently, the *Northeastern Arizona Indian Water Rights Settlement Act* has been introduced in Congress that would settle the water rights of these three tribal governments, although it is unclear whether Congress will pass this legislation, given the projected cost, which is estimated at 5 billion dollars.

There is precedent for tribal water settlements in Arizona. In 2004, the Gila River Indian Community reached a final settlement that recognized substantial water rights for that community.[33] The Akimel O'odham people have engaged in farming since time immemorial, but their ancestral farms were destroyed during the 1930s when several regional dams were constructed. Thereafter, the Community experienced devastating famines and disease epidemics, but they continued to farm on a more

[31] See, e.g., Gila River Indian Community Water Settlement.
[32] See United States, Supreme Court 2023b.
[33] See generally Rogers and Edmiston; Lewis and Hestand.

limited basis until their water settlement was finalized. Today, the Community maintains its traditional understanding about the cultural importance of water and its ancestral farming traditions, but it is also a leader in water conservation practices. Indigenous sustainability is the hallmark of the Tribe's stewardship of its water, and its agreement to "leave water in the river" has been central to the drought contingency planning of the Bureau of Reclamation in a time of unprecedented drought.

Importantly, the Gila River Indian Community and the other Tribal claimants are the only ones to attach a cultural value to water and to see water as necessary for a healing of the earth and human beings. The cultural value of water is associated with health and with food, particularly traditional crops. Water is often described as sacred and it is without a doubt, essential to life.

Case Study: Oak Flat

The Apache people are Indigenous to Arizona, New Mexico and northern Mexico. When the United States acquired the lands in what is now southern Arizona from Mexico, it entered an 1852 Treaty with the Apache people promising to secure them a reservation in exchange for peace. This did not happen, however, and the United States began a military campaign against the Apaches in an effort to clear the lands in the New Mexico Territory for settlement by ranchers and homesteaders. Ultimately, the United States imprisoned several bands of Western Apache and placed others on reservations in Arizona and New Mexico. The Apaches remain culturally tied to their traditional territory, including a site known as "Oak Flat" which has been part of the Tonto National Forest in Arizona since the 1940s. Oak Flat is a sacred site that is important, in part, because it is used in the 'coming of age' ceremonies held for young Apache women. It also sits on top of a large reserve of copper, often described as the world's third largest deposit, which is projected to yield 40 billion pounds of copper over 60 years and create "3,700 jobs" over its lifetime. The closest town, Superior, is an old Arizona mining town of 3,000 people.

After many years of failed attempts by mining companies to gain access to the copper deposits on these federal lands, the companies eventually convinced Arizona's senators to attach a brief provision to a voluminous appropriations bill at the end of the year, knowing that the bill would pass and that no one would read all of the pages during the holiday season. This 2014 "midnight rider" to the Appropriations Bill contained a provision authorizing the transfer of lands from the US Forest Service to the Resolution Copper Company, a subsidiary of two foreign mining companies, Rio Tinto and BHP. President Obama signed the bill into law, which commenced a process to complete an Environmental Impact Statement (EIS). Completion of an EIS is a legal prerequisite for any transfer of federal land. For the last decade, the Apache people and their environmentalist allies have tried to reverse the legislative action authorizing transfer of the land. The environmentalists project that mining the copper will lead to a massive crater in the land and deplete the fragile

underground water resources. The Apache people contend that there is not another place that has the cultural significance of Oak Flat, and they will not have any protection for their right to practice their religion at Oak Flat after the lands are transferred to a private owner. The cultural/religious claim to protect Oak Flat as a sacred site was filed by a representative organization, "Apache Stronghold" under the religious freedom clause of the US Constitution and the federal Religious Freedom Restoration Act. The federal district court ruled against Apache Stronghold on the grounds that there was not a 'substantial burden' on the Apache peoples' right to free exercise of religion, and that holding was affirmed by a panel of the 9th Circuit Court of Appeals. After a recent rehearing by the 9th Circuit en banc, the appellate court again held against Apache Stronghold by a narrow 6:5 ruling, paving the way for an appeal in the US Supreme Court.[34] The mining has not yet commenced because the environmental claims are still pending, and the EIS process has not been completed.

Local governments claim that the Copper mine will boost employment and tax revenue in the region. Chairman Terry Rambler of the San Carlos Apache Tribe disagreed with this assessment of economic benefit, pointing out that under the current law, Arizona is poised to "give away" $400 billion dollars' worth of precious groundwater if it allows the mine to commence, because the mining companies are free to use as much groundwater as they want without any need to pay. In that sense, the foreign corporations enjoy a privilege for unlimited water use that is well beyond that of the municipal and agricultural users in the state, and certainly beyond that of the tribal governments.

In short, all of these cases indicate that Arizona's state law and the federal law both support the continued colonization of Indigenous lands by foreign corporations. The state and federal governments are fostering an ethic of short-term economic gain, at the expense of Indigenous peoples' well-being and at the expense of climate sustainability and resilience. None of the non-Native actors has any motivation whatsoever to operate as a "citizen of the land" because they are not assessed with any responsibility to honor the cultural significance of the place or the people. Indigenous futures are in jeopardy under many of the court rulings, and the case studies, taken together, represent a sustained pattern of exploitation. A major component of being a 'citizen of the land' is that the guest must comply with the norms of stewardship that are held by Indigenous peoples. They are still the 'children of the soil,' and they are part of the land. This intergenerational tie is fundamental to the identity of Indigenous peoples and must be recognized and protected.

Indigenous Futures

According to Justice Murray Sinclair, who presided over Canada's Truth and Reconciliation process with Indigenous peoples in Canada, "[r]econciliation is about

[34] See United States, Court of Appeals.

forging and maintaining respectful relationships. There are no shortcuts" (Sinclair). Our current challenge is to rebuild the requisite relationships between Indigenous peoples and the settler colonial nations on Indigenous territories in a way that honors the ethic of a land-based citizenship. This requires a different set of aspirational values, including physical and spiritual well-being, environmental sustainability, and resilience. It also requires nation-states to rethink their extractive and exploitive practices. Water will be the most precious resource in the years to come, and it is unconscionable to allow mining companies to waste the resource at will and avoid any cost for the harm, while reaping the full benefit of short-term gains. The lands within the Four Corners area are the home of Native peoples, but they are also a continuing "National Sacrifice Area" where coal mining and uranium mining have heavily contaminated land and water. Who will pay the costs of 'remediation' for this intergenerational set of harms? Indigenous peoples have sacrificed much for the 'public good' of the United States, and the discourse around copper mining at Oak Flat continues that colonial line of thinking. The issue is not about gaining jobs at the mines or getting more copper for electric vehicles. Those justifications are a screen for the continuing harms of exploitation. What is the cost of obliterating a sacred place within the cosmology of Apache people? Can we even create a metrics for the harm/benefit analysis?

Article 25 of the *United Nations Declaration on the Rights of Indigenous Peoples* recognizes the 'spiritual' relationship between Indigenous peoples and their territories, which has existed for generations and sustains a people's place-based identity. 'Spiritual rights' are different than 'religious rights.' The concept is unique to Indigenous peoples among the various human rights documents, and it is closely linked to many Indigenous traditions that describe the people as 'stewards' of the land, versus 'owners' of the land. An 'owner' has the legal right to extract all economic value from the land. A 'steward' has a responsibility to respect the spiritual value of the land and ensure that future generations also have access to the land.

The climate crisis and geopolitical events are causing mass migration of human populations, and this will continue into the future (see Riley and Carpenter 64-66). We are seeing the migration of Indigenous peoples from communities in Latin America up to Mexico and the United States. As non-citizens, removed from their land by war or climate crisis, do they still have a 'state'? As Indigenous peoples, they might have a 'right to self-determination,' but what will this mean if they do not have access to their territory? That is also the conversation about what will happen to the small island states in the South Pacific, if the rise in oceans causes a total loss of territory. How can a 'state' be landless? What does the right to 'self-determination' mean if a people lose their relationship to their lands?

In the United States, federally recognized Indian tribes are 'sovereigns' within another "sovereign" state. They govern their reservation lands, but they also can use their right to self-determination to collaboratively manage their traditional territories that are now under the control of the state or federal governments. The ethic of *Aloha*

Aina in Hawaii recognizes this cultural form of sovereignty, and this is an aspect of their inherent right to self-determination, in my view (Coffey and Tsosie). They are the 'children of the soil' and the settler colonial nation is a 'guest' on that soil. But the customary law and traditional law of the Native Hawaiian people can still create a cultural framework for appropriate stewardship of the lands.

The responsibility of a steward is to tend to the land: its forests, watersheds, mountains, and all component parts that sustain the health of the natural system, including the fish and wildlife. This might push against some of the 'rights' that are associated with land ownership, and which can even cause certain tribal governments to favor mining or oil and gas development, despite the environmental impacts. Economic value is associated with ownership and a market economy. Spiritual and environmental values are hard to commodify, and it seems foolish to even attempt to do this. There must be a different way to calculate optimal values for the future.

Cherokee Elder Tom Belt teaches Cherokee Philosophy at Western Carolina University, and in one of his lectures, he offered the Cherokee language term for 'law' and said that it relates to 'health' and 'healing,' and not to 'justice.' This is also a principle that distinguishes other traditions of Indigenous law associated with 'peacemaking' after interpersonal conflict. The idea in Native communities is that the individuals are part of families, clans and a larger tribal community, so there must be a way for individuals to take accountability for harm that they have caused and to heal the family/clan/society in the process. This is a restorative framework of 'justice' that depends upon an ethic of healing. It is quite different than the adversarial, punitive framework of 'justice' used in Euro-American legal systems. Many Indigenous peoples hold the view that individual transgressions in the natural world may cause spiritual and physical harms that must be remediated. For this reason, traditional Indigenous law may prescribe stringent protocols for hunting or fishing and may require ceremonies to be conducted prior to commencing the hunting or fishing season. If the requisite protocol is not followed, the individual hunter or his or her family might suffer, or this might cause serious harms to the society or to the fish or animals. It would be considered unwise and potentially catastrophic to sanction practices that would result in the total destruction of a species. The physical and cultural survival of the Indigenous peoples serves as a baseline for the notion of respect and reciprocity that undergirds Indigenous land ethics.

In the United States and Canada, there are emergent efforts to 'indigenize' educational institutions and rework the policies of the settler colonial nation to reflect these values. These efforts are a direct outgrowth of Canada's truth and reconciliation process to make amends for the dismal legacy of the Indian Residential Schools in that country. The United States has a similar history, but to date, Congress has rejected the creation of a formal truth and reconciliation process, although the former Department of Interior Secretary, Deb Haaland, initiated a formal investigation of the US boarding school experience (Newland). However,

some state and local governments have forged ahead with reconciliation efforts. For example, after California Governor Gavin Newsome apologized for California's genocidal behavior in the nineteenth century, he issued an executive order calling for healing and restoring relationships with Indigenous peoples, and tribal leaders called for Indigenous participation in state planning for climate change, forest restoration, and groundwater management. After a disastrous season of wildfires in 2019, the state actually consulted with Indigenous forest stewards and identified several practices that had been used traditionally to manage the forest and decrease the risk of wildfires.

This model could be applied in Arizona to protect the groundwater that sustains the land, and the people. Vernon Masayesva, a former Chairman for the Hopi Tribe and founder of Black Mesa Trust, spoke of the harms caused by the use of 45 billion gallons of precious groundwater to slurry coal to Nevada during the years that the Black Mesa coal mine was operative. He said that the aquifer fed natural springs throughout the area and that within the Hopi worldview "all waters – rivers, groundwater, glaciers – are interconnected, because the Earth is like a human body and we survive with all the hundreds of bloodlines circulating through all of our body." Masayesva said that Hopi culture and religion are inseparably linked to water, while the Western mind sees water as a 'commodity' (qtd. in James).

For those tribal governments who have finally settled their water rights, the commodity approach may lead to their ability to sell water to users who lack those same rights.[35] This could bring needed income to many impoverished reservation communities. However, the approach of regarding the river as a 'person' requires the ability to envision a different set of values. A tribal government like the Gila River Indian Community can choose to use its water rights to *protect* the river, as can any other government with quantified rights to use the water. Under the current drought contingency framework, this act of conservation is negotiated and compensable because the primary value of the water is economic.

Using a broader set of metrics, we could reward the positive expression of conservation goals as a 'beneficial use.' The Maori people in New Zealand have embarked on an effort to inject Maori values as metrics for social policy (Trosper 172-73). The commitment to 'well-being' of people and environment could have an associated set of metrics to promote a responsibility-based ethic of place-based citizenship. In this way, new policy objectives could decrease the dominance of the individualistic economic framework and utilitarian cost-benefit analysis. Dr. Ronald Trosper, an Indigenous economics scholar, in 2022 published *Indigenous Economics*, which explores the implications of relationality for economic analysis. Surveying various Indigenous communities and knowledge systems, Trosper finds a widely shared view that all beings have consciousness and therefore, moral weight

[35] Congress recently authorized the Colorado River Indian Tribes to lease their water rights, which were quantified decades ago in the original Colorado River litigation. See PBS Documentary, *Tipping Point: The Colorado River*, which discusses the current conditions for Colorado River water users and the significance of water leasing.

should extend to both human and other-than-human persons. Trosper explains why Indigenous communities and their collective, community-based structures, can inform more just and equitable practices and institutions.

The concept of 'land-based citizenship' promotes a place-based value system that honors the natural world and Indigenous peoples as they are situated on their traditional territories. To return to the beginning of this article, environmental citizenship is of vital importance because we all hold an obligation to future generations to protect the land and water that sustains life. However, as we imagine the contours of environmental citizenship, we must give weight to the values and perspectives of the Indigenous peoples that belong to specific places. Our commitment to reconciliation requires us to care for the land with an ethic of love and stewardship that supports the traditional land ethics held by Indigenous peoples throughout the world. We must rethink 'reconciliation' and we must rethink the premise of 'citizenship.' As global citizens, we belong to the Earth and we must refine our conceptions of justice to align with the survival of the constituent citizens of the natural world. A living path forward requires no less.

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Thinking Like and Caring for a Land Community

Joshua Trey Barnett

Ecological Citizenship

In *Citizenship and the Environment*, the political philosopher Andrew Dobson lays the groundwork for what he calls "ecological citizenship." Historically, citizenship has taken two broad forms: liberal and civic republican. On the one hand, Dobson explains, liberal citizenship is usually understood as a legal status that is bestowed upon individuals by the state. Liberal citizenship sees citizens as the bearers of rights and entitlements. On the other hand, civic republican citizenship is usually viewed as a political practice. Unsurprisingly, then, the civic republican tradition stresses responsibilities and duties. Despite their differences, both the liberal and the civic republican traditions conceive of citizenship in 'territorial' terms. That is, citizens have a relationship with a territory – in particular, a state. As such, citizenship in both traditions is exclusive and exclusionary (Dobson 39).

In addition to these liberal and civic republican conceptions of citizenship, Dobson identifies what he calls a 'post-cosmopolitan' form of citizenship that has arisen in response to globalization. Post-cosmopolitan citizenship is non-territorial (i.e., neither restricted to states nor determined by borders) and imposes what he calls "non-reciprocal […] obligations" (i.e., obligations that are distributed unequally but justly). In addition to moving away from a territorial concept of citizenship, post-cosmopolitan citizenship refuses the historical containment of the citizen to the 'public' realm, insisting that citizens can and do act qua citizens in the 'private' realm as well, a fact brought to life by the longstanding feminist mantra that the "personal is political" – and, one hastens to add, the political is personal. As a result, Dobson contends, seemingly "'private' virtues" like care and compassion can also be considered "virtues of citizenship" (82).

With this conception of post-cosmopolitan citizenship established, Dobson goes on to develop the notion of ecological citizenship. First, though, he marks an important distinction. What Dobson calls "environmental citizenship" is rooted in the liberal tradition. As such, it (1) emphasizes the provision of environmental rights (e.g., the right to clean water and the right to take part in environmental decision-making), (2) plays out exclusively in the public sphere, (3) is grounded in such virtues as "reasonableness," and (4) is practiced within the bounds of the nation-state (89). By contrast, what Dobson calls "ecological citizenship" puts the emphasis on responsibilities of a non-reciprocal sort that are enacted in the public as well as the private sphere as well as across territories. Within this model, citizens of wealthy nations have responsibilities to citizens of poorer nations who too often suffer the

environmental harms inflicted by the former. Within this model, duties and responsibilities exceed territorial boundaries. Moreover, like post-cosmopolitan citizenship, so-called ecological citizenship is rooted not just in "public" virtues like reasonableness but also in apparently "private" virtues, including care.

On Dobson's account, ecological citizens care *about* ecological issues in a general sense and care *for* the well-being of the earth and of its human and more-than-human inhabitants in more specific senses. Historically articulated with the private sphere and the feminine, care is not typically associated with citizenship. Nor should it be, at least according to some political theorists (see, e.g., MacGregor). According to Dobson, however, the "space" of ecological citizenship is not that of some territory but is instead "*produced* by the metabolistic and material relationships of individual people with their environment" (106; emphasis in original). That is, the relationship among ecological citizens and the "space" in which they act is simultaneously concrete/local and abstract/global. Dobson sees this relationship through the "footprint" metaphor (see also Rivers), which directs attention to the consequences of human actions – the impacts we make on others near and far and the impressions that we leave behind. Because ecological citizens understand that their actions implicate and, indeed, impinge upon human and more-than-human others alike, they care about the consequences they set into motion. Or, as Dobson supposes, ecological citizens "care because they want to do justice" to the earth and to their fellow cohabitants (122-23).

Ecological Citizenship, Revisited

Though Dobson's notion of ecological citizenship productively draws attention to the fact that today's ecological challenges require non-territorial, or at least cross-border, actions to address, it also – and, in my view, lamentably – draws attention away from the fact that, in addition to living in a globalized world, we still dwell in what the ecologist, ethicist, and author Aldo Leopold calls a "land community." Notably, Leopold lays out his concept of the land community in "The Land Ethic," a work of moral philosophy that has greatly influenced ecological thinking since it was first published in 1949. "All ethics so far evolved," Leopold says, "rest upon a single premise: that the individual is a member of a community of interdependent parts" (1949a: 203). But in the western philosophical tradition that Leopold inherits, the community has primarily been understood as a *human* community. It is this presumption that Leopold sets out to challenge.

For Leopold, the concept of community is central to ethical and political life. A person's "instincts prompt [them] to compete for [their] place in [the] community," he contends, "but [their] ethics prompt [them] also to co-operate" (204). Members of a community, that is, simultaneously seek to maintain livable conditions for themselves and for those with whom they coexist – and this is so, at least in part, because we are interdependent. Although our interests are sometimes

incommensurable, the conditions that enable community members to survive and flourish should be valuable to all. Acknowledging that their fates are entangled, Leopold reasons, community members ought to safeguard or cultivate such conditions. Parting ways with prior moral philosophers, however, Leopold questions whether the concept of community should be limited to human beings. His answer, as already suggested, is "no." In place of the anthropocentric notion of community, Leopold offers the "land community" which encompasses "soils, waters, plants, and animals, or collectively: the land" (204).

By expanding the meaning of community in this way, Leopold raises an important question: If the community is not only a community of humans but of more-than-human beings and ways of being as well, then what becomes of our understanding of humans and their – or, rather, our – relationship to community? The land ethic, Leopold writes, "changes the role of *Homo sapiens* from conqueror of the land community to plain member and citizen of it" (204). Instead of existing outside of or above this wider-than-human community, Leopold contends that humans are part and parcel of the land community, one among the many. To be sure, Leopold notes, we humans will continue to use plants and animals and to alter landscapes. We cannot *not* impact upon our more-than-human kin and our shared home. Yet, Leopold writes, the land ethic teaches us that we should "affirm their right to continued existence, and, at least in spots, their continued existence in a natural state" (204). Because "soils, waters, plants, and animals" are not merely resources to be used by us, but fellow citizens of the land communities to which we belong, Leopold argues, we owe them and the community itself our respect.

Although Leopold sidesteps important and difficult questions about the degree to which humans have learned to truly respect one another (Savoy 31-48), his insistence that human beings are part of – and not apart from – the land communities to which they belong nevertheless implies that other ways of dwelling on earth and with others are possible. Manifesting less harmful and more just relations begins, he suggests, with a renewed sense of humility. Hence the shift in "role" that Leopold attributes to the land ethic. As he puts it,

> In human history, we have learned (I hope) that the conqueror role is eventually self-defeating. Why? Because it is implicit in such a role that the conqueror knows, *ex cathedra*, just what makes the community clock tick, and just what and who is valuable, and what and who is worthless, in community life. It always turns out that he knows neither. (1949a: 204; emphasis in original)

As Leopold here suggests, too much confidence in our own capacity to "know" what is valuable, what is not, and, thus, what is worthy of our concern and our care obscures all that we do not know. Still, as he maintains, we will continue making decisions that impact more-than-human others and our shared home. If we do not – and, indeed, cannot – know *ex cathedra* (by virtue of our lot in life as human beings)

how to dwell well with our fellow citizens, we encounter some troubling questions: How ought we proceed? For just whom and for what should we care?

The Trouble with Care

By recognizing that ecological citizens dwell not just in a globalized world but in specific land communities, with specific human and more-than-human others, we also recognize the fundamental importance of care. Whereas Dobson sees care as one of many citizenship virtues, Leopold's emphasis on the ethical questions that emerge in specific land communities invites us to think about care less as a virtue and more as a practice – as something ecological citizens *do*. Or, as María Puig de la Bellacasa describes it, "care is a necessary practice, a life-sustaining activity, an everyday constraint" (160). In land communities, care is crucial. After all, without care, living beings and lively entities of all sorts struggle to persist. In the face of ever-present threats, care sustains.

Though theorists of care focus overwhelmingly on how and why humans care about and for one another, they have long recognized that humans also care beyond the human (see, e.g., Mayeroff; Noddings; Tronto; Held; Dooren 2014a; Bellacasa; Malatino; Barnett 2023a) and, to a lesser extent, that humans receive care in a variety of ways from more-than-human sources (see, e.g., Bellacasa; Barnett 2023b). These kinds of care take many different forms, some "positive" and some "negative" – that is, some that involve active engagement and others that involve restraint and even withdrawal. For example, caring for more-than-human others may variously look like: providing shelter for injured animals, watering a houseplant, treating native plants with chemical insecticides to ward off so called invasive species, helping salamanders cross a busy road, removing 'weeds' from a garden, building homes for birds, cultivating native plants that sustain pollinators, constructing corridors over roads to facilitate wildlife crossings, allowing dandelions and wildflowers to take the place of a monocultural lawn, safeguarding extraordinary and mundane habitats alike from 'development,' reintroducing predators to areas where they had previously been eradicated, and so much else besides.

As this small set of examples suggests, caring for more-than-human others in particular land communities is different from yet related to caring about earthly matters in a general sense. With regards to ecological citizenship, construing care principally (or only) as a virtue can obscure the practical dimension of care – the fact that it is something that is done. Though care is, as Dobson argues, a citizenly virtue, it is also that which ecological citizens do to sustain specific more-than-human beings and ways of being into the future. To downplay the practicality of care risks idealizing it. Care may be vital, but it is also fraught (Barnett 2024a, 2024b).

Theorists of care have written extensively about what makes care fraught. The trouble with care stems, in a certain sense, from the fact that we – whether on our own or in concert with others – cannot care for everyone and everything. We may,

as the political philosopher Joan Tronto argues, affirm in a general way that "one should care" (153), but this broad principle does not, and surely cannot, tell us for whom or what we ought to care. Nor does it properly acknowledge the extent to which our capacities to care are finite. So, even if we affirm such a principle in general terms, in practice we always care for particular others, which means that we care for some rather than others: for *this* being, not all beings; for *this* species, not all species; for *this* land community, not all land communities. This is neither to say that care is a zero sum game nor to uncritically reproduce a story of scarcity: people surely care about and for many things at once. And yet, there are genuine limits that any realistic picture of care must recognize.

The trouble with care also stems from the fact that needs routinely conflict. What is good for one, in other words, may not be good for another – as when, for example, what is helpful for a native tree is lethal to an introduced insect (see, e.g, Barnett 2023a) or, to take yet another example, when what sustains a species in the long term harms particular members of that species in the short term (see, e.g., Dooren 2014b: 87-124). Since caring for one may well be incompatible with caring for another, care frequently involves neglect, exclusion, exposure to harms, and outright violence (see, e.g., Dooren 2014b; Bellacasa; Giraud; Barnett 2024a). And, of course, there are no hard and fast rules for how to negotiate conflicting needs, for how to weigh one set of legitimate needs against yet another set of equally legitimate needs, and, thus, for how to care in the face of conflict.

Given the fraught nature of care, it is tempting to throw up one's hands. Because one cannot care for everyone and everything and, furthermore, because by caring for one thing rather than another one may in fact cause harm, one might think it best to avoid caring altogether. Setting aside the question of whether one can really withdraw from the activity of care (Heidegger 175-230), to do so would at any rate be to abandon responsibility for what it means to dwell on earth with others. If, as Dobson argues, ecological citizenship entails responsibilities to human and more-than-human others alike, and if, as Leopold demonstrates, citizens are always already embedded within and responsible to ecological communities, the question is not whether we ought to care but, more vexingly, to just whom and what are we responsible (118)? For *whom* and for *what* ought we care, and on what basis? In responding to such an ethically vexing question, Donna Haraway urges us to "stay with the trouble," to give up searches for purity, and to grapple with the complexities of living and dying on earth with others. As Haraway puts it,

> The doings of situated, actual human beings matter. It matters with which ways of living and dying we cast our lot rather than others. It matters not just to human beings, but also to those many critters across taxa which and whom we have subjected to exterminations, extinctions, genocides, and prospects of futurelessness. Like it or not, we are in the string figure game of caring for and with precarious worldings made terribly more precarious by fossil-burning man making new fossils as rapidly as possible. (55)

How, though, are ecological citizens to decide? What prepares us to cast our lots with some beings and ways of being rather than others, with some "ways of living and dying […] rather than others"?

Thinking-With, or Enlarged Mentality

In the same essay in which she encourages readers to "stay with the trouble" of "caring for and with precarious worldings," Haraway exhorts: "think we must; we must think!" In fact, the exhortation appears six times – albeit in slightly different forms – throughout the essay (see 34, 36, 40, 47, 57). Haraway's insistence that thinking ought to precede caring, that we should care *thoughtfully*, raises a crucial question: Exactly what *sort* of thinking does caring for more-than-human others demand of us?

In making her case for the necessity of thinking, Haraway turns to one of the twentieth century's most influential political theorists, Hannah Arendt, whose encounter with Adolf Eichmann – one of the architects of the Holocaust – during his trial in Jerusalem in 1961 prompted her to reflect on the relationship between thinking and morality (1971: 418). Arendt went to Eichmann's trial expecting to encounter a monster – a conniving antisemite, radical evil in the flesh. What she saw in the courtroom, however, was a thoughtless bureaucrat, a man so eager to follow the rules that he never stopped to think about what he was doing when the rules changed such that killing one's neighbors became the law of the land. What Arendt saw in Eichmann was, as she explains in *The Life of the Mind*, a "manifest shallowness […] that made it impossible to trace the uncontestable evil of his deeds to any deeper level of roots or motives" (197: 4). To Arendt, Eichmann's manner of speaking in court, riddled as it was by clichés and stock phrases, betrayed not a deep-seated hatred or a radical evil but something more sinister: thoughtlessness. As she writes in her report on the trial, Eichmann's "inability to speak" in his own terms and in a meaningful way "was closely connected with an inability to *think*" (2006: 49). And it was precisely this thoughtlessness that, in Arendt's view, made Eichmann so dangerous.

While thinking is a quintessentially solitary undertaking, Arendt came to see it as an activity that presumes "plurality," her word for the fact that we dwell on earth with others (1958: 7). Plurality undergirds thinking in two distinct but related senses for Arendt. First of all, she contends, the activity of thinking takes the form of an internal dialogue – a talking to oneself. "Nothing perhaps indicates more strongly that man exists *essentially* in the plural," Arendt argues, "than that his solitude actualizes his merely being conscious of himself, which we probably share with the higher animals, into a duality during the thinking activity" (1977: 185). Simply put, when thinking we become conscious of ourselves. And when we become conscious of ourselves, we come to see that there are always already two on the scene – even when we are entirely alone. If "I" can speak to "myself," then the "I" that I – and

others – conceive as a unity is in fact a duality: a "two-in-one" (ibid.). It is because we can experience ourselves as a duality, as two-in-one, that we can think in the sense that Arendt articulates.

Because thinking involves a "soundless dialogue," it gives rise not just to consciousness-as-self-awareness but to conscience as well. Arendt takes Socrates as her model thinker, and she takes seriously his remark to Callicles in the *Gorgias* that, "it would be better for me […] that multitudes of men should disagree with me rather than that I, *being one*, should be out of harmony with myself and contradict me" (qtd. in Arendt 1977: 181). Since the "I" that thinks knows their partner in thinking is always, in a certain sense, waiting for them when they withdraw from the world of appearances to engage again in the "silent dialogue," Arendt explains that they should be inclined to act in ways that are "in agreement" with what they have come, via the activity of thinking, to conceive as ethically appropriate (186). The activity of thinking renders us accountable to ourselves, in other words, rather than to others or to any set of rules or moral prescriptions. When we think, we ask and answer questions about what we are doing and about what we ought to do. And when we re-enter the world of appearances, which is inhabited by the many, our actions let our conscience shine forth. Understanding not only that we will judge ourselves when we begin to think again but that we will be judged by others, Arendt reasons that we are more likely to act morally.

Plurality undergirds thinking in another sense, though. In addition to the soundless dialogue that we carry on with ourselves when we are thinking, Arendt contends that ethical thinking involves thinking from others' perspectives. Just as the two-in-one nature of human thinking renders us responsible to ourselves, the act of thinking from a plurality of perspectives renders us responsible to others. In fact, Arendt contends that it was not just Eichmann's failure to think but to "think from the standpoint of somebody else" that made him so dangerous (2006: 49). If he had thought about what he was doing, and what he was being told to do, from the perspectives of the Jews, homosexuals, and others whose deaths he arranged, Arendt reasons that Eichmann might have resisted (see also Minnich). To think from someone else's standpoint is, after all, to see them not as an object but as a someone who has a perspective, a subject for whom things matter. This sort of thinking sets out from respect – or at least from a recognition that other legitimate perspectives exist and warrant consideration.

Arendt characterizes this sort of thinking as "enlarged mentality," an idea she gleaned from her readings of Immanuel Kant. Though every thinker no doubt thinks from a particular position and although no thinker can truly abandon their position in the world, the idea is that we should attempt to view a phenomenon from as many standpoints as possible. The claim that we ought to try and see from standpoints that are not our own is very important to Arendt: it means that we should try to "take into account the thoughts of others" (1982: 42). But since we cannot know what others are thinking or have thought, we must call on another of our mental faculties: the imagination. We have to imaginatively put ourselves in the positions of others to

imagine how they *might* see and experience and think about what is happening. "To think with an enlarged mentality," Arendt explains, "means that one trains one's imagination to go visiting" (43). By considering not the actual but the possible thoughts and judgments of others, the thinker enriches – and, indeed, complicates – their own standpoint. Thinking with an enlarged mentality is, thus, a way of acknowledging and honoring the plurality that is, as Arendt writes, "the law of the earth" (1977: 19).

Thinking Like a Land Community

When Arendt said that thinking with an enlarged mentality involves visiting in one's imagination the standpoints of others, it is likely that she had in mind only the standpoints of other humans. As we saw earlier, however, we dwell in land communities teeming with human and more-than-human others alike. If we are but "plain members and citizens" of these communities, as Leopold instructs us, maybe we are obliged to think with a still-wider roster of earthly cohabitants. In another of his essays, "Thinking Like a Mountain," Leopold suggests just this. In fact, though, Leopold goes a step further than widening the roster of potential perspectives to think from and implies that we need also to think like ecological communities, which gather and play host to many different beings and ways of being.

In "Thinking Like a Mountain," Leopold tells a story about how his own understanding of predators – wolves, in particular – changed over the years. When he was younger, Leopold explains, he saw no reason *not* to kill wolves. Which is exactly what he and a co-worker did one day while conducting reconnaissance in what was then still the Arizona Territory. In Leopold's words,

> We were eating lunch on a high rimrock, at the foot of which a turbulent river elbowed its way. We saw what we thought was a doe fording the torrent, her breast awash in white water. When she climbed the bank toward us and shook out her tail, we realized our error. It was a wolf. A half-dozen others, evidently grown pups, sprang from the willows and all joined in a welcoming mêlée of wagging tails and playful maulings. What was literally a pile of wolves writhed and tumbled in the center of an open flat at the foot of the rimrock. (1949b: 129-30)

As soon as Leopold and his companion realized that it was a wolf, and not a deer, they put down their lunch and picked up their rifles. Again, in Leopold's words:

> In those days we had never heard of passing up a chance to kill a wolf. In a second we were pumping lead into the pack, but with more excitement than accuracy: how to aim a steep downhill shot is always confusing. When our rifles were

> empty, the old wolf was down, and a pup was dragging a leg into impassable slide-rocks. (130)

As Leopold tells the story, their reaction to the sight of the wolves was automatic, or at least nearly so. Minds loaded with then-mainstream views of wolves, he and his co-worker put their loaded rifles to work. And when their bullets ran out, all that was left to do was inspect the damage they had done.

Having emptied their rifles, Leopold and his co-worker descended into the river valley. When they reached the open flat, they saw that not all the wolves had yet perished. At least one was still alive, though only barely. "We reached the old wolf," Leopold notes, "in time to watch a fierce green fire die in her eyes" (130). In Leopold's telling, the sight of "the old wolf" dying changed him.

> I realized then, and have known ever since, that there was something new to me in those eyes – something known only to her and to the mountain. I was young then, and full of trigger-itch; I thought that because fewer wolves meant more deer, that no wolves would mean hunters' paradise. But after seeing the green fire die, I sensed that neither the wolf nor the mountain agreed with such a view. (130)

It is, of course, telling that Leopold's shift in perspective is sparked by the wolf's death – a death he and his co-worker brought about. Acknowledging and grieving the loss of more-than-human others can open onto less harmful relations with the earth and with our more-than-human cohabitants (Barnett 2022). Striking, too, is the fact that Leopold's change in perspective arrives alongside his recognition that both the wolves he killed and the mountain itself have perspectives of their own, that they "know" things and that they have opinions (disagreement with Leopold's deeds, in this case) about their experiences.

Throughout "Thinking Like a Mountain," Leopold suggests repeatedly that more-than-human beings have perspectives that, with a bit of work, human beings can imagine. The wolf's "deep chesty bawl" is, Leopold invites us to imagine, "an outburst of wild defiant sorrow" (129). Just as the wolf's howl indicates a state of mind, it also invites interpretation on the part of "every living thing," including the deer that Leopold was initially so keen to protect. In Leopold's imagination, the howl signifies to a whole host of more-than-human others.

> To the deer it is a reminder of the way of all flesh, to the pine a forecast of midnight scuffles and of blood upon the snow, to the coyote a promise of gleanings to come, to the cowman a threat of red ink at the bank, to the hunter a challenge of fang against bullet. (129)

Whether Leopold accurately understood what the wolf's howl meant to the deer, the pine, the coyote, the cowman, and the hunter, I do not and cannot know. Still, what

is clear is that Leopold sees these diverse beings as beings with perspectives to which he can train his imagination to go visiting. The more-than-human others he mentions may not think in exactly the same ways as the cowman or the hunter, but Leopold remains ready to think with them, to presume that they think in their own ways and, thus, bear perspectives worthy of consideration.

Still more expansively, Leopold imagines that the land community itself "thinks," as suggested by the title of the essay: "Thinking Like a Mountain." Again, Leopold's point is not that mountains – and, by extension, land communities more broadly – think in the same way that humans think. Rather, his point seems to be that we owe it to land communities to treat them as though they think, as if they, too, are the bearers of perspectives. As if how things turn out matters to them. He insinuates as much just after he imagines how deer, pines, coyotes, cowmen, and hunters perceive the wolf's howl. "Behind these obvious and immediate hopes and fears," he claims, "there lies a deeper meaning, known only to the mountain itself" for "only the mountain has lived long enough to listen objectively to the howl of a wolf" (129). Owing to its perdurance, the mountain knows things that no single citizen of the land community can know. But by attempting to think like the mountain, Leopold suggests, we can begin to perceive its perspective. Consider, for example, the following passage:

> I have watched the face of many a newly wolfless mountain, and seen the south-facing slopes wrinkle with a maze of new deer trails. I have seen every edible bush and seedling browsed, first to anemic desuetude, and then to death. I have seen every edible tree defoliated to the height of a saddlehorn. Such a mountain looks as if someone had given God a new pruning shears, and forbidden Him all other exercise. In the end the starved bones of the hoped-for deer herd, dead of its own too-much, bleach with the bones of the dead sage, or moulder under the high-lined junipers. (130-32)

At this stage, Leopold's reflections are primarily descriptive, proceeding as they do from his own observations. And yet, Leopold quickly moves from this descriptive account to an imaginative account. "I now suspect that just as a deer herd lives in mortal fear of its wolves," he writes, "so does a mountain live in mortal fear of its deer" (132). In other words, as far as Leopold is concerned, it matters *to the mountain* whether there are any predators left.

As Leopold's thinking shifts, so too does his sense of just whom and what he ought to care for. Initially, he perversely casts his lot with the deer he wants to hunt. By killing wolves, he reasons, he is ensuring that there will be more deer to kill at a later date. When he encounters the dying wolf, however, he begins to see the lives of wolves in a new light: here, too, is a life that matters. Surely, Leopold surmises, it matters to the wolf whether it lives or dies. But, over time, he realizes that the wolf's fate matters to still other citizens of the land community, albeit in quite different ways. A plurality of perspectives comes into view, each one worthy of

consideration. And as he imaginatively visits these perspectives, his moral circle grows wider and wider. Eventually – and remarkably – Leopold begins to imagine from the standpoint of the land community itself. By the time his thinking reaches this scale, his cares have shifted. The result of his enlarged mentality, his thinking-with, is a new sense of responsibility. His sense of responsibility shifts from one of sustaining any specific life or way of life to one of caring for an entire community of beings and ways of being, no one of whom or which should automatically or unthinkingly be valued over the others. What arises, in other words, is a sense of care for the whole rather than only one of its parts.

Conclusion

Regardless of whether one believes care *should* feature prominently, or at all, in ecological citizenship (MacGregor), citizens of land communities cannot extricate themselves from relations of care and harm (Bellacasa). We cannot *not* care, so we can and must make difficult decisions about just whom and what are worthy of our care and, therefore, just whom and what we will work to sustain into the future. As such, we need a non-idealized notion of care – one that is alive to the fact that care is vital yet fraught, necessary yet troubling (Barnett 2024b). Care both sustains some and forecloses ongoingness for others. Given these stakes, I have argued in this essay that the care enacted by ecological citizens ought to be preceded and accompanied by an imaginative form of thinking that radiates outward from the thinking subject to encompass the possible perspectives of human and more-than-human others and the communities they collectively comprise. Thinking from as many different standpoints as possible, as Arendt (1977) advocates and as Leopold (1949b) illustrates, can disrupt hegemonic and self-interested forms of care. This is perhaps especially the case when such thinking encompasses the perspectives of those beings and ways of being that one has been culturally conditioned to ignore or worse, abhor. Although this practice of thinking cannot cancel out all possible harms entailed by care, it does ground ecological care in a plurality of perspectives. And this, it seems to me, may be one of the ecological citizen's most pressing tasks: to think and to care as capaciously as possible.

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Civil Liberties – Not Just for People: A Dialogue between the Political Concepts of the Romantic Thinker Adam Müller (1809) and Ideas of Legal Scholar Christopher Stone (1972)

Jens Soentgen

Environmental citizenship not only raises the question of how citizens can and should assume responsibility for preserving and protecting their environment; it also challenges us to consider the extent to which non-human actors, typically viewed as just part of the environment in need of protection, can or should be granted certain civil rights. Inspired by a seminal work published in 1972 by American legal scholar Christopher Stone titled "Should Trees Have Standing?", such questions have sparked global discussions (Kment and Bader; Kramm). Recently, there have recently been several instances of non-human entities being granted civil rights: In 2017, New Zealand granted personhood status to the Wanganui River, and in the fall of 2022 the Mar Menor lagoon near Murcia, Spain, was accorded legal standing.

In the following discussion I will demonstrate that the idea of assigning rights not only to people but also to so-called things – which, according to traditional legal concepts, can at best be owned as property but do not possess rights themselves – was already articulated during the Romantic period. This notion can be found in the works of Adam Müller, arguably the most prominent political thinker of the Romantic era (Liese 85-110). However, Müller is not only of interest as a precursor to modern thought; he also serves as an inspiration through his philosophical, rather than technical, approach. At the core of his ideas lies a novel concept of freedom. Müller advocates for a notion of freedom that includes the "counter-freedom" (*Gegenfreiheit*, 1809: 187) not only of other humans but also of non-human entities, such as fields or family estates.

Aiming to bring Adam Müller and Christopher Stone into conversation, I will first discuss Müller's ideas on the philosophy of law before summarizing the key points of Christopher Stone's classic essay. By subsequently comparing their approaches, I aim to illustrate the relevance of Müller's concepts for the debates taking place today.

Adam Müllers' Conception of Freedom

Adam Müller, the most important political thinker in the era of romanticism,[1] was born in 1779 as the son of a Prussian tax official and died in 1829, relatively lonely but ennobled. Müller studied political science in Göttingen and then worked briefly in the Prussian administration. His friendship with the Austrian diplomat Friedrich Gentz, one of the organizers of the Congress of Vienna and who held Müller in the highest esteem, was decisive for his entire life. Gentz opened the doors to aristocratic society for Müller, to which he would otherwise have had no access due to his civic, non-noble origins. Gentz also encouraged the writing of the text that would become famous under the title *Elemente der Staatskunst* ("Elements of Statecraft").[2] Adam Müller was the discoverer of Heinrich von Kleist, with whom he published a famous romantic art journal, the *Phöbus*. In 1811, he moved to Vienna and was appointed Austrian Consul General in Leipzig by Metternich in 1815. In 1826, he was ennobled and awarded the title Knight of Nittersdorf (Schulz 41-44).

Müller's main work, *Elemente der Staatskunst,* originates from lectures he gave in the Confederation of the Rhine State of Saxony. These lectures were entitled *Über das Ganze der Staatswissenschaft* ("On Political Science as a Whole"). At the time, Müller was active in Dresden Romantic circles. While he presented himself in this book as a defender of nobility, advocates, and a corporate state (Kluckhohn 91), his thinking cannot be classified as merely reactionary. In the first volume of his work, Müller presents an astute critique of modernity that remains relevant today while proposing inspiring alternatives. Although some aspects of his critique of modernity were influenced by Edmund Burke, whose *Reflections on the Revolution in France* (1790) were translated and commented on by Müller's close friend Friedrich Gentz (Burke), Müller's innovative ideas on the relationship between humans and so-called objects are original and not derived from Burke (Braune 210). These ideas include, notably, the concept of recognizing objects as bearers of rights. In the Roman legal tradition, which Müller criticizes, natural objects are either owned property or unowned with only the owner having legal personhood while the object has no rights. For Müller, the distinction between persons and objects is not absolute. Objects such as fields or family estates possess their own personality that should be respected in a legal sense. This notion of extended 'environmental citizenship' will be briefly outlined. I will then compare it to the established discourse in jurisprudence on the granting of rights to entities like rivers.

According to Müller, freedom is "the first of all the possessions of the citizen," and in particular "the freedom to assert one's power and one's peculiar nature, to grow, to bestir oneself, to argue" (1809: 187). A core aspect of Müller's conception

[1] I try to avoid the notion "political romanticism," as it has been used as a polemical catchphrase (see Schmitt).

[2] All translations in the following text are my own.

of freedom is that although freedom can be attributed to the individual, it can only truly exist in contexts where others are also free. Thus, he writes:

> In order for a force to express itself and be effective, it must be counteracted by some other force […]. Freedom without counter-freedom [*Gegenfreiheit*] is nothing. Why do people campaign against monopolies and privileges? – Because individuals are granted freedoms that are denied to others; because freedoms are handed out that are not actually freedoms, because the counter-freedom of the others is missing, which is absolutely necessary in order to bring the freedom of the individual citizen to effectiveness and development. (187)

He summarizes his basic idea as follows: "Freedom without the counter-freedom of others can produce no effect; therefore, it is an unproductive, consequently dead freedom, consequently nothing" (ibid.).[3]

Müller argues that by granting everyone equal freedom, a state not only promotes the happiness of its citizens but also boosts its overall productivity. Here and throughout his work, he refers to the Scottish economist Adam Smith, whose work he repeatedly praises while integrating it into a broader framework. Smith had argued that in a largely deregulated economy, which prevents monopolies and fosters competition, the highest quality of products is ensured; in the same liberal vein, Müller claims that in a free state where everyone has the same right to argue for their issues and their views, and where competition of ideas is not only possible but encouraged, the best laws are produced. Importantly, Müller extends his thinking beyond his era as he broadens the scope of entities whose "counter-freedom" must be considered. It is not only the living contemporaries who should be free; Müller explicitly mentions future generations and even the preceding ones in his considerations:

> But the absent […] past and future generations, whom the carelessness of the present could overlook first and foremost […..] must be remembered. If you do not grant them the freedom and life which, in the nature of things, belongs to them; if you privilege the present generation with freedom above all past and future generations: you have […] established a new tyranny for the old […]. (1809: 214)

He exclaims: "So long! If freedom is to be restored at all, it must be restored in general; every individual nature, which belongs to the whole of the state, must be able to stir, argue and defend itself in its own way" (213). Considering that the rights of future generations are a central issue in today's sustainability debate, Müller was a true visionary. His crucial point thus ties in with the recent philosophical discussions on sustainability and freedom (Meyer 20-25).

[3] See, very similar, Hegel 1944: 39.

However, Müller takes an even more radical stance. He extends the circle of those whose "counter-freedom" should be respected not only backward and forward through successive generations; he explicitly criticizes legal traditions in which objects do not possess any rights, arguing that it is wrong to think that "[a]s long as personal relationships with neighbouring people are spared, things are left to the absolute control of man" (1809: 217). To him, it is possible, to "make lively alliances" with objects, "to quarrel or to get along" (225) with them, just as we do with humans: "Therefore, the relationship between humans and objects is by no means a one-sided, despotic one, but a mutual, republican one" (ibid.). To him, objects also have "their own nature, their freedom, their rights" (227), which we have to respect. German philosopher Friedrich Schelling wrote in his famous *Freiheitsschrift*: "Only those who have tasted freedom can feel the desire to make everything analogous to it, to spread it across the entire universe" (Schelling 421). Whether Müller was aware of Schelling's work is not certain, but likely. Certainly, though, Schelling's quote serves as a suitable heading for Müller's conception of freedom as freedom for everyone and everything, paving the way to a new political philosophy.

Freedom Rights Also for 'Objects'

Müller lived long before concepts such as the 'environment' or 'ecology' had emerged, yet he was far more radical regarding crucial issues than most contemporary sustainability scholars. Notably, he advocated for nothing less than a fundamental revision of our legal system. In his writings, Müller uses the term of the 'thing,' distinguishing things from persons in a legal sense. In contemporary discourse, the 'thing' would refer to non-human beings and objects or the more-than-human world. According to Müller, things are considered subject to our will, especially when regarded as property, and it is precisely this notion that he criticizes:

> Man […] is, of course, incessantly limited in his relations to persons: he cannot do as he would like; he must submit; he must incessantly spare people because they are his equals: But for this pressure, which he has to endure in all personal relationships, he can hold himself harmless in insensitive, dead objects; here he is for the most part unrestricted, and master of being and not-being. (1809: 217)

He then briefly summarizes his analysis as follows: "Man's rather unconditional despotism over his own property is, according to common opinion, the main expression of his so-called freedom" (ibid.).

By contrast, Müller adopts a radical approach by rejecting the binary difference between persons and objects. For him, there is rather a continuous spectrum between the two, i.e., objects are by no means inanimate; on the contrary, they are alive and become more useful the more alive they are: "The more real characteristics of life

things bear, the more important they are for civil society. One of the first of these characteristics is productivity" (225). A field, he explains, is valuable as long as its productivity keeps pace with human productivity.

For Müller, a thing is not only alive but also has personality, and all the more so the more alive they are (226-27). Similarly, in Romantic art, trees but also fields, rocks and entire landscapes were painted in a way that their personality, their peculiar essence, could be experienced intuitively (Schawelka 120-39).

But if things are to be thought of as persons, how are we supposed to treat them? According to Müller, it is wrong to treat things as dead and without rights, as subject only to the arbitrariness of the owner. It is wrong if "an individual wants to set aside the living character of property and squander capital and interest in foolish arbitrariness [in order] to produce a great effect for the moment" (1809: 229). Rather, we must see that we live only from interest, while the capital is conserved in its integrity. His integration of economic thinking with an analysis of political freedom is unparalleled in romanticism. Müller develops ideas for a dialogical approach to things that recognize their freedom, through which he not only preserves their uniqueness and vitality but makes them the starting point of production.

He writes: "This relation of man to things, or to capital, which produces a living interest, is the true relation of man to things; and thus property is conceptualized when it is considered in motion. All in all, what the individual man disposes of on this earth is a usufruct of a great capital, common to all mankind and all generations, which should not and cannot be touched" (1809: 226). Whether capital *cannot* be touched seems doubtful nowadays; that it *must not* be touched, however, has become common sense. Incidentally, the metaphor of capital 'that must not be touched' is here used in the same manner as in contemporary sustainability philosophies. According to such philosophies, the essence of sustainability lies in using natural capital in a way that preserves its substance (Ott 2010: 170, 2016: 190-95). In comparison, Hegel's *Philosophy of Right* reveals the radical difference between Müller's doctrine of property and the prevalent approaches to property in his time. In Hegel's view, property is conceptualized as a dead object in the literal sense, entirely subject to the owner's control. Thus, Hegel notes in abbreviated formulations: "Man master of everything in nature – only through him existence as freedom" (2000: 98). Explicitly he states: "The person has the right to put his will onto every thing, which is thereby his own, for his substantial purpose, since it does not have one in itself" (106). Hegel believes that *all* things – and also all things of living nature – are absolutely subject to man; he concedes an "absolute right of appropriation of man to all things" (ibid.). He explicitly rejects systems of thought that grant rights to animals. Hegel's position aligns closely with that of the Code Napoléon, which states in §544 that property is the right to dispose of a thing as absolutely as conceivable, provided no laws are violated (100).

Müller, on the other hand, advocates for a sensitive approach to property. To him, possession is not a "spasmodic grip" and nobody is truly the absolute master of a thing (1967: 261). Thus, he offers a novel ideal for possessing and handling 'objects'

in which the relation to property is based on respect. State properties in particular must be treated with highest esteem and even awe (*Ehrfurcht*, 1809: 238), because "the transient individual is only a usufructuary of it, and is by no means allowed to do as he pleases with that part of the great national capital which he can overlook and reach from his point of view" (228). He even asks us to take care of our possessions in a manner that "is just as tender as that with his wife in marriage!" (ibid.).

In a short essay titled "The Poetic Possession," probably inspired by Novalis (Kluckhohn 67, fn 1) and published originally in the *Phöbus* in July 1808, Müller explains his idea on how to treat 'objects' in the following way: "Your love for every good in the world rests in the fact that you seek the love of such good in return and that it is granted to you in ever greater measure. You will not force anything, not even the poorest, least thing; but you will gain it through courtship [Werben], and that is the meaning of the beautiful word acquire [erwerben]" (1967: 261-62).

Just as modern sustainability philosophies criticize instances of natural capital being depleted, Müller criticizes any waste that reduces capital (1809: 226).

Although the sudden disposal of capital can produce an immense feeling of freedom, this is only the freedom of a despot who disregards the "counter-freedoms" of others. Hence, Müller argues that it is wrong to act solely according to one's own wishes without considering future generations and respecting the legacy of previous generations. Such a state is *not* a kingdom of freedom, but rather, as he writes, a new tyranny, and in such a state, "the present generation [is being privileged] with freedom above all past and future generations" (1809: 96).

Müller offers an elaborate model for his approach to property, using the example of family estates. The owner of such an estate had a usufructuary right but was required to keep the entire estate intact and was prohibited from selling, altering, or demolishing it at will. These family estates were subject to a special legal concept known as *fideicommiss*, which was abolished in Europe in the nineteenth century, as it was seen as an impediment to economic development. According to Müller, these estates should be managed in a way that respects and preserves their inherent characteristics. Müller does not view the medieval relationship to property as something outdated that needs to be overcome; on the contrary, he identifies positive aspects in it, which aligns with his perspective on the relationship between people and objects. The feudal system of the Middle Ages supported the idea that the relationship to property was primarily one of usufruct (Braune 211). Müller says:

> Man is destined, the legislators of the Middle Ages seem to say, to produce, together with his property, order and wealth into infinity; therefore a single human life is not sufficient for this, consequently […] in the relation of the individual person to the object connected with it, […] the law must set its accent on this object, and only ensure that the life of the mortal owner is linked to his ancestors and descendants as closely and intimately as possible. (1809: 238)

This approach is not only evident in the institution of the *fideicommiss* but also in the long-established institution of the commons. Jacob Grimm, a law historian, studied these commons and their traditional regulations within old German law (1-97). In the late nineteenth century, his work was continued by constitutional lawyer and legal historian Otto von Gierke who, using historical methods, identified which regulations in long-standing village communities prevented the overuse of forests and pastures. Gierke was also interested in the way pastures, forests or fishing grounds – or, in today's terms, ecological resources – were managed to ensure that future generations could still benefit from their common property (Gierke 247).

To curb the overuse of certain goods, measures such as prohibiting their export were implemented; what was extracted from the commons should only be used within the community (Gierke 234). Centralized distribution by the community was another method (244), alongside systematic monitoring to ensure that everyone adhered to the agreements made (245). Besides these lesser-known historical studies, the works of the recently-deceased political scientist and Nobel Prize winner Elinor Ostrom are more established in contemporary discourse (Ostrom 2015). In an international empirical study, Ostrom demonstrated that commons (like fields, forests or fish grounds) are not necessarily doomed to overuse when they are given opportunities to regenerate themselves. This – and only this – allows them to maintain their quality over the long term, sometimes for centuries.

Rights Not Just for People

Despite being aware that granting rights to objects is based on traditional German law, Müller certainly did not study this law in detail. Consequently, his overall argument is systematic rather than historical. His fundamental point is that it is wrong to set up an absolute opposition between persons and things. He explicitly teaches that objects possess personality (or agency, in today's terms), and therefore we do not only have rights over them but also duties towards them:

> Every property grows and develops under our eyes like a living person; it is by no means subject to our unconditional and unrestricted arbitrariness, it has its own nature, its freedom, its right – which we must respect if we want to use it, if we want to produce something through the union with it, harvests, interest or even just the lightest enjoyment of life. (1809: 227)

The respect that Müller demands is more than a clever adaptation. Emphasizing their vitality, Müller not only attributes personality but also rights – specifically rights of freedom – to so-called things based on their personality, and declares them subjects of law: "Every thing," he writes, "has its peculiarity, its personality, which it asserts and with which it asserts its peculiar freedom; from the common free striving of all these individuals, a general mutual agreement and comparison develops, and in this

infinite contracting of persons among themselves, and of persons with things, the idea of law grows" (230). And: "[T]he smallest household goods serve the whole […] but it also rules again in its place as a small person: its peculiarity wants to be respected, wants to be protected" (234). His aim is to recall the "reciprocity of all relationships in life" in explicit reference to medieval legal thinking (236).

In doing so, he boldly goes beyond the philosophical discourse of his time, exploring areas that have only recently emerged in current debates (Kersten 2020: 87-120). He does not offer animism or a relapse into fantasies of unity; rather, he is concerned with the need to respect and recognize the autonomy and independence of the non-human sphere as well as its *freedom* when we are interacting with it.

But how could Müller's assumptions of such explicit rights and the freedom of non-human entities be productively integrated into debates on our modern nation-state constitutions? He does not offer any insights into this. We will therefore put Müller on hold and turn to contemporary discussions on the philosophy of law (Kramm).

Rights for Non-human Beings: The Ideas of Christopher Stone

Several countries, such as India, Colombia, New Zealand and Ecuador, now grant rights to natural beings, e.g., rivers; certain animals have recognized rights in Argentina and the USA (Kersten 2020: 105). Ecuador's constitution grants all ecological nature the status of a legal subject. In New Zealand, first a forest and then a river were granted rights (Kment and Bader 199-220; Kramm 49-54). The German constitution, which currently places little emphasis on ecology, might also develop further in this respect. At any rate, the discussion is underway.

These recent developments are not based on Müller's works. While there is no direct link between them, Müller's relevance to this exact line of legal thought is arguably quite significant. Neither Christopher Stone nor his followers knew much, if anything, about Adam Müller. Instead, the contemporary discussions about the rights of nature refer to the American legal scholar Stone, who died in 2021. In 1972, Stone published an essay on the question: "Should Trees Have Standing?" In the essay, which initially went unnoticed, Stone argues within the framework of US and Anglo-Saxon common law. His line of thought is much more legalistic and technical compared to Adam Müller in 1809, even if Stone occasionally adopts a philosophical style.

In any case, the technical rather than philosophical character of Stone's arguments proves more useful in practice. He explicitly spells out the implications if natural objects enjoy legal status, using the example of a polluted brook. Stone points out that according to current global conventions, the brook itself does not have any rights, whereas people directly affected by the pollution, such as anglers, can take legal action. In this system, however, only a very limited amount of the actual ecological damage can be targeted by legal action. In Stone's example, no more than

a few fishermen would need to be compensated for their lost catch, which is a tiny fraction of the damage caused. Stone also refutes several common objections. He emphasizes: "Thus, to say that the environment should have rights is not to say that it should have every right we can imagine, or even the same body of rights as human beings have. Nor is it to say that everything in the environment should have the same rights as every other thing in the environment" (4).

Stone addresses questions of practice as well, such as who would then take legal action and represent these nonhuman beings in court. Here, he suggests that environmental organizations could adopt the role of "guardians" (10). He further addresses the potential objection that filing a lawsuit on behalf of natural objects is arbitrary, explaining: "We make decisions on behalf of, and in the purported interest of, others every day; these 'others' are often creatures whose wants are far less verifiable, and even far more metaphysical in conception, than the wants of rivers, trees, and land" (11). Stone refers here to so-called legal entities such as foundations or companies which do actually have rights (and duties) in modern legal systems of the West.

Stone repeatedly argues that assigning rights to nature would protect the environment and ecology significantly better than established approaches are able to. He specifically mentions anthropocentric environmental ethics, even when they consider the rights of future generations. He writes: "Every well-working legal-economic system should be structured as to confront each of us with the full costs that our activities are imposing on society" (13). For Stone, suing for damages is just one part of his concept; he also implies that the environment can be an economic actor (16-17). Payments imposed as part of legal proceedings can be paid into a fund, which in turn benefits the environment.

As I have illustrated, Stone's argument is primarily *technical*. He explores various practical possibilities of granting legal status to non-human entities, focusing on bodies of water more so than trees despite the essay's title. Stone's pragmatic approach has made his ideas enormously effective. Nevertheless, Stone also delves into broader philosophical questions, revealing a tendency of his argument quite similar to that of Adam Müller.

Stone strives for a new relationship with nature and wishes "to be able to get away from the view that Nature is a collection of useful but senseless objects" (28). He suggests that this new relationship is "deeply involved in the development of our abilities to love – or, if that is putting it too strongly, to be able to reach a heightened awareness of our own, and others', capacities in their mutual interplay" (ibid.).

At this rather philosophical juncture, the parallels to Adam Müller's line of thought become very tangible. In this context, Stone further points out that granting rights to Black Americans was a triumph of law, even though it cannot be justified purely on the basis of "a utilitarian calculus" (24). However, the law is much fairer now, and for this non-utilitarian reason, according to Stone, natural beings should be granted rights.

In Germany, Stone's ideas have been adopted by the Munich legal scholar Jens Kersten, amongst others. Kersten advocates for a long overdue ecological liberalism that considers natural rights essential, calling for animals, plants, landscapes, air, water and the climate to be granted legal subject status. This is easily feasible, as several non-human legal entities can already act as legal subjects. Specifically, his ecological liberalism could include a right to bodily integrity and life, a right to freedom of movement, equality and inviolability of the ecological home for ecological subjects. It is even "possible in principle for ecological subjects to claim economic freedoms for themselves, i.e. in particular the freedom from occupation (Art. 20a in conjunction with Art. 12 para. 1 GG) and the guarantee of property (Art. 20a in conjunction with Art. 14 para. 1 GG)" (Kersten 2020: 112). In a more detailed argument, Kersten suggests extending the Basic Law for the Federal Republic of Germany so that basic rights (for example freedom of movement, inviolability of the home, right of petition etc.) are granted not only to humans and domestic legal persons, as per Article 19 of the Basic Law, but also to "ecological persons" (100). It is then conceivable that, for instance, those profiting from commercializing images of certain animal species would have to pay a portion of the profits into a fund benefiting these animals. This way, a share of the millions earned by a movie such as *Rio* (2011), starring a pair of Spix's parrots (*Cyanopsitta spixii*), could be allocated to a fund financing conservation projects for this extremely rare bird species, similar to how celebrities are paid a fee in case one of their photos is used commercially.

Back to the Romantics

The idea of legally conceiving non-human beings not only as things but also as persons is much more technically developed today than Müller or any other Romantic could have envisioned. Christopher Stone's conception, developed independently of Müller, is now widely discussed in political science and jurisprudence, sometimes critically. A frequent objection is that an ecological modification of property law might prove more useful in conserving nature effectively. Nonetheless, it is worth revisiting Müller's text as it addresses a dimension that extends beyond the legal sphere.

Müller underlines that respecting the counter-freedom of so-called things could also enhance *human* freedom, at least in his line of thought. If non-human animate beings, which the law still refers to as 'things,' enjoy more freedom and have their independence, vitality, and indeed their personality, respected, then we also strengthen our own vitality and ultimately our own freedom. At first glance, this may appear counter-intuitive since environmental consciousness is often associated with restricting freedom. However, Müller's argument is convincing: Freedom based on despotism, even if it is despotism against non-human beings and all beings not allied with humans, is not real freedom. In this respect, Müller was correct, and this could

refresh our self-image and our perception of the world. Müller suggests we should not see ourselves as an absolute ego, but as a link in an unbroken chain, providing a perspective that can transform our view of the world. While it is, admittedly, not the intimacy of a personal relationship that links us to trees, streams and earth, these are not merely dead objects to be managed and used; they are living gifts passed down from one generation to the next, and we should interact creatively instead of despotically with them.

Consequently, revisiting Müller can prove to be stimulating and beneficial – not only to discover a precursor to current thought, including those on environmental citizenship, but also because his insights are still valuable and relevant today. His ideas are based on a new conception of freedom. Some scholars have recently expressed the need to re-evaluate or even reinvent our notion of freedom in the light of the ecological crisis (Charbonnier 2021: 259-64). In this endeavor, Müller's concepts might help.[4]

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[4] I would like to thank Linda Heß, Sylvia Mayer, Katja Sarkowsky, and Christoph Straub for their valuable critical comments, which helped to improve the text, and Nicholas Schoch for the linguistic revision.

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Foraging, Forging, Forgoing – or, Thoreau as Settler Disaster in the Age of Walker and Apess

Andrew Wildermuth

Introduction

In Concord, Massachusetts, a few years ago, I attended a two-week summer residency on the topic of Thoreau and social reform in the American Renaissance. On the final day, we discussed "Native American Rights in Antebellum America." At the very start of the event, one of the event's panelists, Linda Coombs, an historian and educator of the Wampanoag Tribe of Aquinnah, began with a question: "What Native American rights?" The mostly White audience stiffened. Coombs laughed. "What rights, really?" She offered this like it was the punch line everyone had long known was coming. "It just doesn't compute," she said. It was clear that Linda Coombs was unimpressed with and disinterested in both Henry Thoreau's person and work. She dismissed Thoreau with turns of phrases that were startling, even sacrilegious, to many in the room – in "The Concord Colonial Inn," which Thoreau's family once owned, and where a young Thoreau roomed while studying at Harvard – and where, for the last weeks, many of us, myself included, had worshipped at and swum in his and Transcendentalism's shrines. Coombs, on the other hand, referred to him as a settler and mocked his fame for spending years on Indigenous land. She also asked why it was only on our final day that we focused on Indigeneity in North America. These and other inquiries exacted a certain speechlessness – a general liberal confusion, at a conference about reform, in good liberal Massachusetts – that became utterly pervasive, palpable, indeed, in this windowless room in Thoreau's literal basement.

The more I have considered this tension, the more embarrassing seems Thoreau – and, through him, Transcendentalism – as a symbol of both environmental citizenship and national citizenship in the United States. Thoreau proves a productive starting point to consider the ways that environmental citizenship (with its focus on responsibility to the ecological) is bound up with national citizenship (with its focus on settler mythologies of development). We might ask: With what structures of power are these memorial logics entangled? It seems that Transcendentalist studies – through discourse of Thoreau's supposed seminality, or, for example, through enthusiastic reiterations of Martin Luther King, Jr.'s engagement with Transcendentalist Theodore Parker in his "arc of the moral universe" – has in this regard effected two important things. *First*, by positioning Thoreau and Transcendentalism as counter to hegemonic power in America, such

readings have largely rejected situating Transcendentalism and its proclamations of environmental duty amid infrastructure and ideology of settler colonialism. That is, they reject reading Transcendentalism as a colonial literature, as embedded in hegemony exactly. Along these lines, I wonder about the stakes of pointing to Thoreau as an ideal environmental citizen – indeed, an ideal citizen of any order. *Second*, through its tendency toward praise and mimicry of its object of study, Transcendentalist studies systematically positions itself, and its almost exclusively White practitioners, as inheritors of a modern radical resistance to injustice. Not only is this historically inaccurate, as I consider some in this essay, but it also reproduces a White settler-nationalism in accounts of the history of thought in North America. Such a view makes Gandhi and King, for example, the students, and not the critics, of colonial ideology and belief in racial hierarchy. This dreamy wish that nature-loving liberals stand at the heart of American resistance brings Transcendentalist studies to articulate its own goals according explicitly to the terms of the object of study: to "go out" into the woods, to "simplify," to be "self-reliant." This settler urge to document and enjoy the fruits of the colony – its own ethic of environmental citizenship – is thereby made origin and future of radicalism in North America. Meanwhile, dissident works of predecessors and contemporaries of Transcendentalists – like David Walker and William Apess, who indeed systematically resisted hegemonic power in America – have been largely ignored by Transcendentalist scholars, or have at least been understood as a categorically other and mostly marginal phenomenon. Particularly compelling in this case of Thoreau's 'firsts' is the work of William Apess, as he was jailed for resisting settler treaties of land rights in Massachusetts and published political theory in direct response to this, in Boston, before the Transcendental Club would ever think of holding a meeting.

In a time of reckoning with both the politics of environmental collapse and archives in the wake of settler colonialism, it seems urgent to build explicit critiques of the persistent idea, taken often as implicit knowledge, that Transcendentalism as symbolized by Thoreau's land occupation is itself resistance to hegemonic power in America. Transcendentalism is in fact bound to hegemonic American power, and, in some ways, can even rightly be seen in part as its progenitor. How has a field of study come to offer, and in some cases even define itself by, persistent proclamations of the opposite? In this contribution on environmental citizenship, I thus reflect on the settler-colonial dimensions in Thoreau's writing about occupying and tending to the land in New England and the politics of its iconographic reception in liberal literary history. I consider the writing's reception, with emphasis on Thoreau's having become, over the last two hundred years, a model citizen – both civic and environmental – with his works "Civil Disobedience" and *Walden* his high scriptures.

Some recent texts have worked in this direction. We might begin by looking, for example, to how Mark Rifkin has engaged Thoreau's *Walden* as part of the infrastructures of settler colonialism. While a helpful recent incision, Rifkin's account of Thoreau is a forgiving one. *Settler Common Sense* curiously labors for

Thoreau to save him for the potentially liberatory, queer, and what Rifkin calls "masturbatory" elements in his life and work (xxi). Rifkin acknowledges, for example, that Thoreau tends toward "disowning any need to attend to the varied forms of abjection produced for Indigenous peoples in New England by their abandonment to such a legal limbo," and recognizes this is indeed a "dynamic addressed in William Apess's *Indian Nullification*" (ibid.). Nonetheless, he seeks to redeem Thoreau for "envisioning a critical (masturbatory) relation to place and legally privileged modes of personhood that also might expose the settler self to its limits" (ibid.). This, says Rifkin, "opens the potential for something like a queer solidarity with Indigenous self-determination that can acknowledge the politics of Native endurance rather than sublimating it as an Indianness available for settler self-fashioning" (ibid.). It is interesting that Rifkin writes it "might" "expose the settler self to its limits," and not that it does. Similarly, Rifkin writes it is "something like," and not that it is, "a queer solidarity with Indigenous self-determination," and that it "can acknowledge the politics of Native endurance," but not that it does. What makes scholars so keen to labor for Thoreau? This labor, I think, is representative of the reluctance of Transcendentalist studies to situate Transcendentalist thought squarely into its epistemic conditions and the violence of colonialism. Anita Patterson has noted regarding Emerson – but which can just as compellingly be applied to Thoreau – that there is a middle way of seriously investigating how Emerson's "defense of rights and his racism are intimately and deliberately connected" (4), and of analyzing the "disturbing, contradictory logic" "that the fervent, critical recuperation of American democracy undertaken by Emerson was shaped and indeed made conceptually coherent only through his recourse to racialist language and ideology" (5). Critical investigation of the work of Transcendentalists in this vein is essential, revealing profound questions that get at the core of the politics of land occupation in the United States.

A central reference for my readings here is thus *Firsting and Lasting: Writing Indians Out of Existence in New England*, by Jean O'Brien, of the White Earth Nation, where an aim is "to understand how non-Indians in southern New England convinced themselves that Indians there had become extinct even though they remained as Indian peoples – and do so to this day" (O'Brien xxi). Taking cues from Coombs's generative dismissal of Thoreau and O'Brien's readings of New English "firsting and lasting," I thus consider Thoreau's being remembered in particular for his supposed model environmental citizenship in his occupation of Indigenous land: for his *foraging* fruits, for *forging* ways, and for *forgoing* organized reform and consumerism. I read from the essays "Civil Disobedience" (1849) and the posthumously published "Huckleberries," by this father-figure of 'individualism,' 'radicalism,' and 'environmental citizenship,' and compare them to two of Thoreau's contemporaries in the antebellum Boston metropolitan region – with reflection in particular on David Walker's *Appeal to the Coloured Citizens of the World* (1828) and William Apess's *Indian Nullification of the Unconstitutional Laws of Massachusetts Relative to the Marshpee Tribe* (1835). Indeed, at the exact time

Thoreau wrote of racial fates and vanishing Indigenous people in Massachusetts, Black and Indigenous thinkers were publishing in English and rebutting the basic theses on which Thoreau's settler vision of paradise rests. They published against belief in racial hierarchy, for Black nationalism and overthrow of White American political hegemony, and for the political viability and urgency of Indigenous sovereignty. Following O'Brien, I hope to critique and decenter the "firsting" and the "lasting" of Thoreau, and look to his Black and Indigenous predecessors for another history of resistance to power in the United States.

Finally, this essay has been inspired by conversation with Alex Moskowitz, who is the first literary historian I know to contextualize Transcendentalist works with those of David Walker – indeed, to situate Transcendentalism systematically and politically, and "less like a phenomenon that materialized out of thin air" (Moskowitz 6). My argument here, however, has also benefited by productive challenge to some of how Moskowitz frames the situation. In particular, I am wary of answering these urgent literary historical questions by positioning either Walker or Apess, as Moskowitz suggests, as "speaking the language of Transcendentalism nearly a decade before the 1836 Transcendental Club first met in Cambridge" (6). Why would we see them as speaking Transcendentalists' language, and not the opposite, or not a language that basically undoes another? Scholars have not read Walker or Apess as Transcendentalists for what is, I think, a relatively simple reason – they were not Transcendentalists. And they did not write much at all like them, which is my point here. To situate Transcendentalism as the lowest common denominator in these formulations would, I think, assume and reproduce literary historians' insistence on Thoreau's and White liberals' originary moral force. As I hope to show here, Walker and Apess expressed profound differences in their understandings of life in a colonized America than did thinkers called Transcendentalists. So rather than ask why Walker or Apess are not understood as Transcendentalists, I wonder instead: What does it mean that Thoreau, who would not begin to write for more than a decade later, has been crowned king of resistance in Massachusetts? And what gets undone when we reorder this? In this collection on environmental citizenship, thus, I reflect on White liberal America's usurpation of political radicalism by way of Thoreau in his *foraging*, *forging*, and *forgoing* on land that he inscribes as belonging naturally to White colonists, and wonder what it might mean to retell the history of political thought and resistance in the nineteenth-century United States in plural and comparative ways, from vantages before and beyond.

Foraging

To forage is to take what is local. O'Brien writes how the local is essential in the formation of settler identities. "The local," O'Brien notes, "gave particular valence to the twinned story of non-Indian modernity and Indian extinction. Romanticized constructions of generalized Indians doomed to disappear were one thing; it was

quite another thing to contemplate the 'extinction' of Indian peoples who might instead have been your very neighbors" (O'Brien xiv). We might, along these lines, read this against the boisterous local theories of Thoreau, who writes in his late-career essay "Huckleberries," for example, that he thinks

> it would be well if the Indian names, were as far as possible restored and applied to the numerous species of huckleberries by our botanists, instead of the very inadequate Greek and Latin or English ones at present used. They might serve both a scientific and popular use. Certainly it is not the best point of view to look at this peculiarly American family as it were from the other side of the Atlantic. (2002: 185)

So, for these 'local' fruits, Thoreau suggests "applying" Native American names to "serve" "uses" for "us" – naturalizing settler political structures, and erasing any imagination of the practicability of Indigenous sovereignty in the Americas.

For Thoreau, the problem lies in Indigenous etymology made useful and delightful. It emphatically does not lie in the historical processes that make it logical to speak of the "peculiarly American family," or that permit one to so flippantly speak of a cohesive "our botanists" in juxtaposition to a supposedly gone "Indian" relation to the world (2002: 185). Like many non-Native people of his and our own time, Thoreau speaks in the past tense about Native Americans. He refers, meanwhile, in tenses present and future, to "our ancestors," "our country," and "our berries," while philosophizing on the "last Indian of Nantucket" (ibid.). I will consider shortly in the example of William Apess, however, how Native Americans in Massachusetts were not only alive and Thoreau's neighbors, but also at that very time writing, publishing, and distributing print texts that theorized alternative relations to the nation in early America. These were, for epistemic reasons, rendered illegible or illegitimate for Thoreau. Better understanding the textures of such erasure of Black and Indigenous thought to these New England liberal writers is of critical urgency to Transcendentalist studies. To ignore this is to miss Transcendentalism as a colonial literature precisely, and thus to fundamentally misunderstand its literary and political projects (and thus those of liberal environmentalism). As O'Brien writes, "New Englanders embraced Indians because doing so enabled them to establish unambiguously their own modernity. Non-Indians narrated their own present against what they constructed as the backdrop of a past symbolized by Indian peoples and their cultures. […] Modernity is predicated on exactly this sort of rupture" (xxi). In his retorts to "use" Native American language, therefore, and his calls to squat on and extravagantly forage Native land, Thoreau takes a pioneering role in such rupture. It is in this way that Thoreau calls to "restore" Native language, but theorizes neither a critique of colonization nor of the "restoration" of Native political organization and land rights, setting Thoreau less in line with Apess or Walker, and more in line with George Catlin, who declares that through his painting he has "flown to their rescue – not of their lives or of their

race (for they are '*doomed*' and must perish), but to the rescue of their looks and their modes," so as through art of the settler to "live again upon the canvass, and stand forth for centuries yet to come, the living monuments of a noble race" (Catlin 16). In the case of Thoreau, this is especially worth consideration in light of the simple historical fact that Indigenous people were alive and publishing critique of exactly this ideological framework.

Thoreau's settler-hedonistic ends of foraging are extended on the following page, in his use of berry-picking as a counter-capitalist mode of value-gathering. He writes: "I think that the various species of berries are our wild fruits, which are to be compared with the more celebrated ones of the tropics, and for my part I would not exchange fruits […]; for the object is not merely to get a ship-load of something which you can eat or sell, but the pleasure of gathering it is to be taken into the account" (2002: 186). And while scholars like Bercovitch have convincingly destabilized Thoreau's logics of productivity, we should more systematically account for Thoreau's, and likewise the time's other White liberal authors', centralizations of "pleasure" in life in the settler colony. The end for Thoreau's foraging is to casually occupy the nation racialized as "Anglo-Saxon," as Reginald Horsman has shown of the Transcendentalists, who "found that the idea of a Teutonic race imbued with the great idea of freedom melded well into their search for a guiding spirit in American democracy and the American nation, and New Englanders in general attacked war and aggression while prophesying the ultimate triumph of an American Anglo-Saxon Christian civilization" (Horsman 177). Such delight in enjoyment of the fruits of the colony, it seems, remains a central part of his memorialization as an American master of mindfulness.

Since his own time, Thoreau has been read as local interpreter of the indigenous, for the colonist. Emerson, for example, writes in his eulogy that Thoreau was "the attorney of the indigenous plants, and owned to a preference of the weeds to the imported plants, as of the Indian to the civilized man" (Emerson 404). Hawthorne, in an 1842 journal, goes yet further: "He was educated, I believe, at Cambridge; but […] he has repudiated all regular modes of getting a living, and seems inclined to lead a sort of Indian life among civilized men – an Indian life, I mean, as respect the absence of any systematic effort for a livelihood." Hawthorne continues by speaking about this supposed "Indianness," and settler hedonism: "It is a characteristic trait," says Hawthorne, "that he has a great regard for the memory of the Indian tribes, whose wild life would have suited him so well; and, strange to say, he seldom walks over a ploughed field without picking up an arrow-point, spear-head, or other relic of the red man, as if their spirits willed him to be the inheritor of their simple wealth" (Hawthorne 353-54). Emerson eulogizes the actions that make *Walden* as "quite native and fit for him" (Emerson 401). He continues: "He confessed that he sometimes felt like a hound or a panther, and, if born among Indians, would have been a fell hunter" (406). Thoreau is remembered for taking, and making a religion of it. In doing so, as Philip Deloria would say, he is remembered for "playing Indian" – that "persistent tradition in American culture" in which "Americans have

returned to the Indian, reinterpreting the intuitive dilemmas surrounding Indianness to meet the circumstances of their times" (7). Tasty berries accumulated into the hands of people who rigorously racialized themselves White – people who acknowledged and exoticized the land, language, and culture of Native Americans, and who precisely through that process transcribed it as theirs. This is a fundamentally racialized national mysticism, rooted in forgetting, or in hallucinations of ripe purity, which thereby assures ownership and a sense of being gods. "When I see," writes Thoreau, "as now, in climbing one of our hills, huckleberry and blueberry bushes bent to the ground with fruit, I think of them as fruits fit to grow on the most Olympian or heaven-pointing hills […]. It does not occur to you at first," he continues, "that where such thoughts are suggested is Mount Olympus. And that you who taste these berries are a god" (2002: 188). Massachusetts is by Thoreau willed bare, willed heaven, willed to be foraged. Thoreau's environmental citizenship thus is made legible only as a racialized national mysticism, predicated on being excluded from Indigenous people, through "the purification of the landscape of Indians in the production of New English modernity" (O'Brien xxiv).

Forging

We should compare Thoreau's account here to that of Walker and Apess, and, as regards 'civil disobedience,' particularly the latter. Apess – an Indigenous minister and activist, who travelled throughout southern New England – engages explicitly this religious ideological force of White Massachusetts citizens in his 1835 introduction to *Indian Nullification*, where he defends, on a legal basis, the land rights of the Wampanoag. In a tone and logic fundamentally different from Thoreau's, Apess undoes hierarchical settler ideology, by writing, for example, that "God has given to all men an equal right to possess and occupy the earth, and to enjoy the fruits thereof, without any such distinction" (168). He also specifically addresses the religiously inflected ideology that makes people like Thoreau believe that they are White: "Being bred to look upon Indians with dislike and detestation, it is not to be wondered that the whites regard them as on a footing with the brutes" (Apess 168). David Walker had six years earlier made a similar point in his *Appeal*, likewise printed in and distributed from the Boston metropole. "Have they not," writes Walker,

> after having reduced us to the deplorable condition of slaves under their feet, held us up as descending originally from the tribes of *Monkeys* or *Ourang-Outangs?* O! my God! I appeal to every man of feeling – is this not insupportable? Is it not *heaping* the most gross insult upon our miseries, because they have got us under their feet and we cannot help ourselves? (12)

This fact of Apess and Walker's publishing both earlier and more provocatively is a critical point in the assessment of the history of the literature of New England, and works productively against the mythologizing of Transcendentalists as the region's radical heart. People in New England, especially Indigenous and Black people, were constructing, printing, and distributing critiques of the ideology behind White people's myths about themselves, in the very time that Transcendentalism is recalled as 'founding' an American letters. Apess writes, for example, that he

> has often been told seriously, by sober persons, that his fellows were a link between the whites and the brute creation, an inferior race of men to whom the Almighty had less regard than to their neighbours, and whom he had driven from their possessions to make room for a race more favoured. Some have gone so far as to bid him remove and give place to that pure and excellent people who have ever despised his brethren. (168-69)

Similarly, Walker, in his eviscerating critique of Thomas Jefferson and his vision of racial hierarchy and democracy, investigates into White racial ideology that attends chattel slavery, settler colonialism, and racial capital, asking: "Has Mr. Jefferson declared to the world, that we are inferior to the whites, both in the endowments of our bodies and our minds? It is indeed surprising that a man of such great learning, combined with such excellent natural parts, should speak so of a set of men in chains" (Walker 12). Furthermore, Apess writes of "our white enemies" and cites directly the Wampanoag leaders Daniel Amos and Israel Amos's July 1833 letter to the Massachusetts governor, warning that there would be peace only under the condition that "no white man meddles or interferes in any way whatever in our lawful affairs" (190). Of White settlers in Massachusetts, Apess theorizes "the groundwork of their fears" (183), manifest in the quivering body, at a court hearing in the presence of "the bitter complainings of the Indians of the wrongs they had suffered," where the "white persons present seemed very uneasy, often getting up, going out, and returning, as if apprehensive of some danger" (183). This feeling of danger is produced through print cultures, suggests Apess, explicitly addressing the role of media run by White people in manifesting this "uneasy" feeling in the face of Indigenous residence: "All the editors were very willing to speak on the favorite topic of Indian wrongs; but very few of them said anything redress" (190). He writes, too, of the uneven execution of the law against Indigenous people by "white officers" and the courts, wryly commenting on the White theft of wood from the Mashpee that began the territorial dispute (188): "If a poor Indian wishes to get into a jail or penitentiary, that is just the course I would advise him to pursue. I leave it to the reader to say who were the persons aggrieved and injured, and that had the right to complain of trespass" (185). "I wonder what the whites would say," he continues, "should the Indians take possession of any part of their property. Many and many a red man has been butchered for a less wrong than the Marshpees complain of" (187).

In his trots, meanwhile, through precisely such Massachusetts woods – to gather berries in the land that Apess reminds us is native to other people – Thoreau has been made an incarnation of an American *forger*. He is remembered for maximalist individualism, freed from society and the supposed inefficiencies of the state. In "Civil Disobedience," his treatise of forging ways in a new nation, Thoreau positions the liberal subject as the ultimate end. This is fundamentally different from the critiques of Apess or Walker, who analyze the dynamic properties of history and people's being shaped by circumstance and discourse: for example, "the missionaries and their white followers imbibed all the prejudices of the day" (Apess 188) and a White missionary who "had probably imbibed the opinion that the natives were incapable of being taught" (Apess 186). Thoreau, meanwhile, attempts to banish the state from the life of the individual, and dreams of a dehistoricized political realm in which the social is excommunicated, leaving individuals standing all liberal, all rational, all on their own on Massachusetts land. Thoreau maintains such a naïve reading of the state's reach. He writes: "I meet this American government, or its representative, the State government, directly, and face to face, once a year – no more – in the person of its tax-gatherer" (2008: 235). Unlike his peers William Apess or David Walker, Thoreau employs the metaphor not of reforming, not of restructuring, not of revolutionizing – but literally calling on readers to "clog" (236) – the machine. In a rather painful image, he demands: "Let your life be a counter friction to stop the machine" (234). A subject-making pseudo-suicide, and perhaps the perfect liberal capitalist image: the individual brought to feel whole through forging self-sacrifice to a system that rolls on.

Seen this way, the text's most radical-seeming claim – that the state's "very constitution is the evil"– seems deceiving (Thoreau 2008: 235). At first glance, it seems Thoreau might suggest a need to recognize the fundamental corruptions of the American project and to reform them, to change the basic engines that make possible the American settler project. But those reforms "take too much time" and "I have other affairs to attend to" (234). He concludes: "I came into this world, not chiefly to make this a good place to live in, but to live in it, be it good or bad" (ibid.). Think of Apess here, and his critique, even pity perhaps, of White people's belief in a pure American nation, in his petitions to the Massachusetts governor. Meanwhile: "It is not my business to be petitioning the Governor or the Legislature," claims Thoreau (ibid.). And thus he begins by claiming it might be time "to rebel and revolutionize" (230), but spends the entire essay arguing against organized forces that might restrain his transcendental settler-subject – as if subjects were produced in factories, not made by the social exactly. It is thus he critiques the Constitution, but celebrates the political conditions that produce the Constitution: the likes of "trade and commerce" (228) and work to "settle the West" (227). How simplistic is his view of governmentality, and how neatly it fits into – or how neatly it itself constructs – the liberal myth of a stateless America: "The government does not keep the country free. It does not settle the West. It does not educate. The character inherent in the American people has done all that […]; and it would have done somewhat more, if

the government had not sometimes got in its way" (227-28). In a crude and colonial pun, Thoreau writes that "trade and commerce, if they were not made of India-rubber, would never manage to bounce over the obstacles which legislators are continually putting in their way" (228). Do we have to even squint to see Thoreau not as the first civil disobedient or first dissident, but as the first neoliberal? But if Transcendentalists wanted to keep their land on which to philosophize, and their engagement thereof pure, holy, and modern, was there any other way than constructing such a paradoxical, ahistorical theory of erasure? This fits neatly with what O'Brien has called the "New England replacement narrative," where White New England writers "effect," O'Brien says, "a stark break from the past, with non-Indians replacing Indians on the landscape. These are processes of purification that are central to the ongoing production of modernity" (xxii–xxiii).

Forgoing

Inquiring into why Transcendentalists, and Thoreau in particular, are turned to as the locus of civil disobedience, it is important to consider the national pedagogical embrace of Thoreau, and how at the center of his being made a model environmental citizen are his famous demands for private retreat and *simplification*. It is this word – *simplify* – that I recall on a sticker on a MacBook, opened by a speaker who presented to my tenth-grade English class, in a public high school in Maryland. Thoreau's bearded face looked stoically over this single word. I cannot remember if the visitor motorcycled through Afghanistan or started a school in Afghanistan. In any case, his visit was to show us that people like us – he was an alumnus of our high school – could live simply and change the world. This visit was tied to our English curriculum, in a section in which Thoreau, Martin Luther King, Jr., and Gandhi were taught one after the other as embodiments of the lineage of civil disobedience, which was taught to have begun with Thoreau. While writing the present essay, I found the lesson plan used for this assignment, featured on an official website of the US Department of Education. It is five sessions long, including readings of "Civil Disobedience," "Letter from Birmingham Jail," and scenes from the 1982 film *Gandhi* (Powell 1995b). Brent Powell, the author of the lesson plan, begins an article in the same publication, connected to the lesson, by declaring that Thoreau was "the first American to define and use civil disobedience as a means of protest" (26).

This quip – which my classmates and I, and millions of others, read and repeated at fifteen – is fascinatingly and categorically false. Thoreau, as he clearly writes in "Civil Disobedience," did not practice anything at all like what King systematically organized, but rather complained precisely about this sort of organization for political aims. While Massachusetts cemented control over the land of Indigenous nations, millions of people were enslaved, and the United States was expanding its borders while warring with Mexico and dozens of Indigenous nations, Thoreau

claims that systematic reform would "take too much time" and that he had "other affairs to attend to" (2008: 234). He "came into this world," remember, "not chiefly to make this a good place to live in, but to live in it, be it good or bad" (2008: 234). The term "civil disobedience," furthermore, is not known to have been uttered by Thoreau in his entire life. The essay now known by this title was solicited originally by Elizabeth Peabody in 1849, for what would be the first and only issue of her publication *Æsthetic Papers*, where she ran a thirty-two-year-old Thoreau's essay with the title "Resistance to Civil Government" (Peabody). The essay gained its present name only in 1866, when it was republished by Thoreau's sister, Sophia Thoreau, seventeen years after the essay's original publication and four years after Henry's death (Fedorko 245-47; Harding 206-07). There is no evidence that suggests Thoreau ever said or wrote the term. And as we see above, Thoreau himself gleefully announces his never having practiced anything like it – preferring instead indifferent enjoyment of an environment he believed being fatefully colonized. And while there have recently been more nuanced readings of Thoreau regarding his perception of Indigenous people and racial privilege, or just his general arrogance, there exists still a stubborn belief in the easily disprovable claim that he practiced, let alone named or originated, the concept of civil disobedience.

Why are so many so slow to believe Thoreau, to take at his own word that he was in actuality outright opposed to the political tactics for which he is credited? Even many of his critics take at face value that his sister's renaming his essay puts him, if overrated and privileged, in a tradition of organized radical dissent. The United States government is happy, in any case, to repeat these stories. A 2017 article, for example, in *Smithsonian*, a magazine run by the US government's Smithsonian Institution, cites Powell explicitly on this above point in his lesson plan supported by the US Department of Education, and adds that Thoreau's essay "fundamentally influenced twentieth-century protest" (Eschner). But more importantly: What would it even mean, per this lesson plan, for Thoreau to be "the first American to define and use civil disobedience as a means of protest" (Powell 1995a: 26)? For this to be read as true, what must it mean "to define" and "to use," and what must "civil disobedience" mean? And who must count, and not count, as "American," or even human? I think again of William Apess and David Walker. David Walker defied legal apparatuses by illegally distributing texts into ports across the United States and world that called for Black revolt against a violent White system of control. William Apess spent time in jail in Eastern Massachusetts for organizing Indigenous people to realize their sovereignty over their land in Mashpee. As Benjamin Hallett has it in his 1835 original introductory remarks on Apess and the situation of *Indian Nullificatio*n's printing, Apess "declared that no man should take their wood off their plantation," and was for this "indicted for a riot, upon grounds extremely doubtful in law" for which he "was imprisoned thirty days" (7). In light of this: What power lies in the positivity of producing the knowledge of Thoreau as father, god maybe, of noble resistance, consumption, and land stewardship in the United States? In such logics that Thoreau has been again and again resurrected to construct, it is not on

communal engagement to analyze and overturn the political forces that organize the world. For Thoreau, rather, it is on the onus of the individual – that sanitized liberal subject, neatly defined, turned abstract as philosophy itself – to spend less, to use less, to act responsibly. If you see something, say something about yourself. If the world needs changing, change yourself. As Rebecca Wanzo writes, this idea "treats feeling as the end of political change, encouraging a mode of individualist, self-transformation endemic to US culture. In other words, you need only change yourself, and in so doing you change the world" (24).

How strategic thus is the United States's appropriation of King's anti-racist and Gandhi's anti-colonial discourses, by bringing its young citizens to reutter political revolt's origins in the man who lived frugally in the cabin, who vehemently argued against organizing against social ills – including, explicitly, slavery – in lieu of personal development, moral responsibility, and sacrificing the body to "clog" the machine. These impressionable young pupils are asked to look inward, to give themselves up to "the machine," perhaps even to die for it. "How," asks the Brent Powell lesson plan, "do the images of nonviolence in *Gandhi* make you feel?" The personal, feeling- and individual-oriented lesson plan includes key terms like "Thoreau's *disdain* for slavery." After all, it is not surprising, I think, that Thoreau is the state-sanctioned bad boy of American literature and environmentalism. How, for example, could a US government reveal Apess or Walker as the origin stories of resistance to the state? Some students might not be in class the following session, or class might look very different. The very fabric of the settler-nation might unspool, precisely as intended two centuries ago. Thoreau, meanwhile, produces an economy of the colony, and an economic account of settler's duty. In his calls to fellow settlers to discipline themselves into good environmental conduct – a settler luxury of berries and nuts, called simplicity – Thoreau is thus remembered through liberal logics as a frugal environmentalist saint: for forgoing buying some things, and for forgoing organized reform of American power.

Conclusion

The image of Thoreau as "our" national forager, forger, and forgoer, are revealing of the penetration of settler ideology into American national myth, and, more specifically, the complex relations of these discourses with liberal-reform traditions, and sometimes even revolutionary ones: the situation of the fate of the westward expanding nation on the onus of the individual – the reform of national character by way of the individual's self-reform – to forage their own berries, to forge their own way, to forgo some goods. The liberal subject must discipline themselves into a life not, for Thoreau, of capitalist production, but of national production: of literally making the nation, transforming its exploitable land into some useful, delightful thing. What else is life for, asks Thoreau, but to enjoy the fruits of colonialism's long and ongoing labors, building an environmental theory of settler pleasure? Thoreau

is unwilling to critique his own mundane existence as having in part produced the conditions that at that very moment drove Native American people from their homes, and exports political problems onto an abstract "state" that oppresses him, and thereby theorizes his and his reader's great innocence. Should he be forgiven? No. Our histories inform and form the ways we occupy the world, and the job of the literary historian is to unsettle this – not to produce new settler modes of minimized consumption. This is what makes Thoreau so precisely, even especially, settler disaster. He makes seizure look like leisure. He celebrates the colony, calls it radical, calls it disobedient, and has led generation after generation of suburban White kids to become proud inhabitants of a land that is constantly renegotiated to fit neatly into a history of wealth, ownership, and rights. I think it is the job of literary historians to deal accurately with these histories, to centralize plural political theories and practices, and to work toward collectively practicing new and more horizontal relations in the world.

When theorizing environmentalism and environmental citizenship in the Americas, as this collection seeks to, it is imperative thus to build readings that account for the relationship between 'the environment' and the facts of settler colonialism. This necessitates centralizing its already existing alternatives. Why would we not read the settler literature of New England in this comparative, critical way? Doing otherwise – taking Thoreau and Transcendentalists on their own terms, imagining them as American literature's utter nascency – ignores the vibrant thriving of radical texts by authors like Apess and Walker, who theorized Indigenous sovereignty and Black revolt, in years before Thoreau would even begin to pontificate on proper etiquette for settler environmental stewardship. We otherwise reinstate the story that Transcendentalists told about themselves, succumbing to what Spivak would call "sanctioned ignorance" (86) and imagining Transcendentalists as the origins of a White, Anglo American radicalism that never existed, ascribing to Thoreau the illustrious moniker "Civil Disobedience" – a political practice, as we have seen, he in fact categorically rejected and a term he is never known to have uttered. Thoreau, then, might seem indeed like an important figure in conceptualizing environmental citizenship. Not for emulating his practice, but for analysis of how what Thoreau offers is a manual not for civil disobedience and effective political organizing, but for people to feel good about themselves while reaping the rewards of colonized ecosystems. And in the face of persistent beliefs otherwise, we thus see how in its attempts for totality, the settler-nation demands its subjects continually open themselves to it – its insistence that the zenith of a radical life is being but what Thoreau calls "a counter friction to stop the machine" (2008: 234). Not only would this be painful, but counter frictions are not very likely to stop machines. Away from figurations of machines, Linda Coombs suggests another metaphor for history. It is not a machine waiting for repair, but "a woven fabric, not a single thread" (n.p.). Scholars of Transcendentalism would be well to build new ways of reading better in tune with Coombs's description. Not token stories in footnotes or "fodder for manipulation," but as parts of histories – "made

of human beings – our ancestors – who wait for us to regain the balance that only equal weight and room for all the voices involved can bring" – that are negotiated by myriad ways of relating to the world (n.p.). Scholars engaged in shaping the literary history of the United States must find better ways of accounting for these complex and concurrent negotiations. For scholars of Transcendentalism, systematic comparative readings with the works of Apess and Walker, and their collaborators in the 1820s and 30s Boston metropole, seem like intuitive places to continue building these projects – sensing traces of the fabric of places and times, and refusing to follow any single thread.[1]

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Bad Environmental Citizens? Tracing the Limits of (State-Sanctioned) Environmental Citizenship

Axelle Germanaz and Sarah Marak

Introduction

In 2018, two German students were arrested for retrieving expired food products from a local supermarket's waste bins. They were subsequently charged with "aggravated theft," fined 1,200 euros each, and sentenced to several hours of community service (Sontheimer; Kuhn and Eldersch). The practice in which they had engaged before being apprehended is known as dumpster diving (or *containern* in German) and seeks to salvage usable or consumable products that have been discarded and deemed as waste by retailers or private households. While many countries, including Germany, judge the practice illegal and condemnable, the decriminalization of dumpster diving is actively debated within the context of precarity and homelessness as well as regarding the environmental impacts of consumer society. The case of "Caro und Franzi," as the pair was dubbed by national news media, was much publicized for it highlighted the illegality of the practice. The students eventually brought their case to the German Federal Constitutional Court and launched a public campaign to demand that the legal framework surrounding dumpster diving be adapted to contemporary realities. "Is it fair," they ask in their online petition, "that the wasting of resources remains unpunished, but frugality is declared a crime in times of climate change and exacerbated resource scarcity?" ("Containern ist kein Verbrechen;" our trans.).[1] Their case challenged the nation-state to reconsider its legal framework in the context of climate change and redefine the limits of citizen participation and behavior accordingly.

Across the Atlantic, a different kind of argument about the contours of citizenship was made in relation to normative environmental behavior and practices. On his primetime show, the now-ousted *Fox News* host Tucker Carlson regularly dressed his anti-immigration rhetoric with environmental language.[2] After facing

[1] The original quote reads: "Ist es gerecht, wenn in Zeiten der Klimaerwärmung und zunehmender Ressourcenknappheit die Verschwendung straflos bleibt und die Sparsamkeit zum Verbrechen wird?" ("Containern ist kein Verbrechen").

[2] Examples of Carlson's racist rhetoric against migrants coming from South America abound. He has relied on a set of environmental tropes advanced by conservative (and far-right) groups, such as the so-called overpopulation theory, the association of immigrants with pollution, and fears regarding resource scarcity, to make the case that immigration is a national ecological disaster and that immigration control is a necessary step towards sustainability. He has

backlash in December 2018 for his remark that immigrants make the United States "poorer and dirtier and more divided" (Carlson 2018a), he doubled down on his comment in a later show: "The truth is that unregulated mass immigration has badly hurt this country's natural landscape" (Carlson 2018b). "Take a trip to our southwestern deserts, if you don't believe it. Thanks to illegal immigration, huge swaths of the region are covered with garbage and waste that degrade the soil and kill wildlife" (ibid.). He concluded his monologue by condemning environmentalists and "[t]he left" for not caring about "mass immigration" and its supposed impact on "the environment – the land, the water, the animals" (ibid.). Carlson's tirade exemplifies contemporary strands of right-wing and conservative discourse that merge anti-immigration sentiments with environmentalism and cast immigration from the Global South as a (racialized) threat to the national environment and border securitization as environmental protection.[3] Importantly, such a discourse rests on the depiction of (im-)migrants as environmentally irresponsible – either apathetic toward the environment they cross or, even, incapable of 'properly' managing natural resources – and thus, incapable of belonging to the US nation-state, because they supposedly fail to behave environmentally.

Though at first glance unrelated, both examples invoke the notion of a normative environmental citizenship and raise the question of what might constitute 'good' environmental behavior within the framework of (state-bound) citizenship. The first case makes visible where one nation-state draws the line of permissible environmental behavior for its citizens. Here, reducing food waste by salvaging edible products – which, in light of the towering environmental footprint of food wastage, could be considered a common-sense and sound environmental practice[4] – is, in fact, criminalized and deemed 'bad' by the state. The second case, by focusing on the social and legal exclusion of migrants based on their supposed lack of "ecological legitimacy" (Pulido), alerts to the potentially violent and illiberal use of a normative environmental behavior. While the politics behind those two cases differ greatly, they raise the critical question of what kind of environmental behaviors are sanctioned by the nation-state (e.g., dumpster diving) and how the entity of the 'nation-state' is itself invoked to police certain behaviors and practices (e.g., by right-wing media). What constitutes putative 'good' environmental citizenship? Who can be a part of the ecological citizenry and who ought to be excluded from it?

repeatedly falsely claimed that immigrants disproportionally pollute the nation and that "illegal immigration […] produces a huge amount of litter" (Media Matters Staff; see also Maheshwari).

3 This phenomenon has alternatively been described as "the greening of hate" (Hartmann), "ecobordering" (Turner and Bailey), "econativism" (Hultgren), or again, "green nativism" (Bhatia). For more on its emergence and on its different forms, see Hultgren as well as Turner and Bailey for a focus on the European context.

4 The major environmental impacts of food wastage (i.e., food loss and food waste), particularly in precipitating climate change and biodiversity loss, are well recognized and documented. For a global overview, see, for example, the reports by the Food and Agriculture Organization of the United Nations (FAO) from 2013 and from 2015. For regional studies, see Scherhaufer et al.; Hall et al.

And, finally, who sets the limits to this specific framework of citizenship and to what purpose?

The notion of environmental citizenship has most prominently been developed by political scientist Andrew Dobson, who has published widely on the nexus of citizenship and the environment as well as on the intersections between political theory and green thought.[5] The concept of citizenship is often broadly understood as structuring the relationship between the individual and the state – through the status of membership, the latter confers reciprocal rights and responsibilities to individuals. In his 2003 monograph *Citizenship and the Environment,* Dobson pinpoints two main strands of citizenship: liberal and civic republican (32). "[*L*]*iberal* citizenship," Dobson writes elsewhere, "has focused on the rights of citizens" (e.g., the right to vote and the right to social welfare), while "[*r*]*epublican* citizenship focuses on the responsibilities of citizens to the collective" (2007: 280; italics in original). Dobson's work is primarily interested in weaving political ecology with the concept of citizenship and in offering some theoretical pathways towards the establishment of a sustainable society. In order to achieve this goal, he claims that a new form of citizenship is needed, one that does not necessarily structure the individual's relationship to a state but to the environment. While he recognizes that "there is no determinate thing called 'environmental citizenship,'" Dobson argues, somewhat vaguely, that it "will/can/may surely have something to do with the relationship between individuals and the common good" in the context of sustainability (2007: 280). Even though used interchangeably, Dobson further differentiates between environmental and ecological citizenship in his monograph – along the lines of the two main traditions. Environmental citizenship, he argues,

> is a citizenship that deals in the currency of environmental rights, that is conducted exclusively in the public sphere, whose principal virtues are the liberal ones of reasonableness and a willingness to accept the force of the better argument and procedural legitimacy, and whose remit is bounded political configurations modelled on the nation-state. (2003: 89)

Ecological citizenship, on the other hand, is connected to the duties and responsibilities of the individual to the community traditionally located in a

[5] Dobson's work on the intersections between citizenship and environment has given rise to a new field of research on environmental and ecological citizenship. For more articulations of the concept, see, e.g., MacGregor; Smith and Pangsapa; Latta and Wittman; Cao. The concepts of environmental and ecological citizenship have also been taken up in a substantial way by the field of pedagogy, which sees environmental education as a means to develop environmentally responsible subjects and create more sustainable societies (see, e.g., Misiaszek; Ideland; Hadjichambis et al.; Hayward). Dobson, too, has articulated the connections between education and environmental / ecological citizenship (2003: 174-207; 2007: 283-85).

republican reading but is conceptualized by Dobson as a "form of post-cosmopolitan citizenship" (ibid.).[6] He writes that

> ecological citizenship deals in the currency of non-contractual responsibility, it inhabits the private as well as the public sphere, it refers to the source rather than the nature of responsibility to determine what count as citizenship virtues, it works with the language of virtue, and it is explicitly non-territorial. (ibid.)

This form of citizenship is thus not about claiming rights, but about contributions and sacrifices that individuals make for a common good – or a global ecological society. The non-territoriality of ecological citizenship as conceptualized by Dobson thus takes into account the fact that environmental problems usually do not neatly respect national borders but spotlight the global connections that structure our environments. "If ecological citizenship is to make any sense," he writes, "it has to do so outside the realm of activity most normally associated with contemporary citizenship: the nation-state" (2003: 97). Aware of the potential limitation of the latter, Dobson asks: "Can the language of citizenship be enlisted beyond the state? What, in other words, is the 'citizenship-space' of ecological politics?" (2003: 5). To circumnavigate the contradiction between the 'stateness' of citizenship and the statelessness of many current environmental issues, Dobson's ecological citizenship, as a post-cosmopolitan citizenship, would reckon with the "unequal and asymmetrically globalizing world" (2003: 30).[7] It would consider political subjects, not bound to a state or a nation but committed to a global community: Citizens are interconnected through their ecological footprints, or the ways they impact the environment and livelihood of others. This view is apt at theorizing the asymmetries in duties and responsibilities that exist between individuals across the planet, bringing forth notions of environmental justice and injustice. It is, admittedly, also useful to argue that within the ecological community of Earth, individuals "always already" impact – in space and in time – humans and non-human others (2003: 49). However, his conceptualization of both ecological and environmental citizenship fails to attend to the ways in which the framework of citizenship necessarily poses limits to individuals' behaviors and actions, civil liberties, and human rights. In many geographical contexts, the status of citizenship has also historically been defined in relation to race, class, gender, sexuality, age, politics, and even species (Moosa-Mitha; Hirschmann and Thomas). Furthermore, while supposedly "every

[6] Dobson argues that impulses from the feminist movement as well as the general trend of globalization have shown that the two traditional categories of citizenship no longer suffice: "Together, themes in globalization and feminism point towards a third citizenship that cannot be politically or discursively contained in either liberal or civic republican forms" (2003: 34). He calls this third citizenship "post-cosmopolitan" and argues that it is not bound to the nation-state because it is "non-territorial" (2003: 39).

[7] Climate change and its consequences, for example, cannot be tackled on a national level (at least not exclusively), as it affects ecosystems and the atmosphere across borders.

government on the planet" is somehow "committed to sustainable development" (Dobson and Bell 4), they must also navigate competing interests and are often complicit in, if not responsible for, environmental destruction. Finally, while the characteristic of both kinds of citizenship seems to be a dedication to "the common good" (Dobson 2007: 280; Dobson and Bell 4),[8] the lack of clarity about what this actually entails leaves space for exclusive and illiberal interpretations as to what stands for common good and who ought to benefit from it.

In this contribution, we aim to problematize Dobson's conceptualization of environmental and ecological citizenship through two case studies: one related to the criminalization of migration on feigned ecological grounds; and one related to the criminalization of environmental activism and environmentally sound behavior. We see both examples as being partly rooted in a post-9/11 move toward securitization (e.g., the militarization of borders as well as the rhetorical association of migration and activism with terrorism). Scholars have demonstrated that in the wake of 9/11, human rights and civil liberties (e.g., the possibilities to express dissent) have been severely curtailed in the United States (Pellow; Grubbs; Salter; Vanderheiden) and beyond (Shearman and Sussex; Smith; Vicziany et al.; Miller and Stefanova). Although his monograph *Total Liberation* is specifically concerned with the statal repression of environmental and animal rights activists, sociologist David Pellow's argument about the normative instrumentalization of citizenship is useful to think about the limits of ecological citizenship:

> If you are not a member of that nation-state's citizenry (or not a full citizen), then you are potentially detrimental to the nation's health and security. In the same way that groups like the incarcerated and the undocumented are framed as somehow "less than human" and hold a status "less than citizenship," I argue that state repression […] works to place earth and animal liberation activists and movements *outside* the realm of citizenship. (167; italics in original)

We aim to shed light on the limits of ecological citizenship – a form of citizenship that may be desirable but remains far from reach for many people bound to nation-states by their legal citizenship (or their lack of citizenship). By probing what constitutes 'good,' state-sanctioned ecological citizenship through our analysis of two cases of allegedly 'bad' environmental citizenship, we examine the limits of

[8] There seems to be a general faith in the ecological citizen that she will be virtuous and will behave environmentally for the public interest with the overall goal of establishing a sustainable society. For example, in his monograph, Dobson writes "[e]cological citizens […] would harbor a commitment to the principles and would 'do good' because it is the right thing to do" (2003: 4). There is, too, a lack of clarity when it comes to the definitions of common good and sustainability, one that is avowed by Dobson and Bell when they write that ecological and environmental citizenship will be focused on "the relationship between individuals and the common good. (Whatever the common good, in the context of sustainability, might mean. And we take it that part of what being an environmental citizen might mean is to participate in the never-ending process of defining what sustainability does mean.)" (4).

Dobson's theoretical concept. Following Jennifer Grubbs, who argues that the "state-corporate-industrial complex" (4) aims at constructing a dichotomy between the "good" and the "bad" protestor (49) to delegitimize certain forms of dissent (see also Salter 214), we adopt the category 'bad' for environmental behaviors and practices that have been portrayed as inadequate, harmful, and destructive, on the one hand, but also disobedient, unruly, and disruptive on the other hand. Our analyses examine how the state relies on conceptions of ecological citizenship to regulate certain kinds of ecologically friendly behavior and criminalizes those it considers disruptive to its interests. Somewhat parallel to the good protestor, who expresses his or her dissent in non-threatening ways, fully complying to the legal and accepted avenues of democratic participation and buying into the idea of green capitalism (Grubbs 49), we suspect that 'good,' state-sanctioned ecological behavior is similarly tied to the safeguarding of the status quo, or what Andreas Malm calls "business as usual" (8).

"National Citizens Neighborhood Watch": Ecological Citizenship as a Policing and Disciplining Tool at the US-Mexico Border

The discourse of ecological citizenship as conceptualized by Dobson rests on a set of to-be-established adequate ecological behaviors and practices, which once promoted and taught to citizens, will presumably give rise to sustainable societies, and mitigate the effects of climate change. As such, the concept is inherently normative: it sets certain ecological behaviors and practices judged appropriate and necessary (i.e., 'good') against others deemed insufficient and even threatening to the common good of the ecological community (i.e., 'bad'). Dobson's work further aims to normalize the notions of environmental rights – to be "enshrin[ed] in constitutions" (2003: 89) – and of ecological responsibilities owed to that community. While he seems aware of the potential traps of using the political category of 'citizenship' (precisely for its "discriminatory" character; 2003: 69), these concerns of normativization are brushed off.[9] It seems, however, relevant to consider the ways in which these same ecological rights and responsibilities, behaviors and practices, have been invoked for exclusionary and undemocratic purposes. Differently said, what happens when ecological citizenship is deployed as a nation-state building tool and a means to police citizens and non-citizens, barring access and/or participation in the polity to certain communities, individuals, and movements?

Scholars have demonstrated that environmentalism has historically served nativist, eugenicist, and settler-colonial projects in the United States (see, e.g., Ray;

[9] Dobson describes post-cosmopolitan citizenship as "non-territorial" and, thus, "non-discriminatory" (2003: 39).

Park and Pellow; Kosek). Indeed, discourses of nature – as 'wilderness,' 'resource,' and defining trait of a US American character (e.g., the 'frontier') – have supported nation-building agendas and imperialist aspirations, helping to delineate a racialized conception of the national identity and legitimizing exclusion for the sake of national security (and 'purity'). In recent years, public debate about immigration in the United States has taken on explicit environmental dimensions and called back onto this long tradition of ecological nativism. The right-wing anti-immigration movement has, indeed, relied on environmental rhetoric to cast immigration as an ecological disaster and border control as an environmentally sound practice: strong borders, it argues, effectively protect national ecosystems and safeguard US citizens' efforts toward environmental sustainability (see, e.g., Hultgren; Potok).

The anti-immigration or "restrictionist" (Hultgren 2) movement in the United States is a loose coalition of conservative individuals, think-tanks, and organizations, such as the Federation for American Immigration Reform (FAIR), the Center for Immigration Studies (CIS), or NumbersUSA,[10] as well as anti-government militias, far-right groups, and so-called border vigilante organizations, such as the Minutemen Project, American Border Patrol, and the United Constitutional Patriots.[11] All are dedicated to restricting, if not stopping all-together, immigration in order to secure a homogenous (white) nation. Focusing their restriction efforts primarily on the borderland regions of the Southwest, they have frequently framed migrants coming from the Global South (especially Latin America) as ecologically irresponsible subjects, who are presumably not only destroying the US national environment on their path, but also damaging national efforts towards conservation, environmental protection, and sustainability. They have, implicitly, deployed the notion of ecological citizenship to argue that migrants, given their supposedly inadequate and even dangerous environmental behavior, were incapable of belonging to the US polity – framed in this case as an environmental nation made up of ecologically conscious citizens –, and were, thus, to be excluded.

Their rhetoric has naturalized and legitimized restrictive immigration policies as environmentally sound and necessary for conservation efforts. For instance, an article published by FAIR in 2018 celebrated the passing of the "Securing Our Borders and Wilderness Act," which extended the US Customs and Border

[10] All three organizations were founded (and funded) between the 1970s and 1980s by John Tanton, "one of the architects of the American restrictionist movement" (Hultgren 4). Tanton was involved in various local and regional environmental organizations before joining the Sierra Club's National Population Committee in 1971 and promoting the view that 'overpopulation' and 'mass immigration' precipitated ecological disasters. While these organizations continue to be key players in the immigration debate in the United States (their members have testified before Congress multiple times), Tanton's links to white supremacist organizations have been brought to light (see, e.g., Hultgren; Potok).

[11] The Southern Poverty Law Center tracks the latter two organizations on its website and provides some valuable information regarding their ideologies, activities, and organization. See here: <www.splcenter.org/fighting-hate/extremist-files/group/american-border-patrolamerican-patrol>, <www.splcenter.org/fighting-hate/extremist-files/group/united-constitutional-patriots>.

Protection's action grounds onto formerly protected areas. Although celebratory in tone, the article lamented that

> [a]mong the questionable objections to President Donald Trump's proposed border wall is the claim that it would "cause serious environmental damage." However, environmental damage, and lots of it, is being done daily as human traffickers, drug cartels and other criminal elements crash unsecured sections of the U.S.-Mexico border, trampling delicate plant life and leaving obscene amounts of trash, human waste and other carnage in their wake. […] While these areas have been protected from law abiding Americans, they haven't been adequately safeguarded against illegal aliens whose last concern is the integrity of the environment. And as a transit corridor for illegal aliens, this scarred swath of southwestern border territory has become a dangerous, and often polluted, wasteland. […] That danger threatens the integrity of our environment just as profoundly as it threatens our safety and security. (Dane)

This excerpt not only explicitly connects undocumented immigration to environmental degradation, but it also depicts the US environment, in sentimental terms, as a fragile body left violated: It is "trampl[ed]," "scarred," and "polluted" by "criminal elements" and "illegal aliens." Second, it constructs "law abiding Americans" (i.e., citizens) as victims, whose rights to enjoy 'their' national environment and natural resources are encroached by migrants, who supposedly 'trash' and contaminate them. Furthermore, the constant stress on migrants' mobility and lack of place-based attachment not only serves to emphasize a supposed 'rootlessness' antithetical to citizenship and national belonging but also aims to depict them as unidentifiable, neither by their individuality, nor citizenship, producing the overall effect of an amorphous yet supposedly hyper-present threat. Third, in lamenting the absence of (and resistance towards) walls, it completely fails to acknowledge the ways physical borders and fences are themselves environmental disasters for the borderlands' wildlife and wildlands. This association between immigration and environmental degradation is not limited to conservative anti-immigration organizations but, in fact, extends to the US Congress. In 2021, Republican Representatives Paul Gosar (R-Arizona) and Bruce Westerman (R-Arkansas) demanded that Alejandro Mayorkas, then Secretary of the Department of Homeland Security, take action against undocumented immigration for the sake of the well-being of the nation's citizens and its environment. In an official joint letter, they argued that "[i]n addition to health and safety concerns, illegal immigration has a severe impact on the environment" and claimed that, both having "personally witnessed scattered trash and damage to our lands during official tours of the Southern border," protected areas were being "used as dumping sites and vegetation is destroyed" (Westerman and Gosar). They also identified the cause of this unfolding disaster: "Not only are they destroying wildlife habitats, illegal migrants are also vandalizing American citizens' properties" (ibid.). In both

examples, not only are the 'good' ecological behavior of citizens of the North (and their rights to property) negated by the supposedly 'bad' environmental practices of migrants, but it is also the nation in its totality that is rendered victim of 'invasion' and 'pollution.'

Indeed, the reference to 'trash' and human waste is prominent in anti-immigration discourse because of the strong visual and affective responses they provoke in readers and viewers – particularly in terms of disgust, fears, and outrage (Ray; Sundberg; Sundberg and Kaserman; Quintanilla). Through commented videos, photographs, and reports published online, anti-immigration organizations and militias have produced an archive of trash that aims to catalogue the objects supposedly discarded by migrants in the US borderlands.[12] These records are largely disseminated to provoke public outrage and to stand as proof that migrants are, in Laura Pulido's terms, "ecologically illegitimate" in that they do "not care about protecting their environments" (37). Obscuring the complexities of the migration debate in the United States, those representations of migration and national landscape perform effective cultural and affective work. This simplified frame (i.e., that immigrants leave 'trash' on their path north and that leaving trash is 'bad' ecological behavior) not only denigrates migrants' existence and hardships crossing borderlands, but it also dehumanizes them: while their physicality is erased, migrants are rendered visible only by their supposed 'waste.'

The Minuteman Civil Defense Corps (MCDC), a group of (armed) civilians who patrolled the Southwestern border between 2005 and 2010, launched what it called "National Citizens Neighborhood Watch" with the key aim to "see the borders and coastal boundaries of the United States secured against the *unlawful* and *unauthorized* entry of all individuals, contraband, and foreign military" ("MinutemenHQ;" our emphasis). Emerging in the post-9/11 context,[13] the group's mission statement declares that members are ready to "employ all means of civil protest, demonstration, and political lobbying" (ibid.). Their pledge includes the notion that members ought to "support our citizens' adamant rejection of the blatant disregard for our laws and ordered liberty represented by the US government's failure to secure our borders, enforce our nation's sovereignty and end the flood of illegal trafficking into American territory" ("The Minuteman Pledge"). The group also worked informally with Border Patrol agents as they policed the borderlands with law enforcement-grade equipment, tracked the movement of undocumented

[12] For examples of such an archive, see the Center for Immigration Studies' online posting "Trash at the Border;" Bensman's "Video Updates," also published by the Center for Immigration Studies; or "Pictures of Illegal Immigration Invasion at Diablo Mountain, Arizona" posted on the website of Desert Invasion – U.S.

[13] Published on its website, the Standard Operating Procedure of the group states: "The volunteers who have led the way are the *good citizens* who have joined the*efforts [sic] of Civil Homeland Defense, a group of devoted patriots, like you, who started all of this as a neighbor hood [sic] watch group and followed President Bush's request to be vigilant and to report any suspicious activity after 9/11 and who have succeeded in assisting the Border Patrol with locating over 10,000 people, during the last four years, entering our country illegally" (emphasis ours).

migrants, and routinely delivered them to agents ("Volunteer Training Manual"). It also cataloged the trash groups would find during their so-called Border Watch Operations, with photographs of paths covered with discarded objects members attributed to undocumented migrants. In a blog post titled "Another Monster Layup Discovered by MCDC AZ Search & Rescue," the author sarcastically asks: "Is this America the Beautiful? Or is this a landfill?" before adding that "[t]he trash left behind by the illegals is one of the worst Environmental Disasters [sic] to ever hit the USA." Against such depictions, the text coaxes readers: "Rest assured the MCDC Arizona Chapter is already planning the next operation in this area" (ibid.). Resting on the imaginary and iconography of the vigilante deeply rooted in North America, the Minutemen cast themselves as righteous protectors of the nation and its citizens – they claim to "watch" over the country and form "Search and Rescue" teams. They pose as patriotic citizens who, 'responsibilized' by the neoliberal state,[14] deem themselves legitimate managers of the national space: They consider it necessary to enforce the nation-state's laws, police supposedly 'bad' environmental behavior, and exclude subjects they consider superfluous, unproductive, dangerous, 'bad.'

For environmental studies scholar Sarah Jaquette Ray, this cataloging of 'trash' in the borderlands constitutes a "poetics of trash" that "provokes alarmism about immigration by framing it as dirty, ecologically irresponsible, and morally impure […]. It dehumanizes, even animalizes, immigrants and ignores the broader, perhaps less viscerally disturbing, sources of the environmental and humanitarian crisis occurring along the border" (37). Ray also notes that such discourse – also found in the communication and culture of the mainstream environmental movement – produces "ecological others" (16) and justifies exclusion on environmental grounds. "Unlike ecological subjects, whose aim is to save the world from ecological crisis," she writes, "ecological others are often those from whose poor decisions and reckless activities the world ostensibly needs to be saved" (5). Associated with this racialized discourse of 'trash' and 'waste' is a counter-discourse of civic action, (ecological) responsibility, and purification. Indeed, texts that denounce the trash supposedly left by migrants oppose the latter and their actions to those of US citizens – especially local residents, hikers, border patrol agents, and members of border militias.[15] These texts explicitly contrast a 'bad' environmental behavior (i.e., littering) to the 'good' and, at times, even corrective environmental behavior of citizens, which often takes

[14] Sociologist Jennifer D. Carlson has elaborated on the process of "responsibilization" specifically in relation to gun culture in the United States. She writes that it entails "the reorganization of collective responsibilities as private duties: private organizations and individuals are increasingly sanctioned to perform duties that previously fell under the purview of the state" (336). She further argues that "the responsibilized subject […] is marked by private individuals' capacity and desire to perform sovereign functions (particularly the execution of lethal and legitimate violence) that the state has typically monopolized" (ibid.).

[15] For instance, the "Volunteer Training Manual" of the Minutemen dictates that members ought to "leave no garbage behind" and to "keep our environment pristine and give the appearance that we were never there" (4-5).

the form of environmental conservation measures and organized cleanups. Such discourse naturalizes racism and exclusion under the guise of environmental protection and assumes that sustainability and environmental stewardship are solely attributes of the Global North. Against its own alarmist rhetoric of (biological) invasion and pollution, the anti-immigration movement strategically cultivates and utilizes moral and sentimental narratives of environmental protection, patriotism, national well-being, and security. Indeed, migrants are described in terms of societal and ecological 'burden,' who are supposedly invading the United States, putting pressures on its ecosystem and resources, and turning its natural environment into a 'wasteland' to the detriment of US ecological citizens.

What is particularly striking in the case of right-wing militias is their tangled intimacy with the nation-state itself. These militias are examples of what Joshua Lund and Anne Garland Mahler call "vulgar paramilitarism," that is "often against the law, but not anti-systemic," and we would add, not anti-statist (9). Differently said, they put their acts of civil vigilantism and environmentally-coated anti-immigration activism at the service of the securitization and militarization of the border – instead of, or perhaps for, the state. Indeed, these (usually armed) citizen vigilantes are, as the website of the Minuteman Civil Defense Corps puts it, "force multipliers" ("Standard Operating Procedure") to an already extensive network of surveillance, police and law enforcement agents mobilized at the border by the nation-state. While always remaining a potential threat to it, anti-immigration militias are ultimately an extension of state power. Their private surveillance and violence work advances the state's project of 'securing' the nation's borders – at all costs. At the same time, they absolve the nation-state from any blame for its responsibility in pushing migration in evermore deserted and hostile borderlands.

While in this example, ecological behavior is instrumentalized to delineate the limits of the citizenry, the following case study highlights how the state limits expressions of ecological citizenship by examining two current protest movements.

#StopCopCity and Letzte Generation – Civil Disobedience as Domestic Terrorism

In their introduction to *Environmental Citizenship*, Dobson and Bell write that "most governments around the world have made a commitment to 'sustainable development,'" which they try to achieve first and foremost with a "fiscal sticks and carrots" (1) approach. Especially "enticing for liberal-capitalist governments," this system of pushing citizens and corporations both to buy into the idea of a green capitalism without far-reaching government intervention places the potential for ecological change firmly in the realm of consumption and individual consumer choices. While "consumer choice can be political" (Schudson 198) – Breen, for example, has argued that consumer choice even played a critical role in the American

Revolution – the equivalence of the citizen and the consumer is also troubling.[16] In placing the possibility of expressing dissent firmly in the realm of consumption, other forms of enacting environmental or ecological citizenship,[17] such as public protest, are foreclosed. Moreover, consumer choice environmentalism is also always exclusively tied to the capitalist system and thus fails to imagine alternatives.

The ecological citizen as citizen-consumer is thus non-threatening to the economic and political status quo and similarly favored by the state as the "good protestor." "Through the conflation of the good subject," as Jennifer Grubbs writes, "and the good protestor, activists are presented with one, nonthreatening form of dissent as effective" (119). This "nonthreatening form of dissent" is a mix of 'green' consumption and democratic participation, according to Grubbs, while other expressions of dissent are not sanctioned, but sometimes even prosecuted, by the state (49, 119). Colin Salter similarly argues that the state's "wedge politics" with regard to different forms of dissent creates a "false dualism" between moderate and radical activists:

> The State and corporate interests' subversive and repressive tolerance of reformist organizations (i.e., regulated freedom), such as the Humane Society of the United States (HSUS), have constructed a false dualism in which certain reforms are tolerated as 'good' dissent while direct action is demonized as 'bad' (directly paralleling nationalist discourse of good and evil to justify the Bush *war on terror*). (214-15; emphasis in the original)

Two contemporary examples of such expressions of dissent in the form of environmental activism lend themselves to a further analysis of the limits of ecological citizenship. Both Letzte Generation, or Last Generation, (in Germany) and the #StopCopCity movement (in the United States) rely on civil disobedience as

[16] Schudson criticizes the "elevation of the 'citizen' over the 'consumer'" (203) and seems to argue for equivalence or at least a broader recognition of the power of consumer's choices as political acts. However, he also seems to view environmentalism as best expressed in consumer choices, which, considering the long history of environmental protest in the United States, is quite a limited perspective: "But just what the most salient differences are between the world of politics and the world of consumption seems to me far from obvious and, in an age of environmentalism, consumer boycotts, and political regulation of the safety of cars and toys and pajamas, ripe for reconsideration" (203).

[17] Dobson's notion of environmental citizenship, while "deal[ing] in the currency of environmental rights" (2003: 89) and firmly rooted in the public sphere, forecloses civil disobedience and is thus not adequately describing current forms of environmental protest. The "principal virtues" of environmental citizenship, he writes, "are the liberal ones of reasonableness and a willingness to accept the force of the better argument and procedural legitimacy" (ibid.). Ecological citizenship, on the other hand, also fails to aptly address the two protest movements discussed here. Thought of as post-cosmopolitan, the concept obscures the fact that ecological citizens are still bound by what a given nation-state deems acceptable and ecologically sound – as the case study demonstrates.

a tactic of protest and emphasize the pitfalls of ecological citizenship.[18] Both movements protest for ecologically sound policy to hold state representatives accountable to promises previously made and have been met with terrorism rhetoric and severe state repression – despite their main tactic being non-violent civil disobedience – in order to criminalize and delegitimize their cause. At the time of writing in early 2024, their efforts are still on-going and without narrative closure, which is why an analysis can only be preliminary.

If, as Patrick Curry writes, "the common good of any human community is utterly dependent […] upon ecosystemic integrity" (1067) and the common good is defined as being of major import to constructions of (especially civic republican) citizenship, protesting for the integrity of the ecosystem and against unsustainable practices, can be read as an act of ecological citizenship. The common good, according to Curry, "is only maintained by practices and duties of active 'citizenship,' whose larger goal is the health not only of the human public sphere but of the natural world which encloses, sustains and constitutes it" (ibid.). Protest is an interesting example in the context of such citizenship because it is viewed as a fundamental right of citizens and as "a part of civic life," as Glenda Gilmore writes (197). However, the troubled relationship between environmental activists – enacting their ecological citizenship duties – and the state also highlights that the envisioned "Earth citizens" (Lee) are still very mundanely bound to the nation-state when it comes to acceptable activist behavior and protest legality.

Amid calls for a radicalization of the climate justice movement in terms of tactical repertoire, states in the Global North are radicalizing their response to non-violent public activism, limiting the possibilities for expressions of dissent and the movement's attempts at holding governments accountable to pledges of sustainability and climate protection.[19] Both cases of civil disobedience – as employed by Letzte Generation and the #StopCopCity movement –, however, lend themselves to an analysis of the policing of environmental activism and the enactment of citizen's rights to dissent, because they show features of a pattern well-

[18] While Letzte Generation has so far avoided violence and stuck to their non-violence code, within the #StopCopCity movement several different groups co-exist, some of whom have engaged in sabotage and vandalism.

[19] Human ecologist Andreas Malm, for example, has recently criticized the climate movement for its reliance on strategic pacifism, arguing that its legitimation of pacifism suffers from "selective memory" (51). Demonstrating that the historical examples the climate movement has brought forth to explain their pacifist strategies have (at least in part) relied on strategically employed violence, or have co-existed with more radical organizations that made use of such violence (the Suffragettes, Abolitionists and the Civil Rights Movement, the fight against Apartheid, among others), Malm calls for a re-evaluation of the history of protest: "Strategic pacifism is sanitised history, bereft of realistic appraisals of what has happened and what hasn't, what has worked and what has gone wrong: it is a guide of scant use for a movement with mighty obstacles. The insistence on sweeping militancy under the rug of civility – now dominant not only in the climate movement, but in most Anglo-American thinking and theorising about social movements – is itself a symptom of one of the deepest gaps between the present and all that happened from the Haitian Revolution to the poll tax riots: the demise of revolutionary politics" (61).

known from the US Green Scare of the early 2000s – "a matrix of juridical, legalistic and political mechanisms [that] has criminalized forms of political dissent" (Loadenthal 2013: 93).

Before the climate movement came into existence, radical environmentalists in the United States had already relied on civil disobedience, tree spiking, sabotage, vandalism, and arson, i.e., property destruction, from the late 1980s to the early 2000s.[20] The radicalization of these activists, however, also coincided with the Green Scare and a radicalization of the state's response to property destruction and activism in general. After the "reconstituting of the cultural values of the nation" following the lethal attacks of 9/11, Loadenthal argues, "it would not have been possible to call the release of birds 'terrorism,' nor would it have been viable to label the clandestine perpetrators of these crimes a 'serious terrorist threat'" (2016: 191). Previously only a mere label, "ecoterrorism" became a legal reality through a broadened definition of terrorism in the PATRIOT Act (Vanderheiden 429). Especially the inclusion of attacks on inanimate objects, or property, into the FBI's official definition of terrorism has been criticized by scholars because of its severe consequences for protest movements. Activists and scholars alike often invoke the American Revolution in this context; Vanderheiden, for example, alludes to the Boston Tea Party in order to establish a comparison between what is now deemed terrorism and what is considered a defining moment in the history of the United States: "More controversially, perhaps, but clearly falling under the above definition [of terrorism in the PATRIOT Act], the participants in the Boston Tea Party willfully destroyed property in order to 'retaliate against government conduct' and so must be guilty of exactly the kind of terrorism now proscribed under the USA PATRIOT Act" (430).

With the climate movement on the rise, the legacy of the Green Scare and the post-9/11 laws established in the United States prove to complicate the enactment of ecological citizenship for activists, both moderate and radical. When non-violent civil disobedience is criminalized analogous to property destruction, and rhetorically framed as terrorism, the question arises if acts of civil disobedience committed by concerned citizens are incompatible with state sanctioned ecological citizenship. In the following, an examination of how terrorism rhetoric is employed by state actors, both with regard to the #StopCopCity movement and Letzte Generation, will illustrate the complicated relationship between Dobson's notion of environmental and ecological citizenship and states' responses to protest.

[20] Malm acknowledges this history in the final chapter of his book. He locates the reason for the limited success of Earth Liberation Front (ELF) and Earth First! in their deep ecology ideology and the fact that they were not a mass movement as opposed to the climate movement (152-57).

#StopCopCity

The #StopCopCity movement active in Atlanta, GA, formed in 2021 and consists of a broad coalition of climate activists, forest defenders, Native American rights activists, social justice activists, and abolitionists as well as "Veterans Against Cop City." As Amna Akbar writes,

> [a]ctivists credit the campaign's longevity to the involvement of a range of organizations and individuals, with varied political commitments and comfort with different tactics and strategies – what they have called "multiple grammars of struggle." While there is undoubtedly disagreement within these formations, there is a shared sense of purpose to defend the land and oppose the development.

The tactical repertoire is diverse, ranging from lobbying and demonstrating, to civil disobedience (esp. squatting in the trees of the South River Forest), and vandalism. The common goal uniting this movement is to stop the Atlanta Police Foundation (APF) from clear-cutting eighty-five acres of forest for the construction of the "Atlanta Public Safety Training Center." This center would be the largest police training facility in the United States – and has been dubbed "CopCity" by activists because it would also include a mock city – reminiscent of the fictional towns examined in Sierra Pettengill's documentary *Riotsville, U.S.A*. APF is a non-profit, non-governmental organization assisting the Atlanta Police Department, and is funded and led by major corporations such as Waffle House, Home Depot, and Delta Airlines, that plans to invest 60 million dollars in Cop City. The other 30 million dollars the project will cost will be spent by the city of Atlanta (Akbar). A major point of criticism is that the project would gravely impact the city's green surroundings that are seen as a major factor in mitigating the effects of climate change.

It is important to note that while parts of the movement engage in civil disobedience and sabotage, there have previously also been attempts at stopping the project through legal-democratic channels: Before the city council's vote on whether or not to fund the project, 1,100 citizens waited in line and gave their comments before the council. 70 percent of those comments were expressing concern – because the South River Forest is bordering on some of the poorest, majority black neighborhoods of the city, because local politicians in Atlanta pledged to cut the budget of the police department following the murder of Rayshard Brooks in 2020, and because the forest is viewed as one of the major factors in mitigating climate change (Akbar). As David Peisner writes: "When the council opened the proposal to public comment, they received more than 17 hours of it – the majority opposing it – then voted to approve the project anyway." With the coalition of several groups uniting their different interests for a common cause, the #StopCopCity movement thus points to the intersection of capitalism, environmental racism, and ecological

destruction, highlighting long-lasting systematic oppression and the state's safeguarding of corporate interests and "business as usual" (Malm 8).

The location chosen for the planned facility itself can be read as a symbol for the entanglement of capitalism, racism, and environmental destruction as it is marked by ongoing systems and infrastructures of oppression and exploitation. In the 1830s, under President Andrew Jackson, the native Muscogee Creek population was forcefully removed from the land. Activists today refer to the area with a Muscogee term, Weelaunee Forest – instead of South River Forest –, to express solidarity and their acknowledgement of Native American land rights and to point to the violent history of the site. After the dispossession of the Native peoples, Weelaunee Forest was the location of a plantation, on which enslaved people were forced to work in inhumane conditions, before the site was turned into the Atlanta Prison Farm that was operated by the city from the 1920s to the early 1990s ("History"), "marking the rebranding of slavery into for profit prison labor" ("Atlanta").[21] Today, the area hosts a shooting and explosives range used by the Atlanta Police Department and is surrounded by some of the poorest, majority black neighborhoods of the city, which would also be affected by detrimental changes to the ecosystem of the forest (flooding due to deforestation is a concern) and further pollution from the facility (Peisner; Akbar).[22] While the movement has garnered support from activists around the globe and has been quite successful with the general public (activists collected 116,000 signatures in favor of putting the issue on the ballot; Rico), the state continues to criminalize protestors, prominently through association with "terrorism." Especially Republican Governor of Georgia, Brian Kemp, continues to employ the terrorism label, while activists are arrested on domestic terrorism charges under Georgia's updated domestic terrorism statute. This new law "broadened the state's definition of 'domestic terrorism' to include certain property crimes committed with the intent to 'alter, change, or coerce the policy of the government' by 'intimidation or coercion'" (Taitz and Rather). On September 5, 2023, Kemp issued a statement via Twitter regarding the arrests of 61 activists that were charged with domestic terrorism and racketeering under the Racketeer Influenced and Corrupt Organizations Act (RICO) (Marques):

> The indictment of 61 criminals and domestic terrorists announced today is the result of months of work by the Attorney General's office and the Georgia

[21] A report authored by the Atlanta History Center in 2023 ("This report was prepared for the Visioning, Memorializing, and Repurposing the former Atlanta Prison Farm Site subcommittee of the South River Forest and Public Safety Training Center Community Task Force") describes the land-use somewhat euphemistically as follows: "Originally inhabited by Native Americans, including the Muscogee people, taken by land cessations, and a site of cultivation by enslaved labor prior to the end of the Civil War, it later saw cultivation for decades by inmates of the city's criminal justice system" ("History of the Atlanta Prison Farm Site").

[22] The river running through the area is already one of the most polluted rivers in the United States; Peisner also notes that activists squatting in the forest have to haul in water because the river's water is not safe to drink.

> Bureau of Investigation. My top priority is and always will be keeping Georgians safe, especially against out-of-state radicals that threaten the safety of our citizens and law enforcement. (Kemp 2023c)

Through the criminalization of activists as domestic terrorists, the movement's adherents are, following David Pellow, rhetorically stripped of their citizenship status in order to legitimize their unrestrained prosecution and policing. At the same time, especially through the claim that the protest involved "out-of-state radicals" – meaning activists coming to Georgia just for the protests – Kemp manages to delegitimize the movement's cause (Pellow; Pratt 2023b).[23] The protests in Atlanta have also become tragically infamous for the first fatal shooting of an environmental activist by police in the United States.[24] Moreover, in May 2023, Atlanta police arrested three people "in a SWAT-style raid" at the office of the Atlanta Solidarity Fund, which "raises money to help arrested protesters with bail, legal defense and related needs" (Pratt 2023a). Even though these organizations are viewed as "central to the notion of the rule of law," according to Law School Professor Jocelyn Simonson, Governor Kemp, also in this case, relied on terrorism discourse, demonstrating that any activity related to the #StopCopCity protests will be severely prosecuted by the state (ibid.). In a tweet from May 31st, 2023, he issued the following statement:

[23] Governor Kemp repeatedly issued statements about "out-of-state radicals," which is in line with his attempt to argue that most people opposing CopCity are not from Atlanta – a tactical move that serves to belittle the grassroots organizing happening within the city. In May 2023 he posted the following tweet: "For months, law enforcement on the state and local level have worked diligently to secure the site of the Atlanta Public Safety Training Center in the face of violence from mostly out-of-state activists. They came to harass police officers and civilians, choosing destruction over legitimate protest. Thanks to our brave law enforcement, many of them have already been arrested. And today, we're proud to share that those who backed their illegal actions are also under arrest and will face justice" (Kemp 2023b).

[24] The fatal shooting of Manuel Esteban Paez Téran by police on January 18, 2023, happened in circumstances that are dubious if not outright questionable (Melchers). Téran, also called "Tortuguita," was shot 57 times. Timothy Pratt reports for *The Guardian* slightly different numbers stating that Téran was "shot […] with at least 14 bullets, leaving 57 wounds" (2023c); police claimed self-defense after a gun had been fired at them. However, a report on the circumstances of Téran's death claims they had no gunshot residue on their hands, which were raised at the time of death (Melchers). Téran identified as non-binary, which was used by Governor Kemp in classic MAGA fashion to degrade Téran, the transgender community, and the Biden administration using an unrelated incident: On December 1, 2023, Governor Kemp posted a tweet saying "While the Biden administration praises those who shoot law enforcement to further their extreme ideology, Georgia will continue to proudly back the blue and protect our communities" with a retweet of a *Fox News* article that claimed President Biden was "honoring" a Cop City activist at the White House. The headline of the article, written by Bailee Hill, read "Gov. Kemp rips Biden for honoring slain 'Cop City' activist who allegedly shot Georgia officer: 'Disgraceful.' Manuel Esteban Paez Téran, who allegedly fired on Georgia police, was honored by the White House during Transgender Day of Remembrance." While it is questionable if Téran fired a shot at all (there was no gun powder on their hands), Biden did also not mention them by name in his speech that honored transgender Americans generally.

> These criminals facilitated and encouraged domestic terrorism with no regard for others, watching as communities faced the destructive consequences of their actions. Here in Georgia, we DO NOT allow that to happen. Today's announcement is a reminder that we will track down every member of a criminal organization, from violent foot soldiers to their uncaring leaders. We will not rest until they are arrested, tried, and face punishment. (Kemp 2023a; emphasis in the original)

While previously law enforcement and politicians have used the term "eco-terrorism" to denote protest activity or crimes by environmentalists, Kemp strictly refers to domestic terrorism, in line with Georgia's domestic terrorism statute. However, this rhetorical move also serves to frame the protests against the police training facility as a matter of security. The environmental concerns involved in the matter, or the fact that this is also a protest about climate change mitigation, remain conspicuously absent from Kemp's messaging.

Letzte Generation

The group Letzte Generation is the German branch of an international activist network focused on the climate crisis and the divestment from fossil fuels (branches in the United States, the United Kingdom, and Europe might differ in name, the UK branch is called "Just Stop Oil," for example, while in Italy the group is called "Ultima Generazione"). Their name, Last Generation, signals the urgency behind their activism: They claim to be the last human generation to live before critical tipping points of climate change are reached. Resting on the IPCC's definition of tipping points as "critical thresholds in a system that, when exceeded, can lead to a significant change in the state of the system, often with an understanding that the change is irreversible" (Hoegh-Guldberg et al. 262), their main goal is to keep the planet's warming process to a minimal level by ending the use of fossil fuels by 2030 – a goal that matches the German federal government's, with the caveat that it is currently very unlikely that the state will reach fossil divestment until then. Their protest can thus be read as a way of holding the government accountable to its own laws and commitments.

With regard to the climate movement in Germany, Letzte Generation can be said to be one of the more radical factions – in contrast to Fridays for Future, who now engage mostly in lobbying and pre-announced public protests, but comparable with Extinction Rebellion, who staged "die-ins" and non-violent blockades in the public sphere (Redecker). The main tactic of Letzte Generation activists is also non-violent civil disobedience; thus, compared to #StopCopCity, they have remained strictly non-violent (which, in their guidelines, also extends to their speech). Next to sit-ins at airports and acts of vandalism, the majority of their protests had until early 2024 concentrated on blocking traffic in major German cities through sit-ins and gluing

themselves to the tarmac. In blocking roads that are significant for private, individual traffic, their protests were directly connected to the fossil fuel industry and people's reliance on the burning of oil and gas.[25] Thus, for the most part, there is a direct link between their protest and their cause. Nevertheless, "eco-terror" rhetoric familiar from the post-9/11 Green Scare has meanwhile reached the German political establishment. In November of 2022, center-right politician Alexander Dobrindt (Christian Social Union) demanded more severe sentences for "climate radicals," arguing that the formation of a "Klima-RAF" has to be prevented:

> Climate protest cannot entail a licence to commit crimes […]. There have to be more severe punishments for climate radicals in order to prevent a further radicalization of parts of this climate movement and to deter copycats. The formation of a climate RAF has to be prevented. (qtd. in "CSU Politiker;" our trans.)[26]

Comparing Letzte Generation activists with the Red Army Faction (RAF) – a 1970s domestic terrorist organization – is a clear move toward the criminalization of non-violent protest. Citizens enacting ecological citizenship in their demand of government accountability are thus outlawed through association with a group that engaged in violent kidnappings and assassinations, which resulted in 33 deaths and 200 injuries.

The criminalization of such practices of ecological citizenship, however, does not remain rhetorical. Especially in the German state of Bavaria, Last Generation activists have been pre-emptively jailed and had their homes searched. It was furthermore revealed that the state was wiretapping the group's official press phone line, trying to establish the group as "organized crime" – a development that is quite similar to the RICO charges activists are facing in Georgia ("Staatsanwaltschaft bestätigt Abhören"). Even though not verbally expressed by the majority of government representatives, the fierce prosecution of the group, especially with pre-emptive means, situates the group's protests by civil disobedience in the realm of extremism and terrorism – and thereby outlaws certain forms of ecological and environmental citizenship.

In her essay "Civil Disobedience," which was published in *Crises of the Republic* in 1972, Hannah Arendt wrote that civil disobedience "arises when a significant number of citizens have become convinced […] that the normal channels of change

[25] Some of their acts of vandalism display a similar connection to the burning of fossil fuels: in 2023, they sprayed a private jet on the German island Sylt with their signature orange color to protest luxury emissions (Zahlmann).

[26] The original quote reads: "'Klimaprotest darf kein Freibrief für Straftaten sein,' sagte er der 'Bild am Sonntag.' 'Es braucht deutlich härtere Strafen für Klimachaoten, um einer weiteren Radikalisierung in Teilen dieser Klimabewegung entgegenzuwirken und Nachahmer abzuschrecken. Die Entstehung einer Klima-RAF muss verhindert werden'" (qtd. in "CSU Politiker").

no longer function, and grievances will not be heard or acted upon […]" (74). It is thus a tactic employed as a consequence of missing action on part of the state – in Atlanta, despite citizens' comments before city council, in Germany because climate goals are becoming unattainable. Arendt further states that "[t]he law can indeed stabilize and legalize change once it has occurred, but the change itself is always the result of extralegal action" (80). Reading the severe repression of climate activism in our two case studies with Arendt, thus, makes it appear as a safeguarding of the status quo, of business as usual, while at the same time limiting ecological citizenship duties to the realm of state sanctioned protest – by consumer choice.

Conclusion

This essay's case studies have put into question the ways in which environmental or ecological citizenship can be practiced. They have highlighted the unfortunate connections that exist between the advocacy for such normative citizenship and the exercise and expansion of state power. We have argued that environmental and ecological citizenship can and has been invoked for exclusionary and repressive purposes – in the first case study, in barring migrants' access to and participation in the polity, and in the second one, in criminalizing climate activism as uncivil, disruptive, and even terroristic. It seems that tactics employed in a post-9/11 global war on terror – such as the rhetorical association of migration and activism with terrorism, heightened surveillance, intimidation, legal prosecution of individuals deemed threatening to the nation-state, and the militarization of the police and borders – have been repurposed in the context of climate change, itself framed as a security issue in international institutions since the 2000s. Indeed, as Christian Parenti has noted, liberal democracies of the Global North have responded to climate change through "a politics of the armed lifeboat" (11). He further elaborates,

> the North is responding with a new authoritarianism. The Pentagon and its European allies are actively planning a militarized adaptation, which emphasizes the long-term, open-ended containment of failed or failing states – counterinsurgency forever. This sort of "climate fascism," a politics based on exclusion, segregation, and repression, is horrific and bound to fail. […] [N]o amounts of walls, guns, barbed wire, armed aerial drones, or permanently deployed mercenaries will be able to save one half of the planet from the other. (ibid.)

We find Dobson's claim that "[i]f ecological citizenship is to make any sense […] it has to do so outside the realm of […] the nation-state" (97) and his theorization of the ecological footprint certainly helpful in understanding the scale of ecological dynamics brought about by climate change. However, as we have argued, political and societal transformations regarding environmental policies remain bound to the

nation-state and its apparatuses. Moreover, with regard to recent scholarship that has called for less anthropocentrism in the debates about climate change (e.g., Haraway; Crist), it is questionable that citizenship is a useful framework to think about the ecological crisis, its entanglements with and impacts on the more-than-human world. Finally, the concept of ecological citizenship, embraced by Western (neo-)liberal democracies with its focus on citizens' personal duties and responsibilities, shifts the attention away from actual systemic, multi-scalar, political changes, and instead disciplines individuals to transform their personal environmental behaviors and practices. As Carme Melo-Escrihuela acutely remarks,

> [d]espite the potential that state bodies have for the promotion of green views of citizenship, actually existing states are still far from endorsing a politics of environmental protection. State organisations are implicated in different ways in the process of ecological destruction. Political centralisation, bureaucracy, poverty, militarisation and the pursuit of economic growth all have devastating consequences for the natural world. This scenario makes it difficult for citizens to assume responsibility for their environments and constitutes an obstacle to ecological citizenship. (322)

Environmental (or ecological) citizenship, as a framework to move towards more sustainable futures, therefore obscures the fact that planetary transformations are not possible based entirely on individual behavior and actions such as consumer choices. It thus raises the question of what actually constitutes good ecological citizenship – is it about active and discursive political participation or is it about being a *good*, green consumer?

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Global Environmental Citizenship and its Limits: On US Hazardous Waste and the Universalists' Struggle of Framing Environmental Protection, 1988-1992

Simone M. Müller

Introduction

May 31, 1989 – an ordinary Wednesday toward the end of the Congressional calendar – almost became a historic date in US environmental governance. As politicians proposed to alter how US laws framed environmental protection and its reach vis-à-vis planetary environmental concerns, they sought to radically change a key feature of the US environmental state. In a bipartisan move Congressional Representatives Michael Lynn Synar (D-Oklahoma), John Conyers Jr. (D-Michigan), John Porter (R-Illinois), and Howard Wolpe (D-Michigan) introduced a bill "to place strict controls on an activity which [was] quickly becoming a serious international problem: the export of U.S. waste" (United States, Congress 1989: E1940). Already between 1980 and 1988, US hazardous waste export notifications[1] had increased from 12 to over 600, with a rising number of such proposals targeting "developing and underdeveloped nations that may not have the technical or financial resources to adequately handle or dispose of such material" (ibid.). Over the course of the 1980s, what was then called the developing world had become one of the US' dumping grounds for waste. In 1989, a group of US politicians informed by debates on citizen and human rights whom I call 'the universalists' responded to this ill-fated governance situation with the intention to provide equal environmental protection for people around the world (ibid.). Living in a "shrinking global environment," so Sam Gejdenson (D-Connecticut), the United States could "no longer treat the environment of foreign countries in a cavalier manner, assuming that what happens halfway around the world has no impact on the United States" (United States, Congress, House 1989: 4, Subcommittee on International Economic Policy and Trade).

The reform of US waste regulations in line with cosmopolitan citizen rights was the universalists' big project between the emergence of the US waste trade as a political problem with global dimensions in 1988 and the time when the United Nations' Basel Convention on the Transboundary Movement of Hazardous Wastes and Their Disposal went into effect in 1992. Already in July 1988, Michael Synar,

[1] Exporters of hazardous waste in the United States must provide notification in English to US EPA at least 60 days before the first shipment of US waste is expected to leave the United States.

head of the US Subcommittee on Environment, Energy, and Natural Resources, concluded that the US waste export control program was not "adequate to deal with the evolving nature of the waste export business" (United States, Congress 1989: E1940). In response, John Conyers introduced the US Waste Export *Prohibition* Act immediately following the Subcommittee meeting. While this act was killed in the political process somewhere between the Subcommittee discussion and the US Senate's refusal, it was the first in a series of the universalists' attempts to reform US waste regulations in line with claims of cosmopolitan citizen rights (United States, Congress 1988). The universalists' project gained urgency when in March 1989 the United Nations opened the Basel Convention on the Transboundary Movement of Hazardous Wastes and Their Disposal for ratification of its member states. This turned the national debate into an international issue. Now any reform proposal, so Michael Synar, needed to "correct the shortcomings of our current export control program *and* to provide a framework for fulfilling our international agreements and global environmental responsibilities" (United States, Congress 1989: E1940; emphasis mine). Pressure pinnacled in 1992 when the Basel Convention went into effect; would the United States join or remain outside of the UN framework?

Yet, the universalists' proposed acts were not only about the rules of governance and how to bring a national and an international political space in accordance. They put the very principles of citizenship at the center of discussions thus taking the waste export issue far beyond its technical and economic implications. Proposals sought to grant rights of environmental protection to people around the world based on their status as persons and members of a universal community, rather than as citizens of a particular state. Importantly, these governance proposals were discussed at a time when the 1989 reforms in Eastern Europe and the democratization in Latin America strongly influenced unfolding international discussions on the meaning of global civil society at large.[2] In this larger context, some political theorists sought to break citizenship's traditional nineteenth-century link with the state as a bounded sovereign territory, while moving towards global rules and institutions, such as the United Nations (Kaldor 588).[3] Often arguing in the Kantian tradition, others used the idea of world citizenship "to refer to obligations to care about the future of the whole human race" (Linklater 23). Similarly situated between the US nation-state and the new transnational spaces opened up through the trade with US waste, the universalists' waste reform proposals brought forward between 1988 and 1992 raised questions about the relationship between the particular (as in a specific national and territorially bounded citizenship) and the universal (as in a Kantian sense of cosmopolitan citizenship) when it came to environmental protection at a time of planetary environmental issues.

[2] See, for instance, Chandler and Baker.
[3] See Isin and Wood ch. 5.

In most recent discussions, environmental citizenship is often addressed as an issue on the individual level, rather than the state level, and based on a non-state, border-free expression of a political community. Taking notions of cosmopolitan rights into the more-than-human realm, it is defined as a form of solidarity with other human and more-than-human actors that exhibits principles of care and wardenship.[4] According to Andrew Dobson, environmental citizenship refers to pro-environmental behavior, in public and in private, driven by a belief in fairness of the distribution of environmental goods, in participation and in the co-creation of sustainability policy. It is about the active participation of citizens in moving towards sustainability, equally on the local, national, and global level (280).[5] Finally, so Bell, environmental citizenship entails the right to participate in environmental policy making, to choose sustainable personal actions, to obey just environmental laws, and to promote sustainable arrangements (187). Environmental citizenship is what renders the environment political and its politics philosophical. Consequently, environmental citizenship is also about the state and its duties to protect its (or all world?) citizens.

This leads to questions anchored in political philosophy about the nature, scope, and legitimacy of public agents and institutions, and their relationship both with state-bounded and, given the transnational scope of environmental issued, non-state bounded citizens, movements, and activities. More precisely, environmental citizenship studies need to ask how states enable or prohibit environmental participation. What rights and freedoms are protected by the environmental state and what are the territorial limits of such protection? In the face of planetary environmental degradation and challenges ranging from climate change to biodiversity loss, how do states define the basic principles of sovereignty, autonomy, and legality and accordingly negotiate the relationship between the state-bounded particular of *their* citizens and the universally acclaimed citizenship of a cosmopolitan world community? This often involves a tension, a clash even, as this essay describes, between understandings of citizenship focused on (universal) rights or those focused on obligations (Isin and Wood 91).

Historical studies on environmental activism illustrate how this state-citizen environmental relationship is influenced by the kind of government system framing pro-environmental behavior. A common narrative with regard to environmental citizenship within a state-bounded framework is that socialist states have often limited their citizens' opportunities to protest or engage in other forms of civil action, let alone engage in transnational political spaces of environmental action. The literature also shows that this did not hinder the development of environmental citizenship and activism, but often made it either less confrontational towards the state[6] or, as we see particularly in the contexts of Latin America, much more violent.[7]

4 See, e.g., Haraway.
5 Similarly European Network for Environmental Citizenship (ENEC).
6 See, e.g., Harper; Ho; Ault.
7 See, e.g., Latta and Wittman.

Still, notions of environmental citizenship, particularly in the social sciences, seem to presume participatory democracy as the ideal context both for local and global activism.[8] As political scientist Iris M. Young explains, this ideal is based on the expectation that democracy "requires that citizens of welfare corporate society awake from their privatized consumerist slumbers, challenge the experts who claim the sole right to rule, and collectively take control of their lives and institutions through processes of active discussion that aim at reaching collective decisions" (1989: 252).

In the majority of studies, however, environmental citizenship is largely defined as a response to how humanity has been and still is massively modifying earth on a *planetary* scale.[9] The European Network of Environmental Citizenship (ENEC) defines environmental citizenship as pro-environmental behavior "on a local, national and global scale" thereby folding the particular and the universal into each other (n.p.). Such multi-scalar and modulated thinking is necessary, so Valencia Sáiz, given that many of today's environmental problems, ranging from climate change and desertification to contamination and biodiversity loss, are global in scale, but require local action (163). The approach is best represented in campaigns around the slogan "Think global, act local."[10] Yet while the ideal environmental citizenship, so activists and scholars appear to suggest, is always planetary in mind, but place-based in action, this predicament does have its limits as it evokes a serious, and to this day unresolved, tension between the particular and the universal in the state-citizen relationship, as well as between local action and its trans-local consequences.

This essay uses a historical case to study the tensions between the particular of a state-bounded and territorially defined framework of environmental protection and the universal of a border-free expression of universal environmental rights and the acclaimed duty of a state to protect such cosmopolitan rights. Focused on a key moment in US environmental history, the attempts to modify the US waste transport, disposal, and export regulations between 1988 and 1992 to allow the United States to ratify the Basel Convention, this contribution teases out several points of tension rooted in imaginaries of planetary-scale environmental problems, universality, and national frameworks of governance. First, it shows how initially locally focused environmental citizenship pushed problems outwards towards the universal, rather than solving them; second, it discusses how notions of universality were equally grounded in civil rights and human rights and so mirrored tension between universality and particularity also in its philosophical groundings; and finally, it demonstrates how in the end, any attempts of universalizing clashed with the principle of national sovereignty. Global environmental citizenship, this essay argues, is always in a bind with the state (of any political system), oscillating between transboundary ecological processes and normative notions of universality

[8] See the survey of the literature in Jorgensen and Jorgensen.
[9] See Bonneuil and Fressoz.
[10] The term goes back to Grauer; also see Stephen.

on the one side and the judiciary limits of national territoriality, state sovereignty, and autonomy on the other.

1989-1992: The *Khian Sea,* the Transboundary Movement of Waste, and the Basel Convention

When Mike Synar, John Conyers, John Porter, and Howard Wolpe each stepped onto the speaker's podium to rally support for their Waste Export Control Act in the US House of Representatives that particular Wednesday in May 1989, the universalists' political activities had for more than two years been shaped by the story of one particular ship, the *Khian Sea,* set against the backdrop of the US' "garbage crisis" and the dawning age of an international regulatory framework, the UN's Basel Convention on the Transboundary Movement of Hazardous Wastes and their Disposal. It was a key moment in US environmental history that provided an opportunity to discuss some of its foundational premises: what was the reach of US environmental state governance?

Despite first incidents going back to 1980, the political career of US waste exports is tightly linked to the *Khian Sea*, a waste barge loaded with about 15,000 thousand tons of Philadelphia incinerator ash destined for the Bahamas. The ship was chartered by the Amalgamated Shipping Corporation, a Bahamian company that had a contract with the Philadelphian waste-hauling company Paolino & Sons. Paolino & Sons, in turn, had a multimillion-dollar contract with the city of Philadelphia for the disposal of up to 200,000 tons of incinerator ash for the fiscal year of 1986. The *Khian Sea*'s trip to the Bahamas was part of larger scheme to dispose Philadelphia city waste in the Caribbean after US disposal sites, such as in New Jersey, were no longer available or too expensive. Yet, after the original import plan to unload it in the Bahamas had fallen through, the ship went on a global odyssey. First, its captain had been directed to sail to the port of Gonaïves in politically fractured Haiti, where soldiers, with guns aimed, interrupted the unloading and demanded the ship to pack up and leave. Leaving behind part of their cargo, the *Khian Sea* next attempted unsuccessfully to return to Philadelphia before it commenced a two-year odyssean voyage across the world. The captain next took the ship across the Atlantic to West Africa, the Mediterranean, and Eastern Europe, through the Suez Canal and across the Indian Ocean to Southeast Asia and China, always on the look-out for a new site to unload the remaining cargo. Meanwhile, an international network of environmentalists, US officials, and the media hunted the renegade ship. They managed to see through attempts to disguise the ship's identity, such as changing the ship's name from *Khian Sea* to *Felicia*, *Pelicano*, and *San Antonio* (Müller).

For the universalists, Philadelphia's scheme to dispose US waste in the Bahamas stood exemplary for a national crisis with international implications they sought to rectify through the various waste reform bills, such as Synar et al.'s Waste Export

Control Act of May 1989. The *Khian Sea* thereby symbolized the kind of problematic solutions many an American city had chosen or was considering against what state and local legislators by the late 1980s had come to fear as a "garbage crisis" (Melosi): At a time when US generation of hazardous wastes stood at 250 million tons each year – with a much larger quantity of non-hazardous wastes – the United States Environmental Protection Agency (EPA) rang bells of alarm because landfills in the United States were reaching capacity or closing due to new and stricter regulations. It was the US Resource Conservation and Recovery Act (RCRA) of 1980 in particular that had amended the US Solid Waste Disposal Act and, among other more stringent stipulations, for the first time defined hazardous waste as distinct from municipal solid waste had brought the US' waste crisis to a new level. Additionally, growing public anxiety about landfill safety, water contamination and air pollution narrowed choices for new disposal places and only half-heartedly discussed schemes for recycling did not expand options. To make matters worse, the ongoing deindustrialization gave municipalities throughout the country little leeway for expansive solutions (United States Environmental Protection Agency 1; Walsh et al. 6).

In the case of Philadelphia, the city also faced the conundrum of stricter rules and less available disposal space, while dealing with increasing disposal costs and a dwindling city budget. Between 1978 and 1981 alone, fifty waste sites in the Philadelphia area had gone out of business as they were no longer able to meet new, stricter and hence more expensive disposal regulations. Additionally, as the city had met county limits, it simply ran out of space for the disposal. The state of New Jersey, thus far the favorite option, increasingly restricted out-of-state waste. Disposal costs skyrocketed from $ 19.1 million annually in 1981 to a projected $ 66 million in 1988. Yet, the city budget was too strained for the respective authorities to consider a different, possibly local option for the disposal of massively growing quantities of municipal waste. In line with similar developments in other industrial cities in the United States, Philadelphia had lost about 44%of its manufacturing employment between 1970 and 1980. In 1986, its municipal budget deficit stood at $ 9.6 million. Predicting an even larger fiscal gap for the following year, the city government had seen itself forced to lay off nearly 10% of its workforce, sell city property, and borrow money to cover its debts (Müller 19, 27). In an attempt to square the circle, the city had come up with the solution to export Philadelphia waste on board the *Khian Sea* to the Bahamas.

In its global absoncence, however, the *Khian Sea*, was also metaphoric for the global implications of these waste crises in a highly unequal world and so the *Khian Sea* made it by late 1988 also to the plenaries of the United Nations. There, pressure particularly from receiving countries in the Global South had grown for the United Nations to develop a binding international framework for the trade with hazardous wastes that would protect citizens around the world from the implications of dumping toxic waste. In the late 1980s, the timing was favorable for an international agreement on the global environment. Transboundary environmental issues, such as

acid rain or ozone depletion, increasingly occupied the international community ushering in new levels of participation in environmental citizenship. Environmental activist groups around the world expanded memberships and topics. Greenpeace opened new offices in Argentina, Ireland, Denmark, Germany, Spain, and Sweden and – as a sign of the new political freedom in the Soviet Union – glasnost allowed environmental groups to fight pollution (J. Davis 105-07).

In response to demands from waste-receiving countries in the Global South, the United Nations Environment Program (UNEP) organized five working group meetings on the global trade with waste between early 1988 and 1989 (UNEP 1997, 3-4). Despite massive disagreements, particularly with the Organization of African Unity, the Conference of Plenipotentiaries on the Global Convention on the Control of Transboundary Movements of Hazardous Wastes was successfully convened in Basel, Switzerland, from March 20 to 22, 1989. On March 22, 1989, the Basel Convention was adopted by the consensus of the 116 nations present (ibid.). The signatories' next step was the ratification of the convention through their national government bodies, oftentimes – as in the case of the United States – necessitating the adoption of new national regulatory frameworks to align with the Basel Convention. The proposed Waste Export Control Act of May 1989, alongside the series of proposals following it, were meant to pave the way for this ratification.

"Exporting a US Love Canal": How US Environmentalism Necessitated Universalism

The universalists' idea to reform US waste regulations in line with notions of a state's duty to provide universal protection for people within *and beyond* US state territory preceded the Basel Convention. Their professed necessity to globalize environmental citizenship was intricately connected to developments within the field of environmental activism as well as the emerging dynamics of the waste trade.

Propelled by the rise of modern environmentalism, more and more US citizens had become active in contexts of environmental protection by the 1980s. Diverging from older conservationist campaigns around the protection of certain landscapes and species, a new focus of activists at the time was on pollution, waste incineration and disposal, and legacy sites.[11] In the region of greater Philadelphia, where deindustrialization had left behind "a plethora of hazards," including brownfields, illegal hazardous-waste dumpsites, and toxic chemicals in the sediments of the Schuylkill and Delaware, the issues of toxicity and waste came into the public eye in 1979 (Sicotte 232). Running a series of articles on the topic, the *Philadelphia Inquirer* meticulously detailed dozens of cases of toxic neglect, ranging from arsenic and other substances seeping into the ground to firefighters incapacitated as they battled with a landfill that spontaneously ignited (Nordland and Friedman).

[11] See, e.g., Sze; Pellow; Shevory; Walsh et al.

The *Inquirer's* warning about the omnipresence of toxic sites resonated with Philadelphians who formalized their environmental concern around the topic of pollution through the exercise of what Dobson calls "pro-environmental behavior" (279). In 1967, the Delaware Valley Citizen's Clean Air Council was founded as a non-profit volunteer group and since played an important role in lobbying for tougher environmental laws and litigation (Jaffe). In 1979, the Delaware Valley Toxics Coalition (DVTC) took up its activist work (Cohn 1980). DVTC, a legal nongovernment organization, provided assistance to individuals and organizations who were faced with pollution problems or threatened by proposed facilities which might create such problems (The Public Interest Law Center). One of the institution's biggest successes was the passage of Philadelphia's "right-to-know" legislation, which required companies to publicly disclose any toxic chemicals that they may use, manufacture, store, or emit (Cohn 1981).

Waste and toxicity motivated citizen activism not only in the greater Philadelphia region. Already in 1980, the national government had recognized the political importance of the issue when the US Environmental Protection Agency commenced its Superfund program to manage the clean-up of the country's worst hazardous waste sites (Hagen). Nine years earlier, in 1971, consumers' rights advocate Ralph Nader had founded an advocacy group focused on "too much trash" (*Public Citizen*). In 1988, Nader devoted an entire issue of the magazine *Public Citizen* to the fact that no other concern was "galvanizing the American to greater passion" than waste and contamination (Eberhart 12). Walter Hang, director of the New York Public Interest Research Group, similarly argued that this outburst of citizen activism around waste was "changing the face of the environmental movement" altogether, because it radicalized large numbers of people (cited ibid.). At the time of the voyage of the *Khian Sea*, thousands of US citizens took to the streets protesting against incinerators in cities throughout the country, among them prominently New York, Boston, or Chicago (Sze). While in 1990, the United States had 140 trash incinerators, almost twice that number of pending incinerator projects had been cancelled due to citizen protests (Walsh et al. 1).

From a national, state-bounded perspective, the emergence and exercise of environmental citizenship around waste and contamination is a success story. Alerted by the media, people all around the country paid increasing attention to the landfills and waste disposal facilities in their neighborhoods. Environmental activists pushed their municipalities to pay closer attention to following through with the different environmental regulations. At the same time, the exercise of environmental citizenship in the United States, the universalists pointed out in their many talks, proposals, or investigations, came at the costs of people in other parts of the world. Alongside Canada as a major importer, this also concerned the Global South. Starting in the 1970s, but with soaring numbers in the 1980s, the United States had exported its waste to Haiti, Guinea, or Zimbabwe, and planned for major dumpsites in Guinea Bissau, Guyana, Panama, the Congo, Guatemala, Sierra Leone, or the Bahamas. For those debt-ridden countries, the import of waste was tempting. Deals

could attract foreign investments, generate employment, and condition the building of infrastructure. Additionally, corrupt officials were payoff targets for exporters seeking cheap and easy outlets for their toxic wares.[12]

Conceptually, environmental citizenship encompasses both the premise of universality and an internal motivation of what political scientist Bronwyn Hayward calls "embedded ecological justice" (104). Global environmental citizenship is not exercised for notions of pity, for instance for the Caribbean islanders drowning in US waste, but motivated from the recognition that one's actions "compromises or forecloses the ability of others or future generations to pursue options that are important to them" (105). It is framed around Edolphus Towns' question, "[a]re we going to let our environmental problems become the problems of others?" (United States, Congress 1991). Iris M. Young pushed this idea of a connection between citizenship, justice, and responsibility to also integrate structural frames. Young argues that all agents, ranging from the individual citizen to communities, companies, shareholders, boards of directors, and nation-states, "who contribute to the structural processes that produce injustice share a political responsibility for remedying that injustice" (1989: 252). As if he had read Young, John Conyers argued that "exporting waste abroad [was] the export of irresponsibility" (United States, Congress 1989: E1949). The state, so the universalists' opinion, had the *duty* to protect citizens both at home and abroad, who, in turn, had the *right* to be protected. "Without tight controls," Conyers reminded other Congressional Representatives during a debate in 1988, "it was only a matter of time before US exports became overseas Love Canals" (United States, Congress, House 1988, Subcommittee on Environment, Energy, and Natural Resources: 6).

"We are all on the same planet": Civil Rights and Human Rights

With their various waste export reform acts from between 1988 and 1992 – put forth at a time when Young published her "Critique on the Ideal of Universal Citizenship" – the universalists were expanding notions of citizenship to the realm of the planetary basing it on membership in a humanity that had nothing less (or more) in common than sharing the same habitat, planet Earth. As Edolphus Towns explained in 1991 in the context of his Waste Export and Import Prohibition Act, the goal of such governance was "global environmental protection" (United States, Congress 1991).

In the same way that global environmental citizenship emphasizes an interconnection and interdependence on a global scale beyond state boundaries, the universalists emphasized the US' continuing responsibility of its waste, even if the material had left national territory (Beck). "Our bill," (meaning the Waste Export Control Act) so Howard Wolpe in 1989, "is based upon the principle that we have a moral responsibility for the waste regenerated from the cradle to the grave. That

[12] See, e.g., United States, Congress 1991.

responsibility does not end simply because our pollution crosses our national borders" (4). John Porter (R-Illinois) explained the intention of the Waste Export Control Act were "to offer people in developing countries *the same protection* that the United States provides for our citizens and our environment" (United States, Congress 1989: E1949; emphasis mine). He was echoed by Mike Synar, who concluded "we cannot justify a dual set of standards which afford less protection to citizens of other nations than we demand for ourselves" (ibid: E1940). John Conyers had a harsher expression of the same sentiment when in July 1988, he bawled at the US EPA's secretary during the Subcommitte's meeting in July 1988, "for goodness sake, we are all on the same planet" (United States, Congress, House 1988, Subcommittee on Environment, Energy, and Natural Resources: 310)

In their framing of these different reform acts as an instance of *global* environmental citizenship, the universalists were influenced, albeit to different degrees and scales, by larger discussions that had defined the emancipatory momentum of political life in the United States in the post-War era, that is the Civil Rights Movement of the 1960s and the human rights movement of the 1970s. While both political movements arrived at a claim of universality that today is generally subsumed under the heading of 'human rights,' they still brought with them different connotations of what counted as a right.

Under the framing of civil rights, which the field of politics considers a first generation right, multiple advocacy groups had claimed equal rights for previously disadvantaged citizens, such as women, workers, African Americans, or other marginalized populations. In the same instance as modern political theorists asserted the equal worth of all persons, the Civil Rights Movement had taken this to demand the inclusion of all persons in full citizenship status under the equal protection of the law (Young 2011). In the 1980s, John Conyers and Edolphus Wolpe, both long-standing civil rights activists and co-founders of the US Congress' Black Caucus of 1971, combined civil rights with global environmentalism, emphasizing how race was a marker for disproportionate exposure to toxicants both in the workplace and the home, and both in the United States as well as abroad.[13] They drew from studies, such as conducted by the US Environmental Protection Agency in 1982 that concluded that African Americans represented a majority of the population in three of the four communities in which off-site hazardous waste landfills were located (United States General Accounting Office). In 1987, the Commission for Racial Justice of the United Church of Christ reported that three of every five black and Hispanic Americans lived in a community with uncontrolled toxic-waste sites.[14] The case of the *Khian Sea* additionally illustrated that this disproportionate exposure to toxicity did not end at US borders. As of 1988, in particular John Conyers had been

[13] While the majority of the African American civil rights community, as Angela Davis recounts in 2019, made little connection between civil rights and environmental justice, Conyers and Towns belonged to a small cadre of African Americans, alongside Damu Smith or Robert Bullard, who framed environmental discrimination as a civil rights issue (xv).

[14] For more on the history of this movement see MacGurty.

singled out by Afro-Caribbean representatives to convince him to become their spokesperson of a pan-African alliance (United States, Congress, House 1988: 6, Subcommittee on Environment, Energy, and Natural Resources). By 1989 both Conyers and Wolpe argued, in the words of Conyers, that the disproportionate exposure to toxicity was "ultimately the problem […] of all of us, for the impact of non-enforcement of health and safety laws cannot be confined to any particular group – the spreading danger of contaminated air, water, food and workplace heeds no boundaries" (i).

While also some of the white universalists, such as Howard Wolpe, had marched for Civil Rights in the 1960s, by the late 1980s they were also heavily influenced from a different political tradition, that of human rights. 'Human rights' is the idea that humans have inherent rights. By 1988, notions of human rights had seen a stunning national and international career. Already at the conclusion of the UN Conference on the Human Environment in Stockholm in 1972, the conference proclaimed that "[humanity] has the fundamental right to freedom, equality and adequate conditions of life in an environment of a quality that permits a life of dignity and well-being" (Olowu 200). In 1989, a UN subcommission recommended that the UN Commission on Human Rights "should adopt a resolution relating to the movement and dumping of hazardous, toxic and dangerous products and waste" (qtd. in Gwam 127). For the US context, President Jimmy Carter had brought human rights into the center of US foreign policy as of his inauguration in 1977. By the late 1980s, human rights were hugely popular both among the US public and US politicians; this was, according to historian Barabara Keys, because human rights as political and activist framework "shifted attention and blame away from Vietnam and the embarrassment and self-criticism of the civil rights movement and Watergate" (3).

Among the politicians rallying for the Waste Export Control Act of 1989, for instance, Howard Wolpe, "the tireless peacemaker," and John E. Porter, in turn, had joined in specifically as experts on human rights and Africa respectively (McDonald). Wolpe, a former professor of African political studies at the University of Michigan, joined the House of Representatives in 1978. In his political projects, Wolpe was influenced both by his mother's strong involvement in the US Civil Rights Movement and a two-year research stay in Port Harcourt, Nigeria. He supported the US involvement for ending apartheid in South Africa and chaired the Africa Subcommittee in the US House of Representatives since 1981 (McDonald). Porter was founder and co-chair of the Congressional Human Rights Caucus – a voluntary group that worked to identify, track, and end human rights violations all over the world – and married to Kathryn Porter, an outspoken human rights activist (NIH Records).

The distinction whether universalists came to their claims of a global environmental citizenship from the Civil Rights or the Human Rights tradition was one of nuances and yet important. The paradigm of human rights allowed to shift the focus from problems at home to those abroad – or from the particular to the

universal – while the tradition of civil rights saw the particular and the universal as intricately connected.

Universal Environmental Citizenship and the Failure of Global Governance

Environmental citizenship for everyone, and everyone equal qua citizenship – the universalists' reform proposals put forth between 1988, ranging from Conyers' Waste Export Prohibition Act to Synar et al.'s Waste Export Control Act, assumed the universality of citizenship in the sense that citizenship status transcended particularity, difference, and nation-state borders. Still, the proposed Waste Export Control Act failed, as had Conyers' US Waste Export Prohibition Act of 1988 and as would the other of the universalists' waste reform acts until 1992. In their quest for global environmental citizenship, the universalists were up against an argument that even at a time when notions of global civil society gained unprecedented power still held preeminence: the dangers of infringing upon another nation's sovereignty should US regulation be expanded to be valid also abroad.

The power of the sovereignty framework became obvious already in July 1989 when the Waste Export Control Act came before the Subcommittee on Human Rights and International Organizations charged to take a closer look both at the UN accords of the Basel Convention as well as the Waste Export Control Act to "clarify US policy with respect to hazardous waste exports." The key question at the meeting was if the United States "should be responsible for insuring that its hazardous wastes is properly disposed of no matter where the disposal takes place" (Subcommittee on Human Rights and International Organizations: 1, 2). Almost from the beginning of the hour-long hearing, the discussion circled around the international law dilemma created through the state-centric nature of the environmental governance in the face of universalist claims. The Waste Export Control Act would ensure this by controlling that waste exports from the United States would be managed in a manner no less strict than required in the United States; that the same standard would be applied to all other countries receiving US waste.

Already since the late 1970s, US politicians had been discussing if their environmental protection laws should also count for the rest of the world. Yet even the Natural Resource Defense Council concluded in 1979 that US environmental and health standards should not be forced on other nations as "each nation ha[d] the primary duty to protect the health and safety of its people" (Scherr qtd. in United States, Congress, House 1978: 33, Committee on Government Operations).[15] Hiding behind such notions of infringing on other countries' sovereignty were powerful economic interests, as became clear during the discussions. The Waste Export Control Act represented a "restriction on the American exporter," since no

[15] Also see Azevedo 145.

US company could export waste to a facility that did not meet US standards (Gejdenson qtd. in United States, Congress, House 1989, Subcommittee on International Economic Policy and Trade 19). This rhetoric revealed the environmental privilege held by powerful nations, centering on the idea that there are some places on this planet that could function as sanctuaries from contamination and pollution, where some citizens were worth more than others. The universality proclaimed in global environmental citizenship did not exist in the end.

In the early 1990s, US representatives did not reach a joint position. Still, they decided that it would be more of a benefit than a hindrance for the United States to join the Basel Convention. In August 1992, the US Senate agreed to ratify the Basel Convention (United States, Congress, House 1992, Committee on Foreign Relations). It was a decision with no implications, however, as the implementing legislation necessary for any US President to act upon the Senate's agreement to make ratification happen was never put in place. None of the universalist' bills were ever passed, and later efforts, such as Edolphus Towns's Bill H.R. 360 in 1997, also went nowhere (United States, Congress, House 1997). The political process still stalled over two issues. First, for the United States to become a member of any international convention a concerted agreement needed to exist between both US Senate and US President. Second, changes to the national waste legislation were needed to be made prior to the official ratification of the Basel Convention through the US President if the government wanted to avoid (which it did) that the Basel Convention would overwrite existing US laws. To this day, the United States is not a member of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal (Clapp 55).

Conclusion

Between 1989 and 1992, the universalists, a bipartisan group of US congressional members, joined in on the political project to fundamentally overhaul the principles of US environmental governance. Environmental protection derived from the US state should no longer be limited by the borders of the nation-state and exclusive to US citizens, so their reasoning, but universalized to people all around the world sharing the same habitat of planet Earth. The universalists' proposals ranged from a US Waste Export Prohibition Act from 1988 to a U.S. Waste Control Act of 1989 to a Waste Export and Import Prohibition Act of 1991. Not all proposals were the same in how they intended to regulate US waste exports, nor did all universalists always join in on all these bills. The universalists should not be taken as a well-defined and formalized group within the US Congress, such as the Black Caucus or the Human Rights Caucus. Yet, they all shared in on the same political principle of universalism and their claim that it was the duty of the US state to universalize environmental protection; that in a world of transboundary environmental issues the US state had a responsibility towards the world community. Informed by their activities within the

Civil Rights Movement and human rights activism, the universalists understood the environmental states entangled within a framework of international responsibility and its citizenship as universal.

In their political activism, the universalists were oscillating between political demands of particularity and universality, both in what brought them to propose the universalization of US environmental protection and how they wanted to rectify the situation. At the center of the universalists' campaign stood the case of the *Khian Sea*, a waste barge loaded with municipal incinerator ash from Philadelphia originally destined for the Bahamas. Nationally, the universalists' actions were thus embedded in the dynamics of the US 'waste crisis.' During this crisis increasing amounts of waste met squarely with diminishing disposal options and the pitfalls of a US national governance system, that is the inability to stop environmental protection at the state border and to protect citizens from other countries, particularly from what was then the developing world with little to no legislation and technical disposal infrastructure. Internationally, the universalists faced the emerging pressure from newly forming transnational political frameworks in form of the Basel Convention on the Transboundary Movement of Hazardous Waste and their Disposal. The success of national environmental protection in the United States, i.e. the particular, necessitated the universalization of US environmental protection, as national wastes were brought beyond borders; the success of transnational environmental protection, as in the United Nations framework of the Basel Convention, in turn, necessitated the adaption and reform of national regulations, the particular. The particular and the universal were always tightly connected, as changes in one necessitated changes on the other. Still, their relationship was highly contentious.

At a time when the 1989 revolutions of Eastern Europe and the democratization processes in Latin America gave new meaning to notions of global civil society at large, the debates and discussions centering around the universalists' different reform bills illustrated how the crux of the matter was the relationship between citizens and the state and how to frame global environmental citizenship in the first place. Notions of universal rights seriously challenged the national paradigm of the so far existing environmental state based on sovereignty, territory, and autonomy. At the same time, the argument of the importance of national sovereignty overrode any claims derived from ideas of universal, non-state bounded rights. In the end, the particular of the nation-state beat the universal of cosmopolitan citizenship. To this day, global environmental citizenship in practice feeds on the imaginary of a universal humankind bound together by planetary environmental concerns and yet falls short off the *Realpolitik* created from the opportunities and pitfalls of fundamental differences among states and humankind all along.

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Satirizing the Eco-Citizen: *My Days of Dark Green Euphoria*

Linda Hess

In the introduction of her 2020 publication *Infowhelm*, Heather Houser writes that "ways of knowing yield ways of being" (5). The portmanteau that makes up her title seeks to give a name to the "emotional inundation" that comes with the "abundance and ready availability of information" (1) in the contemporary globalized world and especially the Global North. Houser links this observation to the question, "[how] does environmental information *feel* when it appears in day-to-day life?" (5). Athena Copenhaver's satirical debut novel *My Days of Dark Green Euphoria* deals precisely with such "emotional inundation." In the case of the novel's protagonist, Cara Foster, an environmentalist in her early thirties who lives in San Francisco, the constant influx and availability of information about environmental devastation largely translate into an enormous, ever-present eco-anxiety. Already in the opening passage of the novel, Cara asserts,

> [i]n the same way some people look out over a rolling green field, feel the powerful lightness of limitless possibilities, I look out over the same field and wonder how many have writhed in pain across its sweeping bounds […]. It's almost a talent to read the subtext of the world, to look into a forest and see it razed, to see a gleaming new piece of technology and flash to its end, a grimy child in a war-torn region combing with bloodied fingers through heaps of once-shining electronics, disemboweling motherboards for precious metal. (Copenhaver 1)

The novel's central node of themes – awareness, complacency, and care – is already introduced in this opening paragraph. When Cara speaks about the "subtext" of the world, she marks the consequences of global injustices and environmental devastation as something that remains invisible to most people, but that she cannot help but witness. Witnessing in turn is intricately connected with caring and caring with anxiety. And Cara, who has been fittingly nicknamed *Caralot* by her sister (64), and whose last name is *Foster* to boot, tries to do everything in her power to mitigate any environmental harm she might cause. She confesses "I longed for […] a carbon footprint so anemic someone might not know I had ever existed […]. Maybe I longed to be a plant, my entire existence promoted to the highest, most noble rank of evolutionary expectations; swallow sunlight, welcome water. I longed to cross the finish line with nothing" (11-12). Striving hard to be what one might call a good

ecological citizen[1] and to live up to her environmental responsibilities to the human and more-than-human world, Cara has not flown in years, takes navy-showers only every couple of days, and regularly goes dumpster-diving for food. She tries to live as much as possible on the "surplus" of other people's lives, and not only when it comes to food: when she is not staying with her boyfriend, Dan, she housesits for various people, who invite her to "use their products, eat their food, drive their cars" (13). What began in college as a way to make some extra money has become a means to slowly pay off her college debt of $87K (13), and ultimately offers Cara a way to combine financial necessity with ethical reasoning. Yet, her way of life already sets up a profound paradox, since, even though she asserts "I had more and more trouble rationalizing my own personal development – to travel, to hear other languages spoken, to watch the toilet swirl in the other direction, to think about how I was on the bottom of the world looking down into the universe – against the toll on the environment" (14), her subsistence still depends on other people doing just that, while she takes care of their houses, pets and plants.

Already in the opening chapter, when Cara agonizes over whether to leave her boyfriend after watching "in disgust and rage" (Copenhaver 2) as he thoughtlessly kills a spider and wastes water to wash it down the toilet, the hyperbole inherent in the protagonist's first-person narration announces its satirical mode. This mode might be counterintuitive for a narrative about environmental anxiety and care, given that sincerer tones dominate most environmental narratives and forms of "nature writing." However, Nicole Seymour and Anthony Lioi observe that "there exists a notable but underappreciated counter-tradition of environmentalist art that engages in modes including satire, irony, and comedy," which counteracts eco-media's prevalent reputation of earnestness and sincerity (319).[2] Scholars have pointed out that satire, as a form of "dark comedy," might offer a fitting lens for the contemporary world, as satire often "springs from crisis, or profound discontent, or bitter hostility" (Marshall 288), and "[d]ark genres have always come to the fore in

[1] In his 2006 work *Citizenship and the Environment*, Andrew Dobson works with both terms of "environmental citizenship" and "ecological citizenship." Like Dobson, for the most part I see these terms as interchangeable, since they have both found their way into public discourse without sharp distinction between them. In this article, however, I will use the term "ecological citizenship" because it fits better, in the sense that Dobson argues that while "environmental citizenship" focuses on the public sphere and the framework of the nation-state, "ecological citizenship" refers to "non-contractual responsibility" in both private and public spheres, "it works with the language of virtue, and it is explicitly non-territorial" (Dobson 89). In this sense, it maps more precisely onto the environmental perspective of Copenhaver's protagonist and her struggles to live sustainably in a globalized economy.

[2] While in the article Lioi and Seymour analyze the Netflix film *Don't Look Up* (2021) and Sarah Cooper's Netflix comedy special *Sarah Cooper: Everything Is Fine* (2020), Seymour had previously collected several media examples of environmental satire in her 2018 publication *Bad Environmentalism: Irony and Irreverence in the Ecological Age*. Focusing on Anglophone literature, scholars such as Courtney Traub, River Ramuglia, and Allison Carruth, have analyzed combinations of the environmental and the satirical in works by well-known authors such as Margaret Atwood, Ewan McEwan, and T.C. Boyle.

dark times" (Sachs 61). Seymour notes a correlation between context and form, stating that various works "that both identify and respond to the […] absurdities and ironies" of the global status quo, often do so "*through* absurdity and irony as well as related affects and sensibilities." (4). Satire generally "combines play with social or political critique, using wit to attack particular ideas or conventions" (Day 120) and often "involves representing (re-presenting) certain realities in absurdist, exaggerated, or bizarre ways in order to 'censure,' or critique, said reality" (Seymour and Lioi 319). These qualities render satire a productive tool to critically question prevailing tropes of environmental discourse and to expose the absurdities of human behavior in the face of climate change. Moreover, as Seymour points out, satire pushes readers "to critically reexamine our own investments and strategies in addition to those of the texts we read" (2012: 65). Zeroing in on its protagonist's eco-anxiety and efforts to "do the right thing" via its first-person perspective, *My Days* does combine play with social critique. On the surface it makes fun of self-indulgent forms of environmentalism and exposes the pitfalls of individualist approaches to environmental responsibility. But it also goes beyond this ridicule and uses satire's exaggerations and ambivalences to question whether ecological citizenship and sustainable living can actually be *afforded* within the capitalist system.

As Caroline Levine explains in her work *Forms*, the concept of *affordance* originally stems from design theory, where it is "used to describe the potential uses or actions latent in materials and designs," which can be more broadly expressed as focusing on what a specific element / material / form / genre is "*capable* of doing" (6). In this sense, a "fork affords stabbing and scooping," while "narratives afford the connection of events over time" (6). Consequently, there are restrictions and limits to the affordances of any given material, form, or object in the sense that "one cannot make a poem out of soup" (Levine 9). In this vein, I read *My Days* as critically examining contemporary capitalist society's ability to *afford* ecological citizenship. The novel uses its satire to highlight that while capitalist consumer society affords a myriad of ways of numbing oneself to environmental devastation, alongside the comforting illusion of being a responsible ecological citizen, in ways that are, however, perfectly adapted to individualist consumer culture, it cannot actually afford ecological citizenship, because its smooth operation depends on an individual and collective severance between knowing and caring, and caring and acting. On a meta-level, Levine's lens also provides a way to inquire into the affordances of satire itself as a mode of environmental narratives.

Anxiety and the Individual Eco-Citizen

Cara tries her best to link knowing, caring, and acting in her everyday life. As Victoria Müller observes in her analysis of Copenhaver's narrative, the protagonist "understands the prerequisites for and consequences of the lives led in contemporary

capitalist societies – particularly that of the United States of America, […] especially with regard to climate change and the climate crisis" (14). In addition to watching harrowing footage of environmental injustices for work, Cara exacerbates her anxiety and guilt through long bouts of doom-scrolling and arguing with people on social media, which she then counteracts by watching ASMR[3] videos on YouTube with titles like "Eco-Friendly Boyfriend Soothes Your Climate Change Fears Away with Tapping, Scratching, Crinkling" (8) to be able to fall asleep at night. It might be tempting to simply dismiss Cara's behavior as melodramatic, yet the ready availablility of such videos suggests that Cara is not alone in being overwhelmed by climate anxiety. In this way it rather seems to be a timely reflection of affective responses to the climate crisis – such as mourning, grief, and anxiety – which have gained prominence in the last years as a notable phenomenon, and as a topic that researchers in the environmental humanities have taken up as well, which recent publications such as *Hope and Grief in the Anthropocene* (2018) by Lesely Head, *A Field Guide to Climate Anxiety* (2020) by Sarah Raquette Ray, and *Mourning in the Anthropocene* by Joshua Trey Barnett attest.

Cara's awareness, both in terms of her privileged individual position within US society and her privileged position as a citizen of an affluent nation within the world at large, together with her anxious attempts to minimize her use of resources aligns with Andrew Dobson's elaborations that

> [t]he 'space' of ecological citizenship is not something given by the boundaries of nation states […] but rather […] *produced* by the metabolistic and material relationship of individual people with their environment. This relationship gives rise to the ecological footprint which gives rise, in turn, to relationships with those on whom it impacts. We are unlikely to have met, or be ever likely to meet, those with whom we have these relationships. They may live nearby or far away, and they may be of this generation or of generations yet to be born […]. By definition then, ecological citizenship is a citizenship of strangers […]. The obligations of the ecological citizen extend through time as well as space, towards generations yet to be born. Ecological citizens know that today's acts will have implications for tomorrow's people. (106)

This last point in turn fits with Elena Pulcini's diagnosis in *Care of the World: Fear, Responsibility and Justice in the Global Age* (2013) that

> the future is *already present* because we are the ones who make it, here and now, through the long-term effects of our action. What will happen in the future is in reality already happening at the present time, and hence, it inevitably *concerns*

[3] ASMR stands for "autonomous sensory meridian response" referring to "a pleasant tingling sensation that originates on the back of the scalp and often spreads to the neck and upper spine, that occurs in some people in response to a stimulus (such as a particular kind of sound or movement), and that tends to have a calming effect" ("ASMR").

> *us*. But if something *concerns us*, that means that we are in fact *responsible* for it. (164; emphasis in the original)

Both of these views on relationality and responsibility implicitly assume a privileged position that concerns primarily those who are not (yet) immediately touched by crisis and (ecological) devastation. Dobson speaks of "a relationship with *those on whom it impacts*" while Pulcini highlights a temporal *us-and-them* dynamic. Such juxtapositions reveal positionality as a crucial aspect of thinking about ecological citizenship, because neither are the relationalities of ecological citizenship symmetrical nor are its responsibilities evenly distributed. While both authors emphasize the ties between present and future, Potawatomi scholar Kyle Powys Whyte, for example, has cautioned against understanding the climate crisis solely as "impending future to be dreaded" (227) because

> the hardships many nonIndigenous people dread most of the climate crisis are ones that Indigenous peoples have endured already due to different forms of colonialism: ecosystem collapse, species loss, economic crash, drastic relocation, and cultural disintegration. (226)

Whyte's perspective explicitly counters a linear focus on the present and future which is so often central to conceptions of environmental activism, environmental and ecological citizenship and environmental narratives.

With its focus on Cara as a privileged white protagonist who is unable to find sustainable ways to care, the novel uses its satire to cross-examine specifically the ways in which she tries to counteract her nation's excessive contribution to injustices and environmental devastation. Cara is aware of her privileged position as well as of the profound entanglements of environmental destruction, social injustices, and settler-colonial history. However, her awareness frequently sends her into spirals of worry rather than lighting a path to caring and responsible eco-citizenship.[4] It is noteworthy in that regard that Alex Lockwood describes Copenhaver's novel as "*The Bell Jar* for the eco-neurotic age," and, in a similar vein, Molly McVeagh claims that *My Days* offers a parody of a newly popular genre of works that deal with "an individual woman worrying[5] about a changing world," a genre which has

[4] During a campaign meeting to expose inhumane and illegal practices of slaughterhouses, Cara for example worries "inwardly about tokenization of marginalized Brown bodies and voices in the animal rights movement, but decide[s] not to say anything because […] maybe if minorities were lifting up other minority voices it was precisely *not* tokenization. Maybe?" (Copenhaver 55).

[5] The role of gender in this novel would warrant its own extensive analysis, which I will not attempt here. However, the dynamic of Cara's interactions with her patronizing boyfriend, Dan, who pays half-hearted lip service to an environmental lifestyle that he ultimately does not follow, who is happily oblivious to all the concerns that keep Cara up at night, and who tells Cara that she should "get help" (Copenhaver 79), is noteworthy in the sense that Cara does not appear to hold him accountable in the same way she does herself or others. Moreover, in pairing

been made ripe for such parody, as McVeagh states, because anxiety has become "one of the structures of feeling most broadly visible across contemporary climate fiction" (3). Of course, ecocritics have concerned themselves for several decades now specifically with literary and other medial forms of climate change narratives, and various scholars in the field have identified tropes of "gloom and doom" (Seymour 2018: 4), not only as abundant in environmental narratives, but also as instrumental in fostering these anxieties.[6] And while such narrative arcs seem appropriate given the severity of global environmental devastation, their persistent recurrence in both factual and fictional realms inspires "doomsday fatigue" rather than "robust environmental action" (Seymour 2012: 57).

While for Cara caring translates into a sense of obligation, she also clings to a profoundly individualistic idea of ecological citizenship (without naming it that), which centers on consumer behavior, as her obsession with her personal carbon footprint, and her longing to "cross the finish line with nothing" illustrate. Cara's incessant contemplations of violence, death, and pollution as the consequences of the failures – her own, those of people around her, and those of the United States as a nation – to live up to the ethical obligations that define ecological citizenship are filtered through Cara's first-person perspective and her hyperbolic diction. Simultaneously, however, the satirical exaggeration creates distance from her character and thus readers obtain a concurrent inside and outside perspective of her "emotional inundation." This ambiguous simultaneity ultimately allows a shift away from judging Cara's inability to suppress environmental knowledge and the concomitant anxiety and guilt as her own failure, and towards seeing the absurdity of her position as the result of failing to adjust to what is required of her to function smoothly within US society and current environmental discourses. *My Days* illustrates that living "successfully" or functionally within capitalist consumer cultures in fact requires constant suppression of environmental knowledge and the willful ignorance of injustices and relationalities. In his introduction to *Mourning in the Anthropocene*, Joshua Trey Barnett draws attention to how frequently and habitually we tend to "forget, disregard, or deny ecological and earthly losses in our day-to-day lives" arguing that "the capacity to overlook is the product of privileges […] which are bound up with class, race, nationality, culture, and much besides" (xi).[7] Ideas of *good* ecological citizenship, however, generally assume it to entail

Cara with Dan's mother Millie later, who lives her affluent life in complete oblivion of problems such as the exploitation of marginalized persons and the environment, the novel also opens up a perspective on (affluent) white women as accomplices to patriarchal structures and their reliance on extractive practices.

6 The prevalence of gloom and doom, together with apocalypse, dystopia, and risk as pervasive themes of environmental narratives have been discussed by various environmental scholars such as Heise, Mayer, and Sachs.

7 This *we* mostly designates privileged inhabitants of post-industrial first-world nations.

attentiveness and care.[8] The conversation on climate change has revolved for decades now on getting people to care. But Copenhaver turns her attention to the complex issue of what it might mean when care turns out to be insufficient as a tool for sustainable engagement either, or when care is diverted into new forms of consumption.

Cara struggles with the tools her environmental education has provided, since that education defined care in terms of an individual responsibility and response. She elaborates,

> [d]uring my first year of college, I took a class where we had to track our consumption for an entire semester, charting everything we ate, every mile we drove or biked or flew, every piece of clothing we purchased, every product we bought. We even had to weigh our trash. That's what fucked me up. […] The class leveraged my affinity for data and numbers to combine my lifelong guilt of taking up too much space and culminated in a newfound compulsion to calculate the greater environmental toll of everything I used and did. (42)

Cara's negative evaluation of "being mindful" of the environmental consequences of her behavior at first glance seem to contradict good ecological practices as well as core ideas of the individual responsibilities that characterize effective ecological citizenship. The specific problematic of the form of witnessing and being mindful that Cara is taught at college, comes to light, however, for example when compared to what Barnett identifies in his work as *phenology* (71). Phenology, a term that originated in nineteenth-century botany, gave a name to long-standing practices of "witnessing, recording, and archiving the goings-on of plants and animals, of habitats and ecosystems, of weather and climate" thus "inventorying what is and accounting for what happens" (71). While this form of attentiveness does not preclude mourning (but rather enables it), it aims at a becoming "attuned" to larger networks of human and non-human interaction (74), rather than fostering the guilt-laden navel-gazing that Cara adopts as frame of reference for her actions.

Once again, it seems plausible to simply dismiss Cara's attitude as having profoundly misunderstood the point of ecological citizenship. However, debates and criticism of the carbon footprint, which cropped up shortly after it was introduced as a concept by William Rees and Mathis Wackernagel in 1996, suggest that prominent definitions of ecological citizenship are prone to foster precisely this type of unhelpfully anthropocentric understanding. Critiques of Rees' and Wackernagel's approach pointed out that concepts such as the "'personal carbon footprint' were created by industrial polluters to deflect attention and responsibility from themselves" (Brownstein et al. 7). As Michael Brownstein, Daniel Kelly, and Alex

[8] Barnett calls attention via Thom van Dooren and Joan Tronto to the complexities and complications of care, observing that often the boundaries "between helping and harming" can be blurry (40, 140).

Mavda point out in "Individualism, Structuralism, and Climate Change," the question of the relevance or irrelevance of personal behavior has particular salience in the United States, because the "myth of rugged individualism" including its attendant forms of "consumerism, egoism, self-improvement, and settler colonialism" (4-5), is prevalent in American history and culture. Additionally, they argue, individualism is also a "founding ethos of the modern environmental movement" (5) which "suggest[ed] that environmental degradation results from the accumulation of many individuals' wasteful and careless actions" and consequently promoted "personal stewardship" as the solution to this problem (6).

My Days takes a stab at these understandings of environmentalism gone awry, presenting personal stewardship as having largely devolved into self-stylization and performative environmentalism for example in its portrayal of Cara's work environment. Cara works in a "cobbled-together, catch-all position of administrative assistant" (17) at Markusson and Everett Environmental, an NGO dedicated to "grassroots environmental campaigns" (32), whose office is, however, located in an "impressive glass building" in the so-called green district of the city, where "pretty much only white people had the privilege of making a career on behalf of animals and the environment" (45). The employees are generally depicted as hypocritical, opportunist, and navel-gazing. The NGO's lead science advisor, a former NASA engineer is a man who points out to Cara that flying around the globe to save the planet makes little sense, only to conclude with "But hey, free trip to Polynesia!" (34). Her co-workers constantly try to one-up each other concerning their ecological choices, such as not wearing leather or only eating fruit that's in season, and carefully curating their environmental identity by posting, sharing, and commenting on social media. Cara admits that she and her colleague/friend Renée love gossiping about "the exposés of other, larger, and more influential nonprofits. Every time someone else fucked up, we all reveled in unspoken righteousness" (36). In addition to the focus on competitive individual "performance" the frequent instances of quantification and calculation that resurface throughout the novel suggest that currently dominant forms of environmentalism are still embedded in what Houser has called "the positivist traditions of knowledge production [that have helped] instrumentalize and dominate nature and have suppressed and supplanted bodies of knowledge cultivated by storytellers, women, indigenous peoples, and long-term inhabitants of places" (6). *My Days* illustrates the harmfulness of such exclusively positivist frames of knowledge as it zeros in on Cara's inability to exit or reshape these ways of knowing – and frames of caring – even as they leave her on the brink of exhaustion almost daily. Throughout the novel Cara struggles to bring knowledge and caring into any form of sustainable balance. Despite the satirical distancing the novel employs, the narration also provides moments that capture her despair in ways that are relatable and representative of the current anxiety-saturation. Cara for example tries to discuss her feelings of hopelessness with her new therapist:

> I told her how the overflowing trash cans pretty much everywhere in the city make me queasy, how I imagined the wet, sticky plastic festering in landfill for centuries. I told her how I hear the screams of dying animals in slaughterhouses when I try to go to sleep. I told her my heart lurches when I see people forced to live on the streets, sleeping besides piss puddles underneath greasy awnings, and that I can't walk past without asking if they're okay but that I don't have anything to offer them, any lasting way to help them. I told her I thought our current society was insane. That's what I told her. I told her I thought we were experiencing some kind of collective insanity, and my insanity, in particular was manifesting as compulsive eco-friendliness, obsessive do-gooderism, this neurotic, performative environmentalism. I was exhausted from caring, from trying. She told me we were out of time, and for a moment I thought she meant as in, the end of the world. But I snapped out of it. (80-81)

When Cara, who at first mistakes her therapist's reaction, evaluates her own behavior as problematic, or at least as ineffective, the therapist's reaction once again highlights the cultivation of not caring and of deflecting knowledge as a form of self-protection. The "snapping out of it" at the end of the session, suggests that Cara, who has just listed a number of facts about current life in the United States, is the one who is expected to adjust her frame of perception, rather than those who ignore or accept this status quo.

Basking in Ignorance: The Seduction of Capitalism

The novel highlights the issue of caring vs. carelessness even more acutely, when about a third into the narrative, Cara meets her boyfriend's mother Millie – Millicent Felicity James. To her own absolute surprise, she becomes completely infatuated with the seventy-something affluent white woman who lives on her deceased husband's money, drives a 1970 Lincoln Continental, spends her vacations on cruise ships, and "ha[s] no cares about the wider problems of the world or how she might possibly contribute to them. Not even some half-hearted lip-service in favor of rudimentary ecological consciousness" (Copenhaver 137). Millie enters the scene as a stereotypical boomer figure whose failure to care and her failure to *know* about the climate crisis are intimately connected (and also carefully curated).

But rather than being outraged, in Millie's presence, Cara sinks into the relief of not caring, goes on spontaneous shopping sprees, suddenly finds stories about Caribbean cruises fascinating, and convinces herself that she deserves all the luxuries Millie plans for their shared time (116). Cara sums this up when she states, "in the past I'd eschewed these kinds of indulgent, self-care spa-treatments […] but when Millie said *pedicures*, I said *how high*" (121). In addition, the two women's frequent day-drinking as part of their activities, Cara repeatedly describes Millie's presence itself as a drug. As Millie lights one of her after-dinner cigarettes, Cara

observes, "I basked in her ignorance, her obliviousness, her don't-give-a-fuckery. I absorbed her carelessness, I achieved the exaltation I was seeking. I could not care, too, just like everyone else, and it felt fucking great" (140).

The profound carelessness of Millie's lifestyle, from her casual racism to her enthusiastic wastefulness, provides another hyperbolic absurdity of the narrative, but it also serves as an illustration of how easily people come to function as banal cogs within what Subhabrata Banerjee has described as "necrocapitalism": meaning "practices of organizational accumulation that involve dispossession and death" (1543). In this way, Millie does not necessarily play a role as an individual in the narrative, and not even as a representative of a specific generation, but rather, she highlights the deeply imbedded and casual relationship of *living comfortably* to infrastructures of waste and violence. When Millie insists that they have to make a shopping trip to Target to get her "special lotion," Cara again observes her critical environmental perspective fade away. When she sees the Target building "rising high and mighty above the rest, bedecked on either side by Best Buy, Bed Bath & Beyond, Michaels, Chipotle, and Jamba Juice" instead of seeing "the garish primary colors of these corporations as the hideous oppression of capitalism run amok" she now perceives them "as a sequence of helpful, convenient, trusty serves, meticulously maintained with their potted plants, rows of shopping carts, and beckoning automatic doors" (162-63). Even though they technically just came to buy body lotion, their trip quickly divulges into a shopping spree, which Cara describes in terms of an adventurous voyage:

> Millie attached herself to a shopping cart even though we only needed one item. I fastened a hand on the handle of the cart so as not to be thrown overboard, our wandering barque destined for exotic lands on the far side of uncertain seas. "O would you look at these!" Millie said, rubbing the strap of a blue pair of flip-flops between her fingers. "On sale for only $14.99. I should probably get these. And you'll need a pair, too, for when we get our next pedicure." She plucked two pairs of flip-flops off the hanging rack and tossed them into the cart. I did not stop her. On the contrary, my dopamine receptors made a small, faint, sound, not unlike that in old video games where you collect golden rings. How could I get more of that? Millie had already added two pairs of fuzzy socks to the car, as well as a pastel robe printed with magnolias and gardenias. […] We grasped Oreos and ice cream, hot dogs and ketchup, yogurts and peelable cheese pods, frozen rice bowls, pizzas, tacos, burritos, as though we were wandering through an orchard, the branches burdened and drooping with their fruits. (163-64)

Instead of being appalled, Cara finds herself basking in the plethora of consumer goods, unironically thinking "[t]his must be what our ancestors had in mind for themselves. This is security, safety, abundance" (163). Everything is at her fingertips, ripe for the plucking.

This scene of abundance corresponds directly to Anahid Nersessian's assertion that terms such as "[s]atisfaction, systematicity, wholeness, 'the best'" form "the watchwords of classical utopia" adding that they "hold up plenitude as a primary value and goal, seldom asking if it is the *right* one" (93). The absurdity of the hyperbolic description of Target's smorgasbord of goods as the pinnacle of civilization, contrasted with the fact that most white middle-class US Americans would likely not regard what Cara describes as terribly unusual, thus exposes and mocks what Nersessian calls "the acquisitive dictates of neoliberal modernity, from the colloquial craze for 'having it all' to neoliberalism's own involvement in the unchecked assault on the planet and its inhabitants" (92-93). In a similar manner, the novel succeeds in "estranging" the perspective on the use of single-use plastic and everyday waste (Copenhaver 136). The fact that Cara's hyperbolic language has to highlight as wasteful what would otherwise likely remain "unmarked" as quotidian behavior, stresses how normalized the constant production of waste is in an affluent society like the United States. Her comparison of the store's aisles with the Edenic cornucopia of an orchard "drooping with fruit" ripe for the plucking, highlights at once consumerism's naturalization and its conflation with utopia.

What is noteworthy in this context is how pervasively Cara uses the language of drug addiction to describe her time spent with Millie. The "strange but comforting delirium" of the toxic relationship between Millie and Cara, which leaves the protagonist in "a haze of well-being and contentedness like [she] hadn't experienced in years, if ever" (Copenhaver 92) serves to exemplify how capitalism requires, but also effortlessly accomplishes the constant seduction of people into severing the ties between knowledge and caring, or caring and action when it comes to climate change, resource extraction, pollution and their attendant injustices. Perfidiously this severance is then packaged as "self-care," which frequently translates both directly and indirectly into forms of harming others. Cara is fascinated to discover that to Millie "atrocities and social injustices were ideas" (127), and in an acute reversal of Cara's ideals, Copenhaver exposes the seductiveness of complacency. When Cara confesses the enormous attraction of the possibility of blissful ignorance, but even more than that, the possibility "not to care once having been informed" (ibid.), this serves as an ironic quip on precisely the attitude that researchers and activists across the board bemoan, when they point out that "[v]ariously expressed in developed nations as apathy, defiance, entitlement, fear, or powerlessness, climate change denial is real and potentially as dangerous as the superstorms and mega-fires that have already consumed lives" (May 238). Theresa May's definition puts a significant emphasis on the fact that climate change denial takes on various forms other than straightforwardly negating its existence. The titular "euphoria" that Cara feels is paradoxically produced by her failure to care, which manifests as a mixture of apathy and entitlement. At the same time, the novel also renders literal Cara's reaction to the toxicity of this attitude. After her first encounter with Millie, she wakes up completely hungover the next morning, and while she repeatedly throws up in the bathroom all the dread comes back to her "as if beckoned by the freshly

made space in [her] entrails […] the horrors of the world resumed their usual habitats in [her] person, like insufficiently exorcised demons reinterring" (99). In Millie's company, Cara keeps those "demons" in check by saturating her body with alcohol, cigarettes, and highly processed foods, because it numbs her to her usual cares.

The narrative's play with such exaggerated literalization and metaphor pushes readers into a form of paranoid reading, second-guessing whether to read a given passage as hyperbolic or sincere; questioning whether the hyperbolic exaggeration is actually the only adequate representation, since the very quality of being too on the nose serves to highlight that without the exaggeration those moments would have remained imperceptibly "normal." Copenhaver's novel uses darkly humorous moments to question whether the ways of knowing and being that structure life in affluent societies like the United States can even *afford* to sustain just and solidaric forms of ecological citizenship and environmental care and, inversely, whether capitalism's basic principles would have to be dismantled in order to support sustainable and just forms of living. As Kari Mari Noorgard points out, "society teaches us what to pay attention to and what to ignore" (5), and, as *My Days* illustrates, society also teaches us what good ecological citizenship presumably looks like – in Cara's case literally, in a college class where she has to quantify everything down to her food intake and the weight of her trash, and which focuses solely on individual consumer choices. In its last chapter, the novel heightens its level of satirical ambiguity yet again by juxtaposing this educational space of the classroom to that of a community garden and introducing Voltaire's *Candide* as a satirical intertext.

Cultivating the Garden – Thinking with *Candide*

At the end of the narrative, after Cara has lost her job, her boyfriend, her connection to Millie, and received the devastating message that her sister has given birth to a stillborn baby, the narrative offers a glimpse of a potentially more sustainable version of care and of ecological citizenship when Cara stumbles upon a community garden, notably named "Earthly Delights Children's Garden" (Copenhaver 297). After the young black woman "wearing a rainbow-colored straw hat and a T-shirt that reads FRIENDS, NOT FOOD above smiling, hand-drawn farm animals" invites her in despite not being accompanied by a child, Cara immediately immerses herself in the vegetation (ibid.):

> I reached for colorful pops of peppers, sprigs of mint, mounds of chamomile, and I grasped at sunflowers the size of supernovas. I was hypnotized by glimmering, dappled crabapples, galaxies suspended in a verdant universe. I found the tomatoes and moved through their sprawling, glowing viridescence, navigating their healing, deep shade like an ancient equation I knew by heart and could solve for an elegant proof. I smelled the color green. […] I knew what everything was

> by name, as if opening a thick, heavy book, my fingers searching for the words, essential points in the human experience. I cupped the fruit, my palms curved around peaches, apricots, and plums. I marvelled at how the fruit trees were designed to grow at this height, how my own hands had evolved for ease of plucking. (298)

Finally ending with "I plunged my hands into the dirt, fresh and alive […]. I imagined diving in, like slipping into a deep dark pool of water. And for a fleeting, imprecise moment, I disappeared into the earth" (299). The hyperbolic and Whitmanesque list of impressions, with its alliterations and assonances of "pops of peppers," "sunflowers the size of supernovas," and "dappled crabapples," not only reads like a parody if nineteenth-century nature writing, but it also seems to at once echo and contrast the scene at Target. While the display in the garden is organic, Cara still reacts by "reaching" and "grasping" while finding herself "hypnotized" by the abundance.

Simultaneously, these last paragraphs of the novel evoke another famous ending in a garden – that of Voltaire's *Candide; ou L'Optimisme*.[9] Cara's marvel at the design of fruit trees that grow just the right height for her hands to pluck the fruit – recalls the logic of the philosopher Pangloss in *Candide*, who asserts that "It is demonstrable that things cannot be otherwise than as they are […]. Observe, for instance, the nose is formed for spectacles, therefore we wear spectacles" (4). Moreover, Cara's complete *immersion* in the garden chimes in with Voltaire's famous cryptic ending, where, after all the travels, harrowing adventures, and losses that Candide survives against all odds, he leaves his companions (and thus also his readers) with the wisdom that "we must cultivate our garden" (88).

Looking back at *My Days* via the parallelism of its "ending in a garden" more possibilities for recognizing parallels to Candide become apparent. Both works voice a satirical critique of the reactions, or rather of failures to react adequately to the status quo of their given lifeworlds. Millie becomes legible as a kind of Panglossian figure herself whose philosophy of "all is well" stems from an attitude that Michael Wood and Theo Cuffe have paraphrased as "all is well everywhere because I'm doing pretty well in the tiny corner of the world I happen to know" (194). Cara is temporarily seduced by the emotional relief this complacency affords, but ultimately, she continues *to care*. And thus, *My Days* like *Candide* persists in asking

[9] Voltaire's *Candide* (1795) is a satire on Gottfried W. Leibniz' philosophy of optimism, which insisted on God's benevolence even in light of catastrophic events like the 1755 Lisbon earthquake. In the novella, the young and naïve protagonist Candide, having been indoctrinated with this philosophy of "all is for the best" by his teacher Pangloss, ends up on a fantastic voyage around the world, enduring and witnessing many harrowing events, until at the end Candide, Pangloss and several other characters, exhausted and decidedly worse for wear, end up buying a small farm with their last money. While Pangloss, despite everything that has happened to them, still holds on to his philosophy that everything is for the best as it is, Candide seems to abdicate philosophy altogether and just replies to him with the cryptic words, "*il faut cultiver notre jardin*" (we must cultivate our garden).

what "cultivating one's garden" might mean beyond dismissing it as a type of pragmatism that rejects responsibility and willfully ignores larger issues at hand. Within the context of *My Days* one might also read it more broadly as a question about what might constitute meaningful ecological citizenship.

I read *My Days* as transposing *Candide's* "dilemma" into the 21st century and into feeling the overwhelming force of climate change and its attendant crises. *Candide* satirizes Pangloss's self-serving optimism, but it likewise criticizes the "half-complacent, half-despairing" pessimism which produces just as much apathy about any possibilities to improve the status quo. I want to propose that we might read Cara's "disappearance" into the earth, neither as literal, nor as just another of the texts' ironic hyperboles but as a willfully utopian gesture towards "immediate" and material ways of caring that sustain her rather than draining her energy, what Kate Soper has called "alternative hedonism," signifying a necessary redefinition of "the good life" (30). By being written so much like an absurd deus-ex-machina moment, the novel's ending calls attention to the unavailability of just that. As, Seymour and Lioi remind us, while art (in this case satire) "can diagnose the trouble" (324), actual change still requires dedicated work by people. Rather than Cara's spontaneous rapture, the work carried out by the young black woman who seems to care for the community garden day-to-day, appears to exemplify sustained and sustainable cultivation.

The Affordances of Satire

Since the novel has "trained" its readers throughout its narrative to read its characters through the lens of satire, the ending is likewise suspicious in that regard. Instead of providing answers, the narrative extends an invitation to speculate. Does the moment in the community garden point to the possibility of substantial change or mock the belief in this possibility? Is Cara just coming full circle before entering a new spiral of trying to "cross the finish line with nothing" and doom-scrolling through a never-ending list of global crises? Does the ecstatic tone of Cara's reveling simply hark back to a history of extractive logic? Does the novel ultimately expose individual bliss based on abundance as a form of "mauvaise foi"? Presumably, readers can spiral into second-and third-guessing plausible answers here, rivaling the protagonist herself.

Throughout the narration the novel maintains a notable gap between Cara's narrating and narrated self. The narration in the past tense seems natural to a first-person perspective. However, when Cara comments on her own reflections (or lack thereof) during the shopping trip at Target, "I thought: This must be what our ancestors had in mind for themselves. This is security, happiness, safety, abundance. The negative externalities of mass manufacturing and the consumer goods industry did not so much as drop even the lightest of feather onto my mind" (Copenhaver 163), and when she ends the novel with the statement, "for a fleeting,

imprecise moment, I disappeared into the earth," she must be making these observations from somewhere in the future *beyond* all these events and *beyond* that fleeting moment. What is more, it is this future narrating self, which creates the satire. In that way Cara also becomes a stand-in for the novel's readers who, mid-scoff, are thrown back on themselves, prompted to evaluate their own standpoint: whether towards this specific narrative, towards their own environmental attitudes, or maybe towards different modes of environmental narratives in general, is left open.

In her 2018 publication *Bad Environmentalism,* Seymour argues that comic modes, such as irreverence, satire, camp, and irony, can challenge mainstream environmental modes and narratives and foster new ways of engaging with climate change, human/more-than-human relations, and questions of responsibility and accountability in the face of climate crisis. While satire, in its ambivalence, can easily be accused of being just invested in disruption rather than proposing alternatives or constructive solutions itself, what it does have to offer is a firm push, to not only "critically reexamine our own investments" as Seymour says, but also to articulate a position for ourselves. Aaron Sachs moreover, points to historical – for example Jewish or African American – traditions of gallows humor, highlighting (like Whyte, if in a different context) apocalypse as a historical reality that many racialized and marginalized groups have already lived through, and have in those instances carved out spaces of complex laughter in the midst of overwhelming despair, pointing to its salience in the context of climate change. *My Days of Dark Green Euphoria* captures the absurdity of living in the current moment in an affluent nation, at once largely sheltered from immediate effects of environmental devastation and yet at a point when individual actions seem at once entirely indispensable and entirely irrelevant.

One of the affordances of environmental satire is then that its structure and tone push readers out of a passive position into one that actively engages, by grappling with the very form in which it is offered, and that it asks us to interrogate and possibly re-evaluate our own frameworks of knowing. Within this specific context, a contribution to the question of ecological citizenship that satire provides is a shift of a focus onto a different kind of literacy. It draws attention not so much to yet more facts about climate crises and environmental devastation but to the modes in which we narrate them and the forms in which we concurrently envision community, solidarity, and the future.

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“Stop Having Kids”!? Climate Change, Reproductive Decisions, and the Resurgence of Antinatalism

Isabel Kalous

Introduction

Over the past decade, discussions about the ecological crisis have expanded beyond concerns for future generations to include critical questions about reproduction, family planning, and parenting. These issues have gained increasing prominence in public debates in the United States, and also in many other parts of the world. Female writers and thinkers, in particular, have contemplated the ways in which a climate-altered world impacts reproductive decisions and reshapes notions of parenthood. For example, a variety of works spanning multiple genres – including memoir, cultural criticism, reportage, climate science, philosophy, and journalism – offer reflections on ‘the conceivable future’ (Kallman and Ferorelli), ‘parenting in the Anthropocene’ (Johnson), and the meaning of creating a child (Van der Lugt) in a time of intersecting crises. Consequently, the ethics of reproduction have come under scrutiny. Recent polls and scientific reports indicate that people increasingly take the ecological future and planetary changes into account when thinking about whether or not to have children.[1] Journalists, too, have tackled this issue, with headlines in major American news outlets asking questions like “Should you not have kids because of climate change?” (Osaka) and “To Breed or Not to Breed?” (Williams).

Evidently, the climate crisis is influencing personal decisions and lifestyle choices, not just in terms of consumption, but also when it comes to family planning. While the idea remains contentious, both scientific studies and environmentalists have suggested that one way to curb one’s carbon footprint is to forgo having children.[2] In pronatalist countries like the United States, however, propositions for environmental childlessness are typically met with outrage and suspicion. Critics from across the political spectrum have voiced concerns, with some fearing ‘civilizational suicide,’ while others accuse advocates of such ideas of perpetuating

[1] According to a 2020 Morning Consult poll, many young Americans consider climate change in their reproductive decisions. The study indicates that 14.3% of those of childbearing age are not having children, at least in part, due to climate concerns (Morning Consult 35). For a detailed analysis of these findings, see Schneider-Mayerson and Leong (1008-09).

[2] It must be pointed out that carbon inequalities also exist within countries where the carbon emissions of rich people exceed that of the rest of the population.

racist and sexist agendas, highlighting the long history of forced population control, eugenics, and the restriction of reproductive rights.[3]

Conversely, some celebrate the decision to abstain from reproduction as a bold ecological choice. Choosing not to have children – or limiting family size, as US environmental activist Bill McKibben proposed over two decades ago in *Maybe One: A Personal and Environmental Argument for Single Child Families* – is an intimate life choice that is rarely mentioned in the same breath as going vegan, recycling, living car-free, or reducing air travel. Yet, given the carbon emissions associated with people from high-income countries whose environmental impact by far exceeds that of developing countries, some view refraining from or limiting reproduction as a logical, if radical, solution to ecological problems. In this sense, voluntary childlessness can be framed as an ethical decision of the ecologically minded citizen. Environmental or ecological citizenship as theorized by Andrew Dobson (2003) is based on principles of care, responsibility, and justice, emphasizing individuals' obligations to others across both time and space (99, 106).[4] The notion of responsibility extends to efforts to live sustainably, climate change mitigation, and environmental protection. As the editors of *Rethinking Ecological Citizenship* point out, ecological citizenship is defined "in terms of personal responsibility, concrete environmental practices, and a particular moral disposition that emphasizes virtues" (Bartkienė et al. 6). The concept of the ecological footprint further illustrates how individual responsibility for environmental impact stretches beyond mere compliance with governmental policies and laws. For some, this may include voluntary childlessness based on ecological motivations, i.e., as a way of fulfilling that personal responsibility.

The most radical approach to climate concerns and reproduction manifests in environmentally oriented antinatalism. Environmental antinatalists believe that procreation is morally wrong due to the detrimental impact humans have on the planet. Some proponents therefore do not just welcome the thought of a shrinking human population but embrace the idea of human species extinction. The discourse

[3] When US Representative Alexandria Ocasio-Cortez during an Instagram live-stream in 2019 talked about climate change and reproductive decisions and responded to a viewer who asked whether having children was "still OK," she was accused of advocating "civilizational suicide" by Pete Hegseth, who was a Fox News host at the time and later became US Secretary of Defense in the Trump administration in 2025 (Tarlo).

[4] In this essay, I am using the terms 'environmental citizenship' and 'ecological citizenship' interchangeably. In *Citizenship and the Environment* Dobson further distinguishes between these two: Aligning with more traditional liberal ideas of citizenship and emphasizing legal rights and entitlements, the concept of environmental citizenship "refers to attempts to extend the discourse and practice of rights-claiming into the environmental context" (89). Ecological citizenship on the other hand "deals in the currency of non-contractual responsibility, it inhabits the private as well as the public sphere, it refers to the source rather than the nature of responsibility to determine what count as citizenship virtues, it works with the language of virtue, and it is explicitly non-territorial" (89). This concept of citizenship emphasizes the duties and virtues of citizens. Both forms of citizenship share a common objective, i.e., the creation of a more sustainable society.

of ecological antinatalism poses a critical inquiry into the imperative to save the future and, by extension the human species, for the next generations. The radical stance on reproduction advocated by environmentalist antinatalism also prompts questions about its role as a response and potential solution to the ecological crisis. Seeing that environmentally oriented antinatalists bestow great importance on relieving the Earth from human pressure, one may ask – as Nicole Seymour does in her essay "Down with the People" – if antinatalism can be considered "the next stage in environmentalism" (2013a: 203). Although Seymour answers this question in the negative, she suggests that antinatalist discourse, when understood "as an experiment in imagination," "presents an opportunity to think of posterity outside of heteroreproductive terms, and to think in terms of the welfare of non-human others" (216), thus potentially raising important questions with regard to the meaning of human existence and human exceptionalism in the Anthropocene.

Taking the debates about climate change, reproduction, and ecological citizenship as a starting point, this essay traces the rise and resurgence of ecological antinatalism. It seeks to provide an overview of how this topic, which is spotlighted with new urgency in the context of the climate crisis, has been addressed in environmental discourse, academic debate, and contemporary writing. Focusing on the United States, it sketches the emergence and development of environmental antinatalism, scrutinizing its connections to the broader mid- and late-twentieth-century discourse on population control, which is intertwined with racism, classism, and sexism. It then zooms in on three contemporary works by US-American and British writers, including speculative nonfiction and dystopian texts, to examine how these texts engage with antinatalist themes, particularly with issues such as human extinction, the climate crisis, reproductive intentions, and the value of human existence. These writings belong to a growing corpus of texts where antinatalist impulses manifest, and they provide intriguing examples of how antinatalist discourse is treated and reflected in creative works. Finally, the essay situates environmentally motivated antinatalism within the larger discourse of Anthropocene antihumanism that has emerged prominently in current academic discussions and beyond (Kirsch 10-11).

Childless for the Planet

While there appears to be a recent surge in debates surrounding environmentally motivated antinatalism, it is not a new phenomenon. In 1969, Stephanie Mills, a twenty-year-old graduate of Mills College in Oakland, California delivered a commencement address titled "The Future is a Cruel Hoax" that resonated with the growing environmental concerns of the time. In her speech, Mills lamented the detrimental impact of an expanding global population on the environment and criticized the lack of political will to implement necessary changes. In response, she announced to her classmates her decision not to have children: "I am terribly

saddened by the fact that the most humane thing for me to do is have no children at all" (470). Her speech and what appeared to be a radical choice garnered widespread media attention, catapulting Mills into the spotlight overnight; it was featured prominently on the front page of the *Oakland Tribune* and made headlines in newspapers and magazines across the country.

Mills' resolution reflected concerns about population growth among Americans during the 1960s and 1970s (Robertson 4). Driven by a fear of dwindling resources and ecological destruction, her anxiety was sparked by Stanford biologist Paul R. Ehrlich. In his 1968 book *The Population Bomb*,[5] he famously warned of a future plagued by overpopulation and predicted severe resource shortages that would result in widespread famine, disease, and ecological and societal collapse within the next decade. To curb population growth, he proposed drastic measures, such as withholding Western development aid, the restriction of international food programs in 'underdeveloped' countries that refused population control programs, and implementing compulsory sterilization programs in low-income countries, which were widely critiqued for being unethical and inhumane. Despite such ideologically fraught propositions, *The Population Bomb* ignited a global conversation about the links between population, resource consumption, and environmental sustainability. It became one of the most influential and controversial books of its time, fueling the growing environmental movement that had been gaining momentum after the publication of Rachel Carson's *Silent Spring* (1962).

Seemingly inspired by Ehrlich's doom-laden predictions and Malthusian theory, Mills likewise cautioned against the imminent extinction of the human species: "Our days as a race on this planet are, at this moment, numbered, and the reason for our finite, unrosy future is that we are breeding ourselves out of existence" (469). The vision of civilizational collapse and human extinction that Mills conjured in her address apparently struck a chord in an era when Americans were acutely aware of population issues. As her speech revealed, Mills connected her deliberate decision to forego motherhood and remain childfree with the environmental degradation caused by human activity. She lamented that mankind had "horribly disfigured this planet," "spread[ing] across the face of the earth like a great unthinking, unfeeling cancer" (470). While drawing attention to the destructive impact of humans on earth, she also expressed her apprehension about the ethical implications of bringing children into a world that appeared ever more precarious: "As an ex-potential parent, I have asked myself what kind of world my children would grow up in" (470). As historian Peggy O'Donnell Heffington observes, "Mills represented a new era of environmentally inspired reproductive angst" (101). While concerns about future generations' impact on the planet have long preoccupied thinkers, economists, activists, and parents, Mills introduced a shift in perspective by focusing not just on

[5] *The Population Bomb* was co-authored by Anne Ehrlich, Paul Ehrlich's wife, but her name was omitted after the publisher advised that single-author books typically receive more attention. The publisher also proposed the book's title, which the Ehrlichs reportedly accepted with some hesitation (Mann).

the planet's future, but on the potentially negative experiences of a future child living in a world dramatically altered by climate disasters (101).[6]

Mills' concerns resonate with current debates about whether to have children that have shifted from fears over the environmental impacts of future children to fears over what a changed climate will do to them (Osaka; see also Van der Lugt 89-90). Studies and scientific reports indicate that environmental uncertainty and climate fears, often also referred to as eco-anxiety, can reshape personal views on family and affect the reproductive choices of younger generations in the United States and many other countries. For example, environmental justice scholar Jade Sasser analyzes the link between climate change and reproduction in *Climate Anxiety and the Kid Question: Deciding Whether to Have Children in an Uncertain Future*.[7] She suggests that growing concerns about the future and climate-related emotions are impacting reproductive intentions, particularly among members of Generation Z and young Millennials (see also Schneider-Mayerson and Leong; Krähenbühl). These concerns about the environmental crisis and the ethical dilemmas of procreation also align with the motivations behind movements like BirthStrike. A recurring idea in such movements is the portrayal of having no or fewer children as a sacrifice – for the planet, for future generations, or for both. Mills' speech reflects this perspective, as she conveyed a profound sense of responsibility toward the environment and potential future lives. Although the decision to forgo motherhood "terribly saddened" her, she believed it was "the most humane thing" (470) she could do in the face of impending environmental crises and political inaction. For Mills, choosing to remain childfree was a necessary personal response to the situation, a moral obligation to humanity and the environment. Within this sacrificial logic, her decision becomes an act of compassion, a responsible choice by an environmentally conscious citizen. This reframing presents childlessness as a pro-environmentalist stance. Foregrounding environmental issues as a reason for opting out of biological parenthood challenges the perception that childfree individuals are inherently selfish – an accusation disproportionately directed at women.

In contrast to those who view giving up the wish to have children as a regrettable yet necessary sacrifice for the greater planetary good, environmental antinatalists embrace the idea of halting human reproduction entirely, as they deem humanity's destructive impact on the Earth morally unjustifiable. This antinatalist standpoint runs counter to the ideology of 'reproductive futurism' theorized by Lee Edelman (2004), who has highlighted "the pervasive invocation of the Child as the emblem of futurity's unquestioned value" (3-4) and argued that this thinking enforces heteronormative ideals and limits political discourse. The emphasis on the cultural

[6] More recently, however, Mills stated that her reasons for remaining childfree were more personal and circumstantial than ecologically motivated. Nonetheless, her speech brought environmental antinatalism to public attention and anticipated today's discussions on the ethics of reproduction and climate anxiety.

[7] Sasser's important study also addresses the significance of race and environmental justice for reproductive decisions.

figure of the child as a symbol for the future is not only evident in political rhetoric but also in mainstream environmentalism. In fact, environmentalist discourse "has long been premised on various reproductive futurisms" (Grimbeek 176). Such reproductive futurism is reflected, for example, in the call to 'save the planet for our children,' which implies an ethical obligation to coming generations.[8] It is also prevalent in American literature where, as scholars like Adeline Johns-Putra (2016) and Rebekah Sheldon (2016) have demonstrated, "the suffering face of the child as a metonym for the harm already done to the future by present practices" (Sheldon 40) is a well-established trope. Seymour emphasizes that the incessant turn to the child and the use of the "sentimentalized rhetoric" of saving the future for 'our' children, "suggests that concern for the future qua the planet *can only emerge*, or *emerges most effectively*, from white, heterosexual, familial reproductivity" (2013b: 7; original emphasis). This prevailing association challenges the inclusivity of environmental discourse, prompting a critical examination of whose future is prioritized in these discussions.

Environmental Antinatalism in Context

Although antinatalism remains a marginal position in both philosophical and environmental thought, it has increasingly gained visibility in recent years, entering mainstream discussions and receiving greater attention in both theoretical and public discourse. Several distinct strands of antinatalist thought exist; and while antinatalists are generally critical of human procreation, they offer different justifications. Among the defenses for antinatalism is the (axiological) asymmetry argument put forward by South African analytical philosopher David Benatar, who is also credited with popularizing the term 'antinatalism.' In his 2006 book *Better Never to Have Been: The Harm of Coming into Existence*, Benatar argues that life is fundamentally harmful due to an asymmetry between pleasure and pain: While one may experience joy, it never outweighs the suffering inherent in existence. Consequently, he contends that humans should refrain from procreation to spare potential beings from inevitable suffering (30-37). Furthermore, he maintains that because individuals are brought into existence without their consent and are thereby subjected to suffering, procreation is morally unjustifiable (54). Benatar follows in the tradition of pessimist philosopher Arthur Schopenhauer, whom he references throughout *Better Never to Have Been*. Schopenhauer's work, along with citations of philosophers, writers, and playwrights such as Sophocles, George Santayana, Voltaire, Gustave Flaubert, and Heinrich Heine, as well as quotes from the Bible, illustrates the long tradition of antinatalist thought. Indeed, prototypes of antinatalist thoughts have existed for centuries. The idea of negation and a rejection of life itself

[8] See Kverndokk for an examination of the rhetorical figuration of 'our children' in climate change discourse.

are expressed, for example, in Sophocles' *Oedipus at Colonus* and the Old Testament (Morioka 5). In the nineteenth century, Schopenhauer questioned the value of human existence, as did Norwegian existentialist philosopher Peter Wessel Zapffe in the twentieth century, whose 1933 essay "The Last Messiah" is considered a key antinatalist text. Similarly, Romanian philosopher Emil Cioran meditated on the futility and pain of human existence in *The Trouble with Being Born* (1973).

While environmental concerns were not necessarily central to the arguments of the aforementioned philosophers, they have become a significant justification for antinatalism since the mid-twentieth century. The recognition of humanity's irreversible damage to the planet constitutes the foundation of ecological antinatalism. This perspective is encapsulated in the motto of the Voluntary Human Extinction Movement (VHEMT): "May we live long and die out." Rather than a structured organization, VHEMT is a loose alliance of individuals (the so-called volunteers) who share similar beliefs. It was founded in the early 1990s by teacher and activist Les U. Knight, who created the website that first brought the movement to public attention (Buckley; Knight). Knight and other proponents of the movement argue that refraining from reproduction is the right thing to do and the most effective way to protect the planet, while also protecting potential future children from the harm associated with existence.[9] Promoting reproductive freedom and education, VHEMT seeks to persuade as many people as possible to forgo biological parenthood. Its ultimate goal is the voluntary phasing out of the human species to restore "natural balance in Earth's ecosystems" (*Voluntary Human Extinction Movement*). In the meantime, advocates hope that a gradual decrease in the human population will lead to more sustainable civilizations, fostering peaceful cohabitation, enhancing material wealth, promoting the well-being of individuals, and steering a shift from collective anthropocentrism toward an ecocentric consciousness.

VHEMT's text-laden website, which has been translated into over 30 different languages, announces that "[p]hasing out the human species by voluntarily ceasing to breed will allow Earth's biosphere to return to good health. Crowded conditions and resource shortages will improve as we become less dense" (*Voluntary Human Extinction Movement*). The website's content and the message conveyed by VHEMT are predominantly characterized by a lighthearted tone and infused with humor – an approach that serves to reflect on the irony inherent in advocating for human extinction within a pronatalist culture (Seymour 2013a: 206). VHEMT satirizes not only the sincerity of reproductive logic but also the sentimental belief in a redemptive future or a distant utopia envisioned for future generations. This stance

[9] Another antinatalist movement that aligns with VHEMT's focus on mitigating suffering is Stop Having Kids (SHK). Originating as an activist group based in Portland, Oregon, SHK espouses a philosophical and ethical stance asserting that procreation is undesirable due to the harm it inflicts on future life, encompassing not just humans but all sentient beings. The group's mission, as promoted on its website, is to discourage procreation to reduce suffering and injustice, exploitation, and environmental destruction (*Stop Having Kids*).

sharply contrasts with the prevailing narrative in environmental and climate change discourse, where extinction is typically framed as a disaster and catastrophe.

Significantly, VHEMT reflects the notion that humans are a parasitic and destructive species and should therefore remove themselves from the earth. This stance is predicated on the notion of prelapsarian nature and a lost paradise. Trine Riel remarks that VHEMT's mission is driven by "a utopian fantasy of Earth returned to a bountiful former state, the total cleansing of the biosphere and restoration of a lost paradise before we entered the picture" (146). Moreover, the idea of voluntary extinction in the service of environmentalism relies on anthropocentric assumptions that reinforce a rigid separation between humans and the natural environment – an idea that scholars in the fields of environmental criticism, ecocriticism, and Indigenous Studies have worked to dismantle. Seymour reminds us "that the very existence of antinatalist discourse is premised on the assumption that the human and the non-human are separate entities that cannot have harmonious relationships with each other" (2013a: 210). This antagonism between the human and the non-human neglects the possibility of alternative relationships between humans and more-than-human others, such as different forms of kin-making and multi-species collaborations that Donna Haraway envisions when she urges, "Make Kin, Not Babies" (2016: 102). The conclusion that ecological justice necessitates humanity's extinction by means of bringing reproduction to a halt appears flawed, as it discards the potential for new and more sustainable ways of being and living in the world.

The notion that population growth should be controlled and regulated is inextricably tied to racist ideologies. While VHEMT firmly opposes coercive population control and denounces all forms of discrimination, their arguments about population inadvertently echo American postwar environmentalist narratives warning of an overcrowded and dying planet – a discourse rooted in Malthusianism. In the late eighteenth century, English economist and cleric Thomas Malthus made a significant intervention in debates about public welfare programs in Britain with his work, "Essay on the Principle of Population" (1798). Malthus argued against the expansion of welfare, asserting that such programs would lead to a surge in the impoverished population, pushing population levels beyond the limits of food production capacity. This, he posited, would result in widespread suffering, misery, and environmental degradation. Malthus effectively combined political and scientific insights to craft a coherent theory about population dynamics that was considered groundbreaking. His ideas significantly shaped the subsequent development of scientific thinking, specifically theories and methods in the fields of ecology, demography, and eugenics (Sasser 2018: 53). As has been noted, his theory "supplied a 'natural' principle that could justify the exclusion of marginalized groups from the biopolitical protections of the state" (Bergthaller 118).

In the twentieth century, Malthus's arguments were revisited and expanded within the nascent American environmental movement. This Malthusian revival was initiated by influential works such as American conservationist Fairfield Osborn's

Our Plundered Planet (1948) and William Vogt's *Road to Survival*, (1948). Osborn and Vogt, who was also the national director of the Planned Parenthood Federation of America, highlighted the dangers of unchecked procreation in a world constrained by limited resources. For both, population growth represented humanity's most pressing problem. This apprehension gained significant traction during the 1960s and 1970s, when a wave of anxiety about 'overpopulation' swept across the United States (Robertson 1, 7). Scientists such as Ehrlich and Garrett Hardin, along with the Club of Rome, and, of course, Stephanie Mills articulated their fears regarding the implications of uncontrolled population expansion. Ehrlich, who was among the founders of the movement Zero Population Growth (later renamed Population Connection), emerged as a leading figure sounding the alarm on population 'explosion' – also symbolized by the image of a burning bomb that appeared on the cover of *The Population Bomb*. Many others, including policymakers, shared his bleak outlook. The racism and sexism embedded in Ehrlich's proposed 'solutions' were thinly veiled. As Ehrlich's propositions demonstrate, discussions about overpopulation have often primarily focused on countries from the Global South as well as low-income communities and Indigenous and people of color. This focus illuminates the persistent and inhumane legacies of racism, eugenics, classism, and sexism intertwined with certain strands of environmentalism.

Ehrlich's prediction did obviously not come true, and, considering the contentious nature of population discourse, it comes as no surprise that the topic – along with ecological antinatalist arguments – has been treated with caution; and rightly so. Since around the 1980s, scholars have noted a reluctance to address the issue of population. Lawrence Buell even claims that the topic has been "shunned as taboo" (18) by environmental economists and scientists. This avoidance largely stemmed from "[t]he tendency of Neomalthusian thinking to rationalize inhumane policies" (Bergthaller 119) and the fact that the catastrophes predicted by Ehrlich and others did not materialize as anticipated. No significant resource shortages occurred, and population growth stabilized in many countries (120). Nevertheless, in the twenty-first century, population concerns have resurfaced with new urgency, particularly in discussions surrounding the Anthropocene (Johns-Putra 88; Bergthaller 120). These concerns are amplified by the escalating climate crisis and the accelerated human-driven loss of species, commonly referred to as the sixth mass extinction.

In *Making Kin not Population* (2018), the editors Adele Clarke and Donna Haraway stress the importance of addressing the controversial topic and call for an end to the silence surrounding population debates. Their concern about the increase in the number of humans and their detrimental impact on Earth aligns with antinatalist sentiment. Haraway underscores the need to reduce human pressure on Earth and suggests that non-natal and multispecies kin-making together with multispecies environmental justice could lead to an increase in "human and multispecies well being […], while radically reducing human demands and radically repairing damaged life worlds and places across the planet" (98). She therefore

insists on decentering the human and encourages the creation of relationships of responsibility, solidarity, and care, both among humans and between humans and non-humans. Departing from antinatalist positions that dismiss the very possibility of a shared future, she calls for "utopian, risky imaginations and actions" (99) to create a renewed multispecies world and more livable futures – futures that (environmental) antinatalists reject.[10]

Antinatalism in Contemporary Anthropocene Thought Experiments: Three Examples

Cultural theorist Claire Colebrook has suggested that conversations about humanity's potential end are now marked by a heightened sense of urgency, largely because the idea of the Anthropocene in itself is predicated on the conceptual assumption of a time "after man ceases to be" (10). The anticipation of humanity's decline, exacerbated by current global crises and the existential threats they pose, has seemingly fueled the rise of antinatalist thinking. A noticeable surge in antinatalist ideas is emerging not only in academic, philosophical, and public debates about the climate crisis and the future of humanity, but also in cultural productions, especially within contemporary writing. Dystopian fiction, such as Calder Szewczak's *The Offset* (2021), and nonfiction works, such as Alan Weisman's *The World Without Us* (2007) and Roy Scranton's *Learning to Die in the Anthropocene* (2015) – which can be categorized within the growing "human extinction genre of creative nonfiction writing" (McFarland 116) – represent intriguing examples that engage with antinatalist themes in diverse ways. These literary thought experiments can raise important questions about the meaning of human existence and human exceptionalism in the Anthropocene. However, while prompting reflection on humanity's future and scrutinizing the value of reproduction in the age of climate change, these thought experiments do not offer radically new perspectives or the risky imaginations that Haraway requests.

Although Weisman's *The World Without Us* is not typically categorized as an antinatalist text, it delves into ecological concerns that resonate with antinatalist ideas. In his speculative account, Weisman embarks on a creative thought experiment and conjures up "a world from which we all suddenly vanished" (4). He explores what would happen to the natural environment if there was no longer any human activity. Inviting reflection on the environmental consequences of human existence, he contemplates the fate of the planet in the absence of Homo sapiens and traces the slowly vanishing imprint of humans on the Earth. Simultaneously, he highlights the ephemeral nature of that which was created by humans. In the

[10] See also Haraway's *Staying with the Trouble*, especially chapter 8 "The Camille Stories," in which she elaborates on reconfigurations of multispecies associations and new kinds of symbiotic relationships.

acknowledgments, he asserts that "[w]ithout us, Earth will abide and endure" (287). Weisman's depiction of nature thriving without human intervention evokes images of a Garden of Eden, "a return to origins *before* mankind," and the restoration of a "natural balance," as Eva Horn notes (3; original emphasis). She further comments that "[t]his is a narrative of sickness and healing, of pressure and its release – told by the very being that was the sickness" (3).

Although Weisman's text is premised on the disappearance, or extinction, of the human species it fails to offer alternatives to anthropocentric thinking and reproductive futurism. This becomes evident when he muses, "If that most wondrous of all human creations – a child – is never more to roll and play on the green Earth, then what really would be left of us? What of our spirit might be truly immortal?" (244). In a sentimental gesture, he also suggests that the absence of humans from the Earth would amount to a sort of loss: "With our passing, might some lost contribution of ours leave the planet a bit more impoverished?" (5). This question suggests that Weisman's text is essentially an appeal to prolong the human presence on Earth. As such, it projects the end of human existence into the future. Weisman thus reinforces the troubled assumption that extinction is solely a future concern, overlooking apocalyptic events and endings that have already happened throughout history – events triggered, for example, by colonial violence and extractivism, genocide, enslavement, and displacement – as has been repeatedly emphasized by Indigenous and environmental justice scholarship (e.g., Whyte).

In *Learning to Die in the Anthropocene* Scranton offers a different perspective and blends philosophical reflection with environmental writing, memoir, and cultural criticism to explore what it means to live in the face of planetary destruction and how humanity can ethically and intellectually respond to the existential threat posed by climate change. His work can be situated within a broader discourse on dying as a practice in the Anthropocene; a theme that has increasingly surfaced in discussions about the inevitability of environmental catastrophe, and which is also reflected in the title of the book by Robert Bringhurst and Jan Zwicky, *Learning to Die: Wisdom in the Age of Climate Crisis* (2018). Their and Scranton's texts capture a contemporary "desire to think of the Anthropocene as a time in which death becomes important not only as the object of discussion (how to prevent a sixth mass-extinction wave) but as a practice, as pragmatics (how to die to extinction-provoking habits)" (Becker-Lindenthal and Kotva 109). An Iraq veteran, writer, and scholar, Scranton links humanity's predicament in the Anthropocene to his experiences as a soldier in combat: Having been confronted with the possibility of death, he insists that one must come to terms with living with and through the end (*Learning* 22). Indeed, he urges humanity to face the increasingly inevitable fact of human extinction. The Anthropocene, he argues, confronts us with "conceptual and existential problems" (20) – namely "understanding that this civilization is already dead. The sooner we confront our situation and realize that there is nothing we can do to save ourselves, the sooner we can get down to the difficult task of adapting,

with mortal humility, to our new reality" (23).[11] Scranton's exploration of the meaning and implications of learning to die encompasses ethical considerations and existential reflections on human existence. For him,

> the practice of learning to die is the practice of learning to let go: Learning to die means learning to let go of the ego, the idea of the self, the future, certainty, attachment, the pursuit of pleasure, permanence, and stability. Learning to let go of salvation. Learning to let go of hope. Learning to let go of death. (92)

Practicing for death, or 'learning to die,' entails the decentering of the human. Moreover, it also necessitates a fundamental shift away from traditional and unsustainable ways of living.

Works of (speculative) nonfiction like those by Weisman and Scranton convey ecological antinatalism through their engagement with themes of human extinction and the practice of dying. Turning to fictional narratives, however, reveals another dimension of antinatalism. In the fictional world of *The Offset* (2021), a feminist environmental dystopia by Calder Szewczak (the pen name of the British writing duo Natasha C. Calder and Emma Szewczak), antinatalism manifests as the dominant state ideology.[12] The novel is set in a near-future England ravaged by rising temperatures, resource shortages, and radioactive contamination. In this depleted world, having children is not only deemed selfish but considered a crime. Coercive population control measures have been imposed to ensure the survival of humanity: Every child, upon turning eighteen, must decide which one of their parents will die in an "Offset" ceremony – essentially a public execution. Framed as both a punishment and as a sacrifice on the part of those who choose to procreate, the eponymous Offset serves as a means to compensate for the ecological burden that a child imposes. As Marinette Grimbeek pointedly remarks in her reading of the novel, "Abstract carbon offsets, which today represent a selling of indulgences that allow us to mostly maintain the status quo, are made flesh in the parents who sacrifice themselves for the greater good and the right to have children" (185). This embodiment of ecological debt raises questions about how societies might confront environmental and reproductive challenges in the future. *The Offset* anticipates such a future by imagining how societies might respond to ecological crises. It envisions a world where reproductive choices are no longer personal but subject to extreme state control, mirroring broader anxieties about environmental collapse and authoritarianism. Like other dystopian and reproductive fictions, it can be read as a cautionary tale, warning against the repercussions of failing to address current challenges – both ecological and political.

[11] As Becker-Lindenthal and Kotva point out, it is important to note that Scranton "writ[es] from the perspective of a 'we' situated in West-led global capitalism" (108).

[12] The novel is reminiscent of Kurt Vonnegut's 1962 short story "2 B R 0 2 B" – a commentary on the population debates in postwar America – and could indeed be read as a contemporary rewriting of Vonnegut's text.

The novel is told from the perspectives of Miri, a teenager who is about to turn eighteen, and her two mothers, Alix Ford and Jac Boltanski. Jac, a scientist and possibly the one person able to save the world, is the one that Miri intends to nominate for the Offset. Oscillating between the three women, the novel examines ethical questions surrounding parenthood in a world on the brink of ecological collapse. In particular, it explores Alix and Jac's desire to become mothers, which was driven by their hope for a better future and trust in Jac's scientific work. While *The Offset* depicts the reproductive violence that ensues from coercive population control (e.g., to forego the Offset, partners, potential mothers, and children are murdered), it also explores another aspect of antinatalism through Miri's perspective. As a young person often invoked in environmentalist discourse as 'the future,' Miri complicates the narrative by expressing sympathy for antinatalist ideas. She challenges the presumed value of the future, acknowledging that "[s]he is never going to have a child; she is never going to do to another living being what her parents have done to her. They knowingly condemned her to a life on a dying planet" (*The Offset* 72). This complicates the notion of responsibility to future generations and draws attention to the experience of children who grow up in a world profoundly altered by climate change. Antinatalist discourse, as negotiated in the narrative, thus undermines the moral imperative of reproductive futurism.

Concluding Remarks: (Environmental) Antinatalism and 'the Revolt Against Humanity'

A contemporary surge in antinatalist thinking can be observed in both public and scholarly debates about the relationship between reproduction and climate change. As shown above, writers, too, have engaged with this topic in a variety of ways, often emphasizing its urgency. This urgency can be understood as part of a larger intellectual shift that Adam Kirsch identifies as 'the revolt against humanity' in his 2023 book of the same title. Kirsch describes the revolt as akin to a new emerging worldview, i.e., "a new way of making sense of the nature and purpose of human existence" (13), rooted in the recognition of humanity's impending end and the simultaneous embrace of this trajectory. The revolt against humanity aligns with broader theoretical currents, such as the nonhuman turn in the humanities and social sciences (e.g., Grusin), which attempt to decenter the human and rethink the relationship between humans and more-than-human others. One strand of this worldview, which Kirsch calls Anthropocene antihumanism, emerges from the critique of the ecological destruction caused by humans (Kirsch 11). This is expressed, for instance, in the radical proposition for voluntary human extinction. Antinatalist thinking can therefore be "understood as another manifestation of Anthropocene antihumanism" (45), one that seeks to minimize human impact by reducing or eliminating human reproduction. According to Kirsch, this new thinking "has the potential to transform politics and society in profound ways" (10). Whether

such thinking will lead to concrete political and societal transformations remains to be seen, but as Kirsch suggests, its influence is already shaping contemporary discourse.

Taking into account the problematic assumptions underlying environmental antinatalist discourse – such as the perceived antagonism between humans and non-humans, as well as the inhumane legacies of Malthusian thinking – one might conclude that antinatalism as a practice does not represent a new stage of environmentalism (Seymour 2013a: 203). Along similar lines, philosopher Philippe Lynes asserts that "to conclude that ecological justice can be met only by giving ourselves death, whether immediately or through ceasing to reproduce, is also profoundly misguided" (102). While environmental antinatalism presents itself as a response to the ecological crisis, its ability to function as a meaningful form of environmental citizenship remains deeply problematic. At its core, ecological antinatalism is driven by the belief that human extinction – though difficult, if not impossible, to achieve – would ultimately benefit the natural world. Yet, because this goal is long-term and relies on individuals' voluntarily ceasing reproduction, ecological antinatalism offers little in terms of immediate practices that align with ecological citizenship. It remains largely focused on the negation of human life in the future and not so much on fostering sustainable ways of living in the present.

However, rather than dismissing ecological antinatalism outright, its concerns could be reinterpreted within an expanded framework of environmental citizenship that emphasizes responsibility (Dobson 89). Here, Haraway's work on kin-making and alternative forms of human-nonhuman relationships offers a valuable perspective. Haraway's call to "stay with the trouble" challenges the future-oriented logic of both utopian and apocalyptic environmental narratives. Such focus on the current challenges "requires learning to be truly present, not as a vanishing pivot between awful or edenic pasts and apocalyptic or salvific futures" (Haraway 2016: 1). Instead of framing human existence as an inherent ecological burden, Haraway advocates for reconfiguring kinship and forging inventive relationships that acknowledge responsibility toward the more-than-human world. By shifting focus from extinction to ethical cohabitation, antinatalist concerns about overpopulation and environmental degradation could be integrated into a broader ecological ethos – one that does not require the cessation of human life but instead reimagines ways of being and existing. In this light, Seymour's proposition to "take antinatalism not as program, policy, or even philosophy, but as an experiment in imagination" (2013a: 216) is particularly useful. If understood as a provocation rather than a prescriptive solution, antinatalist thinking could contribute to reimagining environmental citizenship in ways that foreground responsibility, justice, and sustainable practices (216). Rather than advocating for disappearance, this perspective could help cultivate a model of ecological citizenship that emphasizes radical responsibility and alternative modes of living together in the Anthropocene.

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Affective Practices of Ecological Citizenship

Judith Rauscher

This publication brings together contributions that offer different perspectives on debates about environmental citizenship. In what follows, I will engage with this prompt by drawing on theorizations of citizenship from queer studies/affect theory and ecocriticism to discuss how actionable forms of ecological citizenship rather than institutionalized forms of environmental citizenship can be produced by way of everyday affective practices. Expanding on my own work on the mobile environmental imaginaries that emerge in US-American poetries of migration (*Ecopoetic Place-Making* 2023), I will reflect on how everyday cultural practices such as walking in nature or writing about nature can be viewed not only as political acts but as affective practices of ecological citizenship. Finally, I will discuss how such everyday affective practices of ecological citizenship may be especially important and deserve particular attention in contexts in which a person's rights or claims to full citizenship are routinely contested, if not effectively denied, as is for instance often the case with migrants, people of color, queer individuals or disabled people.

Environmental Citizenship and Ecological Citizenship

Questions of environmental and ecological citizenship have been discussed in environmentally-oriented scholarship with varying definitions and emphases at least since the mid-1990s (e.g., van Steenbergen; Silbergleid; Dobson; Dobson and Bell; Heise; Hornung; Nixon; Adamson and Ruffin; Weik von Mossner 2014, 2017). For my purposes, as in much of the existing scholarship, it is important to distinguish between these two terms. In his monograph *Citizenship and the Environment* (2003), Andrew Dobson defines *environmental citizenship* as a type of "environment-citizenship relationship" that

> deals in the currency of environmental rights, that is conducted exclusively in the public sphere, whose principle virtues are the liberal ones of reasonableness and a willingness to accept the force of the better argument and procedural legitimacy, and whose remit is bounded political configurations modelled on the nation-state. (89)

By contrast, Dobson uses the term *ecological citizenship* for a type of environment-citizenship relationship that "deals in the currency of non-contractual responsibility"

(ibid.), which is to say that "it inhabits the private as well as the public sphere, it refers to the source rather than the nature of responsibility to determine what counts as citizenship virtues, it works with the language of virtue, and it is explicitly non-territorial" (ibid.). While *environmental citizenship* for Dobson thus "refers to attempts to extend the discourse and practice of [nation-based] rights-claiming into the environmental context" (89), he uses the term *ecological citizenship* for a "specifically ecological form of post-cosmopolitan citizenship" (ibid.) that "works with a novel conception of political space" (97), namely one that is "*produced* by the metabolistic and material relationship of individual people with their environment" (206; emphasis in original) and thus arises from "the exercise of ecologically related responsibilities, nationally, internationally, and intergenerationally, rooted in justice, in both the public and private spheres" (ibid.). Dobson insists that a responsibility- and virtue-based understanding of post-cosmopolitan or non-territorial ecological citizenship, much like post-cosmopolitan citizenship more broadly, is "created not by mental activity, but by the material production and reproduction of daily life in an unequal and asymmetrically globalizing world" (30). Modifying this claim, I will suggest that both material re-/productions of daily life and mental activities, or rather, a mixture of both can produce actionable forms of ecological citizenship. More specifically, I argue, what one might describe with the help of queer theory, affect theory, and the environmental humanities as (extra)ordinary affective practices of ecological citizenship, becomes important especially for people whose environmental perspectives are marginalized in the unequal and asymmetrically globalizing world Dobson describes.

Ecological Citizenship and Affect

Ecological citizenship, as I conceive of it here, is a matter of belonging and a matter of longing; it is a matter of doing and feeling – as Weik von Mossner insists in her discussion of Dobson's concept (2017: 170-71) – rather than merely a matter of being the kind of political subject that a particular nation-state or supra- or super-national political institution recognizes as an environmentally responsible citizen. Put differently, ecological citizenship is a matter of action and affect, whereby the affective practices that produce forms of ecological citizenship can be political or 'juxtapolitical,' i.e. socio-cultural forms that are not political in a traditional sense but "thrive in *proximity* to the political" (Berlant 2008: x; emphasis original). Drawing on what Lawrence Buell calls "Ecoglobalist Affects" (227) – that is to say, "a whole-earth way of thinking and feeling about environmentality" (ibid.) – Weik von Mossner prompts us to consider what kinds of "transnational and transracial solidarity for the sake of all, non-human animals and ecosystems included" (2014a: 185) we can imagine by thinking "more deeply about the role of emotion in our relationship not only to other humans, but also to our nonhuman environment"

(186) and what kind of solidary action such thinking-feeling demands of us. Two scholars whose critical work on "the sociality of emotions" and on "public spheres as affect worlds" Mossner finds relevant in this context are Sara Ahmed and Lauren Berlant (Mossner 2014b: 7). As she suggests in her introduction to the edited collection *Moving Environments* (2014) building on insights by Belinda Smaill, among others, Berlant's and Ahmed's work can be useful for theorizing questions of cultural production, affect, and the environment. I agree with this assessment, especially since both of these theorists also engage, each in their own way, in debates about the politics and practices of citizenship, allowing me to connect matters of affect with questions of ecological citizenship.

Approaching environment-citizenship relations from the perspective of queer phenomenology, Sara Ahmed stresses "the importance of lived experience, the intentionality of consciousness, the significance of nearness or what is ready-to-hand, and the role of repeated and habitual actions in shaping bodies and worlds" (2). Focusing on how "[o]rientations shape not only how we inhabit space, but how we apprehend this world of shared inhabitance as well as 'who' or 'what' we direct our energy and attention toward" (3), Ahmed argues for a "queer phenomenology" that, as she claims, "might start by redirecting our attention toward different objects, those that are 'less proximate' or even those that deviate or are deviant" (3). As Catriona Mortimer-Sandilands has noted in a short contribution to *Ecozon@* on "Queer Directions and Ecocritical Orientations" (66), for example, and as I have explored in my book *Ecopoetic Place-Making* in relation to the queer ecopoetry of Lebanese American poet Etel Adnan (Rauscher 213-23), Ahmed's idea of deviating (re-)orientations and the kinds of shifts these (re-)orientations can produce in what we see in the world and how we see, feel about, and interact with it, can be made productive for discussions of ecological desire and environmentally suggestive forms of place-attachment, especially when the environmental perspectives informed by these kinds of desire and attachment do not align with dominant understandings of sustainable or ecologically-attuned living. Both enactments and affects are crucial here, Ahmed repeatedly remarks in *Queer Phenomenology*, because the question of orientation, as she conceives of it, is "not only about how we 'find our way' but how we come to 'feel at home'" (7), whether in our bodies, in the company of others, or in the world at large.

Emphasizing the relational, social, and political dimensions of everyday acts and attachments, similar questions are also of interest to the late Lauren Berlant, who produced highly influential work on popular culture, citizenship, and affect throughout their career. According to Berlant,

> citizenship is a relation among strangers who learn to feel it as a common identity based on shared historical, legal, or familial connection to a geopolitical space. Many institutional and social practices are aimed at inducing a visceral linkage of personal identity with nationality. In the United States this process has often involved the orchestration of fantasies about the promise of the state and the

> nation to cultivate and protect a consensually recognized ideal of the "good life"; in return for cultural, legal, and military security, people are asked to love their country and to recognize certain stories, events, experiences, practices, and ways of life as related to the core of who they are, their public status, and their resemblance to other people. (2020: 44)

Examining the processes by which notions of citizenship in the United States become tied to cultural narratives and everyday practices, such as participating in and feeling 'right' about certain events or consuming and feeling 'right' about consuming certain products, Berlant thinks about what happens in times of economic and ecological crisis, when the cultural machinery of citizenship fails, that is to say when both the fantasies of 'the good life' that help to sustain the imaginary linkage people experience as citizenship and the promises of security people are made to expect as reward for their (aspirational) participation in the institutional and social practices of citizenship begin to falter:

> The loss of a world is thus not only of a singular thing, but also the loss of the capacity to keep having the feelings that were represented in the ongoingness of the thing. One might conclude from this that the hardest acts of changing are acts of breaking, even when desire is on the side of a break: they require being optimistic about loss and about the undoing of an affect world, with its promise of reciprocity. (2008: 266-67)

If the promise of a certain kind of good life – based on the availability, if not accessibility of certain things along with the feelings attached to them – is what sustains the idea of citizenship under modern capitalism, this raises the question how ideas of 'the good life' must change when the world on which these ideas rest is crumbling. More positively, one might ask, what new ideas of citizenship, and along with them, what new everyday practices and narratives are needed to sustain (fantasies of) a world that can in turn sustain 'the good life' not just for some but for all. As Dobson and Bell note, "there is no determinate thing called 'environmental citizenship,' […] but within the broadest possible compass, such citizenship will/can/may surely have something to do with the relationship between individuals and the common good" (4) and accordingly, "the environmental citizen's behavior will be influenced by an attitude that is – in part, at least – informed by the knowledge that what is good for me as an individual is not necessarily good for me as a member of a social collectivity" (5). Speaking with Berlant, one may propose that a more ecological kind of citizenship will be one that enables people to be optimistic about (or at least accepting of) the undoing of and thus break with an affect world they have become attached to, one based on the pleasures and overconsumption of things. Part of the optimism required in this cultural, social, and political process of breaking would be for people to hope for but also work toward a new kind of affect world based on new narratives and practices of reciprocity.

Ecological Citizenship and (Extra)Ordinary Affective Practices

Berlant's research commonly focuses on "ordinary citizens who are said to feel that they have lost access to the American Dream" together with extraordinary citizens "who have only recently lost the protections of their national iconicity" (1997: 2). Sometimes, however, she also focuses on "stereotyped peoples burdened by history" (ibid.) whose access to the fantasies and benefits of full citizenship has historically been limited. While one should not romanticize partial citizenship, a condition which, according to Berlant, is the result of injustices that need to be fought against and corrected, it may be that a more critical perspective on and weaker attachments to conventional fantasies of 'the good life' are what has allowed some members of marginalized groups to imagine and enact alternative forms of citizenship, including forms of ecological citizenship that, in times of escalating ecological crisis, deserve closer attention by scholars. It is no coincidence, I think, that discussions of ecological citizenship as a type of environment-citizenship relationship that bypasses the hegemonic institutions of the nation frequently emerge either in tandem with debates about eco-cosmopolitanism (Steenbergen; Buell; Heise; Dobson; Hornung; Weik von Mossner 2017) or in debates about the ecological lives of marginalized groups (Silbergleid; Nixon; Adamso and Ruffin). In concluding my comments, I will focus on the latter.

It is important to note, as Joni Adamson and Kimberly N. Ruffin do, that there are "competing notions of 'ecological citizenship' wielded by groups interested in either building protectionist walls around 'natural resources' for exclusive communities or providing border 'rights' or access to resources for 'communities' recognized as including both human and non-human beings" (3). Like Adamson and Ruffin, who in their edited collection bring together contributors who examine environmental issues "via the lens of various human groups – ethnic, racial, gendered, activist – that are shaping twenty-first-century environmental experience and vision and contributing to new concepts of citizenship" (11), I have been interested in my work on contemporary American poetries of mobility in how ecological citizenship can be thought about in more inclusive rather than in more exclusive ways. So have Ursula K. Heise and Rob Nixon, who each have discussed alternatives to what Nixon describes as an "exclusionary ethics of place" (239). In my analysis of nature and mobility in contemporary American poetry by poets from various ethnic and migratory backgrounds, I have argued, among other things, that for the displaced, the practice of (reading and) writing can be a way to claim and enact a more inclusive form of ecological citizenship that does not rely on long-term ownership or inhabitance of land (180-205). I have also suggested that such an argument may be extended to other kinds of situations, where (sustained/intimate) access to the natural world becomes impossible or too dangerous for legal, political, or environmental reasons.

Reframing this argument for the purpose here, I would suggest that there are historical constellations produced by capitalism, settler-colonialism, racism, sexism,

and environmental crisis in which writing and reading (along with other cultural and artistic practices) can become especially effective in producing the kinds of affective relations that can sustain forms of ecological citizenship. I am thinking, for example, of situations in which more common practices of place-making (as a type of affective practice that forges meaningful human-nature relations), such as walking in nature or visiting a particularly spectacular natural sight, are no longer or have never been a viable option, whether for anyone or only for some. In either case – whether a place is too polluted to be visited safely, or whether a place is accessible or safe only for some people, as has been shown, for example, for black birders or hikers – I agree with Dave Horton who, as Dobson and Bell put it, "suggests that environmental citizenship requires the broadening of the cultural and material conditions within which it develops, and in which […] it can be practiced" and thus "contends that more education and better knowledge are not sufficient for the creation of such citizenship" (12). Or more concretely: I agree that it is not enough to point to the fact that pollution and racist assumptions about who should be in what place impede the effective practice of ecological citizenship, whether in scholarship or in literature and art. Of course, where- and whenever possible, we have to work to improve the cultural and material conditions that make more ecological forms of 'the good life' possible and safe for more people. Still, I also believe that more sustained engagements with environmentally attuned and affectively complex works of literature and culture, including ones produced by individuals whose perspectives on ecological citizenship remain marginal, whether due to their lived identity, bodily abilities, or their passport, are a good way to start important conversations.

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Environmental Citizenship Beyond Posthumanism

Jouni Häkli

The major environmental crises of our time, including climate change and biodiversity loss, have created a growing demand for responsible agency and thus placed environmental citizenship firmly on the political agenda (Wood and Kallio). While there has been a tendency in policy circles to 'overinvest' in the potential of civic environmentalism, a growing body of posthumanist scholarship is pessimistic about the possibilities for human agency to bring about change toward a more sustainable future (e.g., Latta; Pellegrino). In this position paper, I critically assess both tendencies, with a particular focus on the issues raised by attempts to imagine posthumanist alternatives to citizenship as human agency. I understand environmental citizenship as a form of human political engagement with the rest of nature, aimed at overcoming or mitigating the many serious problems that humans have caused to ecosystems globally. I conclude by arguing that rather than seeking to move beyond the human as the ground of responsible agency, we should continue to work toward a full understanding of the particularity of the human relationship to the environment that being human entails. Drawing on Helmuth Plessner's philosophical anthropology, I further argue that this relationship is profoundly ethical and moral precisely because of how humans are positioned as part of nature.

In the context of policymaking, environmental citizenship is a concept that encompasses a range of human attributes such as skills, knowledge, attitudes, values, and beliefs that are needed to address environmental problems, as well as all the competencies needed for civic engagement and active participation in societies. The way the term is typically defined and used reflects the high expectations policy makers in many countries have of environmental citizenship in solving and preventing environmental problems, achieving sustainability, and restoring relationships with nature (Hadjichambis et al.). Understood in this way, environmental citizenship is based on the idea that people are capable of learning and acquiring skills that will enable them to act in a pro-environmental manner as 'agents of change,' to understand the urgency of current socio-environmental issues, and to recognize the need to participate actively in the civic and social arena as responsible consumers and political actors (Gabrielson).

Given the complexity of contemporary environmental problems, achieving these goals may seem unrealistic. It is not surprising, therefore, that several critical observations have been made as to why expectations of environmental citizenship may be excessive. A key question in this regard is the role that individual agency, such as informed consumption, should play in solving environmental problems. While individual actions and choices can certainly contribute to environmental

sustainability, the impact of individual actions alone is limited in addressing complex, large-scale environmental problems (Wood and Kallio). Environmental problems are often deeply rooted in social, economic, and political structures and therefore require systemic changes, such as policy reforms, technological advances, and corporate accountability. If environmental citizenship focuses primarily on individual action and behavior change, it will not adequately address the systemic challenges and structural inequalities that contribute to environmental degradation (Pallett). Without addressing these underlying factors through systemic change and collective efforts to bring about significant environmental transformations, the impact of individual actions may be severely limited.

Another critical issue is the multifaceted, multiscalar, and interconnected nature of environmental problems. Climate change, deforestation, pollution, and biodiversity loss, among others, are interlinked challenges that call for comprehensive strategies that bring together multiple stakeholders, including governments, businesses, and civil society (Gabrielsson). In this context, the practice of environmental citizenship is challenged by existing social and spatial inequalities that condition individual and collective opportunities to engage in environmental initiatives. Not everyone has equal access to resources, information, or the ability to make sustainable choices. In addition, marginalized communities bear a disproportionate burden of environmental problems, but may have limited capacity or resources to actively engage in environmental citizenship practices (Dobson).

In light of these critical observations, it is clear that environmental citizenship is a highly contested concept, encompassing a wide range of interpretations and meanings that intersect with multiple social, economic, and political concerns (Pallett). Not only are there different interpretations of what it means, but it is also a battleground for competing priorities (e.g., growth vs. conservation), power dynamics (e.g., Global North vs. Global South perspectives), and culturally and historically embedded norms (e.g., western vs. indigenous value systems) (Swaffield and Bell; Castro; Bell). Overall, the contested nature of environmental citizenship reflects the complexity and multidimensionality of environmental issues, as well as the diverse perspectives, interests, and values involved in shaping environmental policies and practices. As such, the existing critique that policymakers are 'overinvesting' in environmental citizenship seems well founded (Vihersalo).

However, for scholars interested in exploring alternative ethical and philosophical perspectives, most notably posthumanism, this critique does not go far enough. Posthumanist thought has emerged as a broad philosophical framework that challenges traditional human-centered perspectives and aims to decenter humans from their privileged position in the world (Häkli). It encourages a shift toward recognizing the interconnectedness and equal value of all forms of life, including non-human entities and the environment. To this end, new materialist posthumanism argues that humans are not the only agents in shaping the environment, and that non-human entities such as animals, ecosystems, technology, and even material objects play a significant role (e.g., Bennett; Braidotti). Therefore, humans should not see

themselves as the central or superior beings in the world (Büscher). Instead, humans need to recognize and respect the intrinsic value and agency of non-human entities, including animals, plants, ecosystems, and even artificial intelligence.

In addition, posthumanist thought critiques the anthropocentric perspective that prioritizes human interests and well-being over the environment and non-human beings. It calls for moving beyond a human-centered view and recognizing the intrinsic value of non-human entities. This shift in perspective challenges traditional notions of environmental citizenship and raises moral and ethical questions about the treatment of non-human entities and the responsibilities humans have toward them (Cudworth and Hobden). By challenging hierarchical and exploitative relationships between humans and the environment, posthumanism advocates more equitable and sustainable approaches and a more inclusive consideration of non-human interests and flourishing.

Posthumanism also recognizes the complexity and uncertainty of environmental systems, acknowledging the multiple interactions and feedback loops that shape environmental processes. By questioning the boundaries between humans and the environment, posthumanist thought highlights the complex and interdependent relationships between humans and ecological systems. A key element it questions is agency, which posthumanism suggests is not solely attributed to humans, but is distributed across different human and non-human actors, such as technology, networks, and institutions (Grusin). This challenges the conventional understanding of human agency as the primary driver of environmental citizenship. Instead, it calls for recognition of the agency of non-human actors and their influence on environmental outcomes.

By introducing these ideas, posthumanist thinking has sought ways to rethink and reconceptualize environmental citizenship in new ways. It has promoted a shift toward holistic and collaborative approaches that consider the agency of both human and non-human actors in shaping environmental futures. However, in moving beyond the human to emphasize the interconnectedness of human and non-human entities, posthumanist thought encounters difficulties as a philosophical basis for environmental citizenship (Schmidt 2017).

One reason for this is that by moving away from the notion of intentional human agency, new materialist posthumanism compromises the idea of human responsibility and key role in addressing environmental problems. While the idea of distributed agency and the interconnectedness of beings can highlight the collective nature of environmental problems, it does not provide a clear framework for human accountability and responsibility (Häkli). Acts of environmental citizenship often involve understanding one's impact on the environment and taking individual or collective action, which is difficult to reconcile with posthumanist notions of distributed agency (Malm).

The blurring of boundaries between humans and non-human entities also makes it difficult to define who or what can be considered an environmental citizen. Posthumanism advocates the granting of agency and rights to non-human entities,

but it cannot account for how these entities might genuinely participate in political deliberations about environmental citizenship. Thus, moving beyond human exceptionalism in understanding and addressing environmental issues fails to translate into ethical and practical guidelines for environmental citizenship as the enactment of rights and responsibilities (Rekret).

While new materialist posthumanism offers valuable insights for rethinking our relationship to the environment, it has not offered a plausible understanding of moral responsibility that can reconcile the interconnectedness and distributed nature of agency. Instead, the posthumanist notion of distributed agency risks diluting or even undermining the idea of moral responsibility (Boysen). When agency is distributed among multiple actors, it becomes increasingly difficult to determine who should be held accountable for particular actions or their consequences. The diffusion of agency leads to the diffusion of responsibility, making it difficult to establish a stable notion of accountability (Häkli). Diffused among different entities, the responsibility and ethical significance of outcomes can no longer be attributed to human choices.

Moreover, when agency is no longer limited to human beings alone, questions arise about the moral standing and rights of non-human entities. Determining the moral obligations and responsibilities of these entities becomes complex because there is no conceivable framework or basis for moral judgment. This downplays the role of intentionality in moral responsibility and conscious intentions in evaluating moral actions (Malm). When agency is distributed among various actors, the question of intentionality becomes convoluted because it is difficult to attribute intentions to non-human entities and to assess their moral culpability accordingly.

Overall, while the posthumanist notion of distributed agency offers important insights into the interconnectedness of human and non-human actors, it poses significant challenges to moral responsibility. It risks diluting individual responsibility, diminishing human agency, and complicating the attribution of moral rights and duties (Schmidt 2013). From the perspective of environmental citizenship, posthumanism risks divesting individuals of their ethical obligations to the environment and their motivation to act on that basis.

It is important to recognize that the posthumanist critique contributes to an ongoing discussion about our relationship with the environment. However, while new materialist posthumanism opens valuable perspectives for expanding our understanding of the environment, it offers limited practical guidance for addressing concrete environmental problems. Human agency remains crucial for implementing practical solutions, such as policy changes, technological advances, and behavioral changes. Therefore, dismissing human agency and environmental citizenship as unproductive oversimplifies the complex dynamics involved and may hinder effective responses to environmental challenges (Boysen). A more productive approach may be to refrain from presenting posthumanism as a one-off ontological position and instead integrate some of its insights into existing frameworks (Büscher). Taking the limitations of posthumanist thought seriously could help

broaden our understanding of environmental citizenship, while still acknowledging the importance of human responsibility and action.

In this spirit, I conclude by discussing how the philosophical anthropology of German philosopher Helmuth Plessner addresses the place of humans in the rest of nature, and what potential his thought has for understanding environmental citizenship that is at once responsible and non-anthropocentric. Plessner was a trained zoologist and philosopher who worked to develop an account of human life grounded in the material world of nature. For him humans are unique beings who are both part of and distinct from the natural world. Plessner describes humans as "eccentric" beings, meaning that they are not only part of nature, but also destined to reflect on their own existence and the world around them. His concept of "eccentric positionality" refers to the idea that humans are positioned not only within their bodies, but also in relation to their environment.

Existing at the intersection of nature and culture, humans are part of both natural and cultural systems with profound implications for the ecosystems we inhabit. First, the human body is inextricably linked to the environment, and therefore human well-being is fully dependent on the natural world. Second, unlike animals, humans are "naturally artificial," meaning that, in the absence of an ecological niche, humans are constitutively homeless (*konstitutiv heimatlos*) and therefore naturally inclined to create artificial environments (Plessner). These are the natural environments of humans.

Because of their uniquely eccentric position, humans have a responsibility to engage ethically with their environment (Plessner). As both natural and reflective beings, humans have the capacity to become aware of the impacts of human-made systems on the natural world and the limits of the Earth's capacity to absorb human impacts. Understanding and respecting these limits is essential for fostering responsible practices and a sustainable relationship with the environment.

I argue that the philosophical insights of Helmuth Plessner provide a foundation for understanding the nuanced and complex relationship between humans and their environment. In Plessner's view, humans have a responsibility to care for the environment, and this responsibility is rooted in our unique position as both natural and reflective beings (Plessner). Applying these insights to the concept of environmental citizenship can help us move beyond the impasse of both individualistic consumerism and the posthuman dilution of human moral agency. Instead, it can cultivate a more robust sense of responsibility, ethical engagement, and a holistic understanding of the interconnectedness of human well-being and the health of the planet.

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Resisting the Romance of Extraction

Heike Paul

I

In historical perspective, the concept of environmental citizenship appears to be profoundly 'Un-American.' From its beginning, US citizenship has been based on expansionist propertization and extractivist practices, both under the arc of settler colonialism. A violent exploitation of land, resources, and bodies has been a pivotal part of the hegemonic romance of extraction undergirding the political imaginary of the US nation-state. This affect-saturated romance has been envisioned countless times as a story of progress starring a "people of plenty" (Potter) with access to a "virgin land" (Henry Nash Smith) and hence unlimited resources, owning the promise of American life as that of upward mobility, gain, and capitalist accumulation. Such national folklore eschewed all notions of sustainability and renunciation, and a foundational national mythology has added a sacrosanct quality to this romance of destruction, which has destroyed, for instance, indigenous forms of existence. As such, it has also long blocked any discursive shift that would privilege self-restraint and care for human and other-than-human creatures and the environment over careless and excessive exploitation, use, and consumption (Paul 2023).

Clearly, such practices and views have always been gendered – as Carolyn Merchant and Annette Kolodny have pointed out – and have, time and again, coded the figure of the explorer/hunter/settler as male (usually white) and the land as female. Kolodny's classic *The Lay of the Land* (1975) has prominently pointed out the rhetorical and material violence of settlement in North America. To this day, constructions of masculinity contrast a still dominant regime of American manhood actively engaged in resource extraction of various kinds – the type that Cara Dagget has called "petro-masculinity" – with its alternative of a more caring and more environmentally concerned but supposedly less masculine figure, who is widely stigmatized as "tree-hugger" and thus denigrated as displaying a seemingly misguided sentimentality regarding environmentalist concerns. Such softness is often cast as unbecoming for male American heroism, in particular in today's polarized debates along the cultural divide.[1]

The logic of extractivism, already nourished in countless frontier narratives (Slotkin), emerged fully at a time when democracy was still an elitist affair and many people and groups were barred from full citizenship and democratic participation (Richter). Women were part of the latter and have – in the absence of political power

[1] In this context, a figure like Arnold Schwarzenegger perhaps presents an ecologically-minded hyper-masculinity that defies this dichotomous antagonism (Hultman).

and representation in the public sphere – used emotional repertoires and sentimental affects to raise and spread their concerns. Sentimentality, in fact, became a successful discursive strategy of many non-citizens in nineteenth-century protest and reform movements, specifically those orchestrated by white women, among them abolitionism, prison reform, environmental conservation, and temperance (Gerund and Paul; see also Garner Masarik). With regard to environmental concerns, Richard Michael Magee points to a "sentimental ecology" in the works of nineteenth-century women writers and finds sentimental and domestic concerns intertwined with notions of environmental and ecological care – and vice versa. While sentimental appeals have made their presence felt, they have frequently also met with a stigmatization and belittling of concerns represented in women's cultural productions along with those very productions (Tompkins).

II

When Sarah Orne Jewett submitted a story to the *Atlantic Monthly* in the 1880s to have it published, it was rejected as too overtly sentimental – which obviously was not meant as a compliment (Donovan 133). Today, it is exactly this story that has become one of her most appreciated ones, a gem in her oeuvre, and, according to Vera Norwood, one that transgresses the "boundary between the literary domestic novel and the nature essay" (195) and thus speaks to the interconnections Magee has identified. It is the short story "A White Heron" (1886), set in New England, which was published only a few years before Frederick Jackson Turner would announce the closing of the frontier in the American West and hence anticipate a periodical crisis of American identity engendered by the unavailability of further expansion and land grab.

The story, which has, in fact, been described as "a blend of realism with the romanticism still lingering" (Nagel 5; see also Mayer 158), centers on Sylvia, a young girl, who has moved from the city to live with her grandmother in the countryside and whose name already conveys her affinity to her beloved forest.[2] One day, she meets a young amateur ornithologist in the woods who is traveling with his rifle looking for a rare bird lacking in his collection, a white heron. Sylvia takes him to her grandmother's house, where he is given a warm welcome and even invited to spend the night. Sylvia is faced with the question of whether she should tell the hunter that she has seen the bird he is looking for – or not. She wants him as a friend, and the reward of ten dollars he offers her as a "finder's fee" is very tempting. On the other hand, she also feels a sense of belonging to the rural countryside and an affectionate protectiveness for her fellow creatures. After all, the animals are the

[2] The name "Sylvia" is of Latin origin and derived from the Latin word "silva" meaning forest. Sylvia thus is often translated as "inhabiting the woods" or as "woodland spirit."

"companion[s]" she lives with (1). In fact, next to her grandmother, they are her only companions.

The next day, the young man ventures out again in Sylvia's company but searches in vain for the white heron and is increasingly disappointed and frustrated. Early the following morning, the girl decides to look for the bird herself so that she can show the hunter its exact location when he wakes up. She courageously climbs the highest tree in the forest, higher and higher, to get a view of the whole scenery, and she indeed finds the heron and its nest. However, in the treetop, she has a kind of epiphany. High up, like a bird, she has detached herself from the world below. She is so fascinated and impressed by the heron and the other animals in the treetop that afterwards she cannot bring herself to reveal the location to the hunter, even though he presses her to do so. Sylvia knows that she would receive the very welcome money for pointing out the heron, but she decides that she does not want to cause the death of the beautiful bird – bound to be killed and stuffed for a collection of other killed and stuffed animals – and refuses. The hunter eventually leaves without his prey and Sylvia loses her prospective friend again.

The story appears to be deceptively simple: a 'short' story about a 'little' girl and a 'simple' bird with an almost fairy-tale beginning (it has been read as such, see Hovet; Donovan), and this poetological understatement matches its message.[3] The bird may not serve as a symbol for noble things here – "a heron is a heron, valuable for its heronness" (Pratt 479). At the same time, Sylvia and her grandmother are in their existence (like the bird) 'survivors' of an endangered 'species' in their poor rural habitat; in the face of urbanization, industrialization, and economic expansion, they represent a "feminine rural subculture" (Renza 169) that practices renunciation and, for once, resists exploitation and cashing in on their knowledge of nature.

Sylvia's ethical decision to act in solidarity with her fellow creature, the bird, can also be read as an inversion of the Book of Genesis and its Garden of Eden. Sylvia does not allow herself to be seduced and gives up the money and systematic knowledge that the hunter-ornithologist promises her as a representative of the – in today's terminology – toxic masculinity of the discoverer/colonizer/exploiter. She embraces a different kind of knowledge to align her moral compass with her natural environment (Matthiessen 51). For that purpose, the story indeed uses the sentimental as a code in order to present the girl and the heron in a multi-species relation and as part of a more-than-human world. Even as the author occasionally anthropomorphizes the animals in the story, beginning with the cow on its first page who is given quite a character, she does so only to a limited extent while affirming their difference and otherness (Mayer 195). The narrative technique of anthropomorphizing clearly is a sentimental strategy to instill empathy and care in the readership for the non-human actors in the story, yet it is not to be dismissed as trivial or banal. In her reading of Jewett's work, Sylvia Mayer identifies a strategic "kinship discourse" which envisions human beings "as part of nature, but also

[3] See Louis A. Renza's case for the story as "minor literature," xxvii.

renders nature as part of a moral universe" (Mayer 171). Kinship constellations are at the heart of the sentimental as they, literally and metaphorically, are both sites and vehicles for expressing feeling in social relations. The protagonist in Jewett's story hence "feel[s] right" (Stowe 404; see also Paul 2018) and rejects the romance of gain and material reward as part of a logic of "cruel optimism" (Lauren Berlant's term), i.e. an only seemingly fulfilling choice that leads to the harm of one's self and of others. In fact, Jewett's sentimentality may be the kind that Lauren Berlant has described as "a resistant strain within the sentimental domain" (55) as it inquires into the powerful "attachment to the promise of a sense of unconflictedness, intimacy, and collective belonging with which the U.S. sentimental tradition gifts its citizens and occupants" (ibid.). "A White Heron" clearly identifies a conflict that lies at the heart of the notion that America was "nature's nation" (Miller).

III

The larger question of how to reject extractivism and to embrace renunciation as a form of sacrifice in the name of planetary stewardship is still at the core of contemporary discussions about environmental citizenship and its gendered regimes. It is easy to extrapolate from Jewett's story from the nineteenth-century woods of Maine to today's global concerns. In its movement toward environmental care work, "A White Heron" is not only gendered; it is also transgenerational with Sylvia representing a younger generation and its quiet resistance – a resistance to the male visitor from the city and to the powerful regime of extractivism he represents.

As a citizen without the full rights that citizenship entailed for her white male contemporaries at the time of writing (although the movement for women's suffrage was already in full swing and some women were already allowed to vote in some elections), the author offers a broad concept of what environmental citizenship might entail; certainly, it does not only embrace humans but calls for a multispecies awareness. The sentimentality of Jewett's text is quite subtle and only once culminates in a melodramatic scene of excessive feeling when Sylvia has climbed the tree. Here, it replaces the romance of extraction with an appreciation of nature not as a resource but as a kind of atmospheric attunement to the environment and its cohabitors. With this experience of natural embeddedness, the text offers an antidote/alternative to the male frontier romances.

In current debates around renunciation, the role of the sentimental, both subtle and overt, is not to be underestimated and relates to what Suzanne Keen and others have referred to as "narrative empathy."[4] For writer Karen Duve, author of *Anständig*

[4] Keen is among those scholars engaging in rescue work regarding empathy as a category in cultural and literary analyses. Much has been written about the rise or the return of empathy (Frevert) and its limits (Bloom). For Keen, sentimentality and empathy (as *Einfühlung*) are inseparable: both gain currency in the wake of eighteenth-century sensibility and do important cultural and political work; and both are devalued by modernist aesthetic regimes (Keen 45-60).

essen: Ein Selbstversuch ("eating decently: a self-experiment"), narrating or visualizing the separation scene between a mother cow and her newborn calf is politically far more effective than any lectures regarding animal rights or nutritional hazards. Similarly, even documentaries – from *An Inconvenient Truth* to *Cowspiracy* – have employed the sentimental code alongside their fact-based messaging and statistical findings. Ending the romance of extraction and ushering in a new mythology not of the nation, perhaps, but of the earth/planet, also may require a new political imaginary of care and renunciation. Rereading Sarah Orne Jewett's story "A White Heron" today may offer us a glimpse of what it could look like.

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Environmental Citizenship is an intervention in a growing body of scholarship that seeks to redefine what it means to be a citizen – not merely of a nation, but of a planet. The contributions to this collection frame environmental citizenship as a plural, relational, and deeply political practice that, as its history unfolds, must continually reckon with its own exclusions in order to imagine sustainable and more just futures. Regarding environmental citizenship as an evolving conceptual framework, one that extends beyond anthropocentric, Euro-American, and state-centered paradigms, the essays in this volume respond to the need to ground the concept in relational thinking – across species, geopolitical boundaries, and academic disciplines – in order to reconsider what it means to act, belong, and care within a more-than-human world.

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