

Religion, Nonreligion and Nature's Rights: What's the Connection?

Lauren Strumos*

Abstract

This article explores the relevance of religion and nonreligion for a comprehensive grasp on nature's rights. To do so it investigates both the overt and more elusive factors of (non)religion present in the theory and practice of nature's rights. Nature's rights may exemplify a shift away from the dominion or stewardship models for human/nonhuman relations in western societies, and towards a more horizontal one that invokes equality. This article suggests that this shift is made possible in part by the rise of nonreligion.

Introduction

This article focuses on Canada, where an Indigenous council and a municipality in the province of Québec agreed to declare legal personhood to a river in 2021. I start with a description of their parallel resolutions and situate them in the sociopolitical context from which they developed. Part of this context are relations between Indigenous and non-Indigenous governance. Nature's rights may be framed as a forged space in democratic states whereby Indigenous legal orders

and collective rights can be realised.¹ Scholars have also explored how Indigenous philosophies or cosmologies interact with rights for nature in three ways: as the conceptual source or foundation of nature's rights; as one side of a "cultural bridge" between Indigenous and non-Indigenous peoples that manifests via nature's rights; and as one part of an assemblage of social, political, and legal factors that lead to specific cases of nature's rights.² Scholars working from this final viewpoint emphasise that there is no fixed or stable connection between Indigenous peoples and nature's rights.³ Thus, although there is no consensus on the connections between nature's rights and Indigenous peoples, scholars have still heavily investigated and, as a

* PhD Candidate, Department of Classics and Religious Studies, University of Ottawa, Canada. Lstru054@uot-tawa.ca.

I would like to thank Seth Epstein, Victoria Enkvist and Lori G. Beaman for their helpful comments and suggestions on this article. I am grateful to the Centre for Multidisciplinary Research on Religion and Society (CRS) at the University of Uppsala for hosting me (January to April 2023) through a Mitacs Globalink Award, which offered me the opportunity to develop many of the ideas presented in this article. Special thanks are owed to Seth Epstein for his guidance and insightful conversations during that time. I am also grateful to the Centre for Studies in Religion and Society (CSRS) at the University of Victoria for hosting me as an Ian H. Stewart Graduate Fellow (2021–2022) when I first started this research.

¹ Seth Epstein et al. explore a tension between the liberal prioritisation of individual rights and the collective rights often associated with rights of nature. They suggest that rights of nature are one way that Indigenous collective rights may be realised beyond a narrow framework of individual rights or property rights. Seth Epstein et al., "Liberalism and Rights of Nature: A Comparative Legal and Historical Perspective," *Law, Culture and the Humanities* (2022): 19.

² Matthias Petel, "The Illusion of Harmony: Power, Politics, and Distributive Implications of Rights of Nature," *Transnational Environmental Law* 13, no. 1 (2024): 28–31.

³ *Ibid.*

result, strengthened this connection from their own post-colonial positions.

Understanding the social dimensions of nature's rights also requires consideration of religion's social significance. Religious ideas affect moral values and behaviours in ordinary social life and institutional settings like law. This point is particularly true for western settler societies with a history of religious majoritarianism. There is some consideration of religion in the nature's right literature. Teresa A. Velásquez explores how, following Ecuador's establishment of Pachamama's constitutional rights in 2008, Andean cosmologies and symbolism were mobilized by Catholic leaders in the anti-mining movement. She describes how Catholic priests, leading outdoor masses, turned rivers and watersheds into "emblems of Pachamama" in a way that aligns with Catholic theology.⁴ Scholars have also considered the place of Hinduism in the Uttarakhand High Court's reasoning for granting legal personhood to the Rivers Ganga and Yamuna in 2017.⁵ Rather than comprising a specific area of interest, however, 'religion' most often appears in a more passing manner as one perspective among others (i.e., 'religious, philosophical and cultural views') that can inform rights of nature.⁶

Another aspect to nature's rights, which constitutes a larger gap in the literature, is non-

religion. In this article I draw inspiration from the work of Lori G. Beaman, who argues that nonreligion has "opened space for an imaginary of equality in which the human relationship with non-human animals and the world around us is in the process of being renegotiated."⁷ I propose that nature's rights can emerge from within this space. In societies that have experienced a rise in the number of individuals who identify as having no religious affiliation—sometimes called 'nones'—nonreligion in addition to religion shapes how human/nonhuman relationships are constructed. According to census data, the number of individuals with no religious affiliation in Canada increased from 16.5% in 2001 to 34.6% in 2021.⁸ In New Zealand (which has gained much attention in the nature's rights literature) those who say they have no religion increased from 29.6% in 2001 to 48.2% in 2018.⁹ Those with no religion in Australia increased from 16.7% in 2001 to 38.9% in 2021.¹⁰ The nonreligious include self-identified atheists, humanists and agnostics, the spiritual but not religious, and those who are indifferent to religion. Research on the nonreligious started to gain momentum among social scientists in the mid 2000s.¹¹ The intersection of nonreligious values with law is a more recent

⁴ Teresa A. Velásquez, *Pachamama Politics: Campesino Water Defenders and the Anti-Mining Movement in Andean Ecuador* (Tucson: University of Arizona Press, 2022), 86–100.

⁵ Marco Immovilli et al., "Exploring Contestation in Rights of River Approaches: Comparing Colombia, India and New Zealand," *Water Alternatives* 15 (2022): 547–591; Kelly D. Alley, "River Goddesses, Personhood and Rights of Nature: Implications for Spiritual Ecology," *Religions* 10, no. 9 (2019): 502.

⁶ An early and notable exception is Roderick Frazier Nash's *The Rights of Nature* (1989), in which Nash dedicates a chapter to the 'greening of religion' with a largely theological focus.

⁷ Lori G. Beaman, "Collaboration Across Difference: New Diversities and the Challenges of Our Times," in *Nonreligious Imaginaries of World Repairing*, eds. Lori G. Beaman and Timothy Stacey (Springer, 2021), 138.

⁸ "Ethnocultural and religious diversity," Statistics Canada, accessed 5 May 2024. <https://www.statcan.gc.ca/en/census/census-engagement/community-supporter/ethnocultural-and-religious-diversity>.

⁹ "Losing our religion," Statistics New Zealand, "<https://www.stats.govt.nz/news/losing-our-religion>."

¹⁰ "Religious affiliation in Australia," Australian Bureau of Statistics, accessed 5 May 2024. <https://www.abs.gov.au/articles/religious-affiliation-australia>.

¹¹ Jesse M. Smith and Ryan T. Cragun, "Mapping Religion's Other: A Review of the Study of Nonreligion and Secularity," *Journal for the Scientific Study of Religion* 58, no. 2 (2019): 319–355.

and underexplored subarea of research.¹² I follow the approach of Cory Steele in treating law as a site to explore nonreligion's influence on shifting ideas of morality.¹³

The purpose of this article is to explore the relevance of religion and nonreligion for a comprehensive grasp on nature's rights. This entails investigating both the overt and more subtle or elusive factors at play in the theory and practice of nature's rights. Though I focus on the Canadian context, I attempt to show the relevance of (non)religion for a comprehensive understanding more generally. I first turn to the resolutions granting rights to a river in Québec, illustrating the sociopolitical landscape in which these rights arose. I then discuss the residual influence of Christianity on social norms in Canadian society, specifically in the area of human/nonhuman relations. These relations, which are reflected in and mediated by law, have traditionally been structured in accordance with religious ideas of dominion or stewardship. Nature's rights may exemplify a shift away from the dominion or stewardship models for human/nonhuman relations, and towards a more horizontal one that invokes equality. This shift is made possible in part by the rise of nonreligion.¹⁴

¹² Cory Steele, "Nonreligion as a Substantial Category in Canadian Law: *Canada (Attorney General) v. Bedford*," *Implicit Religion* 23, no. 1 (2020): 30.

¹³ Cory Steele demonstrates changing conceptualizations of dignity in relation to physician-assisted dying, for example, in Canadian law in the context of growing nonreligiosity. Through analysing Supreme Court of Canada decisions and intervenor factums, he maps how dignity has become associated with immanent or 'this-worldly' factors like agency and autonomy, whereas a more traditional framework rooted in Christianity positioned human dignity as inviolable and rooted in a transcendent source. See Cory Steele, "More Than the Absence of Religion: Nonreligion and its Positive Content in Canadian Law" (PhD diss., University of Ottawa, 2023).

¹⁴ Beaman, "Collaboration Across Difference."

Finally, I discuss research findings on how individuals opposed to an oil pipeline project in western Canada imagine their moral relationships with nonhuman beings. These relationships offer insights into how nonreligion is 'lived,' or how ordinary individuals imagine their encounters with nonhumans outside of religious language or ideas.¹⁵ I define these moral relationships through a lens of ecological justice. At its foundation, the concept of ecological justice is non-hierarchical in that it attributes rights to nature or nonhumans for their own sake. The community of justice is not exclusive to a human species membership. Through this research, a thread is tied between 'on the ground' manifestations of ecological justice and nature's rights in the realm of law, where ecological justice finds its institutional expression. This connection is not a causal one; it is rather complementary and intended to show how nonreligion contributes to the foundation upon which nature's rights materialise in western settler societies.

The Magpie River/Mutehekau Shipu Resolutions

The Magpie River (English) or Mutehekau Shipu (Innu) in the province of Québec¹⁶ was granted legal personhood through parallel resolutions adopted by the Innu Council of Ekuanitshit

¹⁵ For discussions of 'lived nonreligion' see Douglas Ezzy, "Afterword: Towards an Understanding of Being Human," in *Nonreligious Imaginaries of World Repairing*, eds. Lori G. Beaman and Timothy Stacey (Springer, 2021), 141–150; Anna Sofia Salonen, "Living and Dealing with Food in an Affluent Society—A Case for the Study of Lived (Non)Religion," *Religions* 9, no. 10 (2018): 306; Peter Beyer, "From Atheist to Spiritual But Not Religious: A Punctuated Continuum of Identities among the Second Generation of Post-1970 Immigrants in Canada," in *Atheist Identities – Spaces and Social Contexts*, eds. Lori G. Beaman and Steven Tomlins (Springer, 2015), 137–151.

¹⁶ The number of Québec residents who reported no religious affiliation was 6% in 2001 and 27.3% in 2021.

in January 2021,¹⁷ and the Minganie Regional County Municipality in February 2021.¹⁸ The Magpie River now possesses nine fundamental rights: the right to live, exist and flow; the right to respect for its natural cycles; the right to evolve naturally, to be preserved and protected; the right to maintain its natural biodiversity; the right to maintain its integrity; the right to perform essential functions within its ecosystem; the right to be free from pollution; the right to regeneration and restoration; and lastly the right to sue, which is done by way of Guardians appointed by the municipality and Innu of Ekuanitshit. Each resolution made note of ‘the worldwide movement to recognise rivers as entities with rights,’ as well as the ‘Indigenous communities around the world’ working to ensure that both humans and ecosystems have fundamental rights.

Though rights of nature are often framed as a global movement, Mihnea Tănăsescu reminds us that such rights are not a “monolith” and emerge from specific political processes.¹⁹ Settler colonialism informs the power relations in which these dual resolutions are embedded. Indeed, Yenny Vega Cárdenas and Uapukun Mestokosho state that the Magpie River/ Mutehekau Shipu resolutions “encompasses a decolonial process that advances reconciliation.”²⁰ The concept of reconciliation between Indigenous and non-Indigenous peoples was propelled by

the federal government and the formation of the Truth and Reconciliation Commission in 2008. This commission was created as part of a class-action settlement (the largest in Canadian history) that addressed the legacy of the residential school system. Residential schools operated across Canada from 1831 to 1997.²¹ They were established by the federal government and run by churches. Their goal was “to separate children from their families, culture, and identity.”²² They were part of a broader colonial project operating on extractive views of land as wealth, power and control: “To gain control of the land of Indigenous people, colonists negotiated Treaties, waged wars of extinction, eliminated traditional landholding practices, disrupted families, and imposed a political and spiritual order that came complete with new values and cultural practices.”²³

The Magpie River resolutions demonstrate a concrete effort by non-Indigenous actors to incorporate Innu law into political decision-making.²⁴ That being said, reconciliation is a process with “vast and unexplored territory,”²⁵ and it

¹⁷ The Innu Council of Ekuanitshit, Resolution No. 919-082 (18 January 2021).

¹⁸ Regional County Municipality of Minganie, Resolution No. 025-21, Reconnaissance de la personnalité juridique et des droits de la rivière Magpie – Mutehekau Shipu (16 February 2021).

¹⁹ Mihnea Tănăsescu, *Understanding the Rights of Nature: A Critical Introduction* (Transcript verlag, 2022), 16.

²⁰ Yenny Vega Cárdenas and Uapukun Mestokosho, “Recognizing the Legal Personhood of the Magpie River/Mutehekau Shipu in Canada,” in *A Legal Personality for the St. Lawrence River and other Rivers of the World* (Editions JFD, 2023), 119.

²¹ The last residential school closed in Inuvik, Northwest Territories in 1997 but it was not federally funded. The last federally funded school closed just one year earlier (1996) in Punnichy, Saskatchewan.

²² Truth and Reconciliation Commission of Canada, “Honouring the Truth, Reconciling for the Future: Summary of the Final Report of the Truth and Reconciliation Commission of Canada” (2015), 5.

²³ *Ibid.*, 45.

²⁴ The municipality’s resolution states: “Whereas the recognition of the rights of Nature in a context of legal pluralism encourages the recognition of Indigenous legal traditions, since the legal norms enshrined in these traditions are based on a symbiotic relationship with the territory” (Translated from French to English by Mathilde Vanasse-Pelletier).

²⁵ Joshua Nicols, “‘We Have Never Been Domestic’: State Legitimacy and the Indigenous Question,” in *Braiding Legal Orders: Implementing the United Nations Declaration on the Rights of Indigenous Peoples*, eds. John Borrows, Larry Chartrand, Oonagh E. Fitzgerald, and Risa Schwartz (Montreal & Kingston: McGill-Queen’s Press, 2023), 40.

has been met with some skepticism.²⁶ It is difficult to imagine, for instance, how similar resolutions would stand if they were to challenge the economic interests of the province or state.²⁷ Or, perhaps it is not unreasonable to think that the state might be more willing to grant rights to nature than to Indigenous nations, particularly when it comes to land or territory rights, including jurisdictional authority.²⁸ There exists “significant power asymmetries between Indigenous and non-Indigenous peoples” in Canada.²⁹ Attributing rights to nature as seen with the Magpie River can confront these power asymmetries, offering opportunities for respect, collaboration and mutual understanding, but they do not solve them.

Rights of nature reflect and offer an entry point to better understand the society from which they emerge. That is to say, “law is societally bound – it is only law within the society that created it.”³⁰ Canadian society is experiencing a heightened awareness among the settler population of the ongoing impacts of colonialism. This process has many aspects, including a growing knowledge of Canada’s legal pluralism and the resurgence of Indigenous law.³¹ Such awareness

is part of what Lori G. Beaman calls ‘the new diversity’ of Canadian society, which has four components: a recent, rapid increase in the number of religious ‘nones’; a decrease in affiliation to institutional religion, especially Christianity; an increased presence of non-Christian religions due to accelerated migration; and a “renewed” understanding of the impacts of colonisation on Indigenous peoples,³² including their cultural and spiritual practices.³³ This final aspect of the new diversity plays a large role in the political processes leading up to the Magpie River resolutions. Yet religion and nonreligion also form part of the social backdrop.

The Relevance of (Non)Religion

In societies with a history of hegemonic religion, traditionally religious concepts and language continue to shape socially constructed responses to contemporary issues, including those of the climate and ecological crises. Christopher D. Stone acknowledged in his 1972 article and later book *Should Trees Have Standing?* that granting rights has “socio-psychic aspects.”³⁴ An associa-

²⁶ Kyle Powys Whyte, “On Resilient Parasitisms, or Why I’m Skeptical of Indigenous/Settler Reconciliation.” In *Reconciliation, Transitional and Indigenous Justice*, eds. Krushil Watene and Eric Palmer (London: Routledge, 2020), 155–167.

²⁷ In this case granting rights to the Magpie River was tied to the economic benefits of tourism.

²⁸ Tănăsescu, *Understanding the Rights of Nature*, 152.

²⁹ Veldon Coburn and Margaret Moore, “Occupancy, Land Rights and the Algonquin Anishinaabeg,” *Canadian Journal of Political Science* 55, no. 1 (2022): 16.

³⁰ Val Napoleon, “Thinking About Indigenous Legal Orders,” in *Dialogues in Human Rights and Legal Pluralism*, eds. René Provost and Colleen Sheppard (Springer 2012), 232.

³¹ Kelty McKerracher, “Relational Legal Pluralism and Indigenous Legal Orders in Canada,” *Global Constitutionalism* 12, no. 1 (2023), 133–153; John Borrows, *Recovering Canada: The Resurgence of Indigenous Law* (University of Toronto Press, 2002).

³² Lori G Beaman, “Recognize the New Religious Diversity.” *Canadian Diversity* 14 (2017), 19.

³³ In 2022 the British Columbia Court of Appeal concluded in *Servatius v. Alberni School District No. 70* that a smudging demonstration by a Nuu-Chah-Nulth Elder and a hoop dancer’s prayer at a public elementary school did not violate the state duty of religious neutrality. Situating the events of the case in sociohistorical context, the court referenced residential schools and the indoctrination of Indigenous children into Christianity, and further noted that children at these schools were “harshly” punished “if they spoke their own languages and engaged in their own cultural practices” (*Servatius v. Alberni School District No. 70*, 2022 BCCA 421, at para. 102). See also Lauren Strumos, “Indigenous practice as culture in the Alberni case,” *Nonreligion and Secularity*, April 3, 2023, <https://thensrn.org/2023/04/03/indigenous-practice-as-culture-in-the-alberni-case/>.

³⁴ Christopher D. Stone, “Should Trees Have Standing?—Toward Legal Rights for Natural Objects,” *Southern California Law Review* 45 (1972), 458; Christopher D. Stone, *Should Trees Have Standing? Law, Morality, and*

tion between Christianity and morality has influenced these “socio-psychic aspects” in western societies. To be sure, there is no intrinsic relationship between religion and morality, nor is there one between morality and law. Tănăsescu states: “For Stone, as well as for many of his followers, the question of legal standing for nature is intrinsically tied to its moral standing: nature should have legal standing because it is morally worthy as such.”³⁵ Yet nature’s moral standing does not equate to its legal standing. As noted, nature’s rights rather emerge from specific political processes shaped by social context—and religion is part of ‘the social.’ I follow Stone who noted that there exists “a number of developments in the law that may reflect a shift from the view that nature exists *for men*.”³⁶ I aim to highlight some social aspects of this shift in relation to religion.

This shift proposed by Stone (away ‘from the view that nature exists for humans’) is often described as one away from the dominion model.³⁷ The concept of human dominion was brought to the fore by Lynn White Jr. in his oft-cited 1967 article, “The Historical Roots of Our Ecological Crisis,” in which he attributed the crisis to medieval Christian dogma. This dogma for White separated ‘man’ and ‘nature’ (the latter including animals) into a conceptual dualism with disastrous consequences. Humans started to view their exploitation of nature as a matter of divine will, so that their ‘rule’ over creation was limitless like that of an all-powerful god.

the Environment (New York: Oxford University Press, 2010), 4.

³⁵ Tănăsescu, *Understanding the Rights of Nature*, 22.

³⁶ Stone, “Should Trees Have Standing? (1972), 489. Emphasis in original.

³⁷ Stone (*Ibid.*, 26) states: “It is commonly being said today, for example, that our present state of affairs—at least in the West—can be traced to the view that Nature is the dominion of Man, and that this attitude, in turn, derives from our religious traditions.”

This exploitation later informed a coupling of science and technology, which operated on ideals of natural theology and perpetual progress.³⁸ White concluded:

Their [technology and science] growth cannot be understood historically apart from distinctive attitudes toward nature which are deeply grounded in Christian dogma. The fact that most people do not think of these attitudes as Christian is irrelevant. No new set of basic values has been accepted in our society to displace those of Christianity. Hence we shall continue to have a worsening ecologic crisis until we reject the Christian axiom that nature has no reason for existence save to serve man.³⁹

White was not concerned with Christian dogma for its own sake. He arrived at this understanding through his efforts, as an historian, to investigate the dynamics behind the ecological crisis. Through this effort he offered a broader lesson: “What people do about their ecology depends on what they think about themselves in relation to things around them.”⁴⁰ Science and technology constituted this ‘doing’ for White, but his argument may also extend to law. Scholars have noted, for instance, that the notion of dominion is reflected in and perpetuated by laws that frame animals as property.⁴¹ It is not that such laws

³⁸ Stone, like White, presented a critical view of dominion, but he also cited other “intellectual influences” and Darwin as additional reasons “for our present state of affairs” (Stone 2010, 26).

³⁹ Lynn White Jr., “The Historical Roots of Our Ecological Crisis,” *Science* 155 (1967), 1207.

⁴⁰ *Ibid.*

⁴¹ Gail Morgan, “The Dominion of Nature: Can Law Embody a New Attitude” *Bulletin of the Australian Society of Legal Philosophy* 18 (1993), 45; see also Gary L. Francione, *Animals, Property, and the Law* (Temple University Press, 1995); Lesli Bisgould, “Gay Penguins and Other Inmates in the Canadian Legal System,” in *Critical Animal Studies: Thinking the Unthinkable*, ed. John Sorenson (Canadian Scholar’s Press, 2014), 154–165; James Gacek,

are categorically religious or Christian. There is rather a Christian residue in societies with a history of Christian majoritarianism, which lingers in the social imaginary and normative notions that underlie political institutions.⁴² This residue can be found in laws that mediate human/non-human relations.⁴³

In response to White, many theologians argued that the 'correct' Christian position is one of stewardship and not dominion. The concept of stewardship does not place human beings in a transcendent position over the rest of creation. Instead, it situates humans among creation as creatures or animals themselves, while reserving for them a special duty to care for creation on behalf of god. In *Is it Too Late? A Theology of Ecology*, originally published in 1972 (the same year Stone first published his article) John B. Cobb Jr. directly opposed White's thesis by arguing for kinship. He stated:

The fundamental duality lies between creator and creature, not between the human species and other animals. Yet the story speaks of God creating humans in the divine image, thus lifting them above the rest, and Christian theology has focused more upon the image of God than upon human cocreaturehood with other animals [...] It is the image of cocreaturehood that we need now to recover with-

out the loss of the biblical sense of humanity as the apex of creation.⁴⁴

Humans are situated on the latter side of the creator/created dualism, but they are still distinct in being made in the divine image. In this image they are to be god's earthly caretakers. Hence humans may be one part of a larger creation, but the scales of equality remain tilted due to human advantage. This advantage may appear in the form of "privileging human consciousness."⁴⁵ That is, among creation, only humans *can know* whether they are participating in creation as its masters or morally as its stewards. The latter has not escaped dominion's hubris, in that stewardship requires humans to be 'smart enough' to learn what animals and nature require of them.

The distinction between dominion and stewardship hinges on the moral value attributed to nature. Though stewardship challenges the mechanist or instrumental view of nature found in the dominion model, it still assigns intrinsic value without conceding human superiority.⁴⁶ Elizabeth A. Johnson states: "The stewardship interpretation of the mandate to have dominion honors the singularity that the human species undoubtedly is while firmly connecting our powers with a moral responsibility to act for the well-being of other species."⁴⁷ The idea that humans assume "moral priority" while standing alongside creation is described by Frederick V. Simmons

"Confronting Animal Cruelty: Understanding Evidence of Harm Towards Animals," *Manitoba Law Journal* 42, no. 4 (2019): 315–342.

⁴² Beaman, "Collaboration Across Difference," 131; David Seljak, "Protecting Religious Freedom in a Multicultural Canada," *Canadian Diversity* 9, no. 3 (2012): 8–11.

⁴³ It is interesting to note that Québec amended its provincial civil code in 2015 to consider animals as "sentient beings" with "biological needs" (though this still falls under the code's section on 'property'). This amendment was acknowledged in the Magpie River/Mutehekau Shipu resolutions. Civil Code of Québec 2015, c. 35, a. 1.

⁴⁴ John B. Cobb Jr, *Is it Too Late? A Theology of Ecology* (Fortress Press, 2021), 66.

⁴⁵ Tănăsescu, *Understanding the Rights of Nature*, 28.

⁴⁶ Friedrich Lohmann, "Climate Justice and the Intrinsic Value of Creation: The Christian Understanding of Creation and its Holistic Implications," in *Religion in Environmental and Climate Change: Suffering, Values, Lifestyles*, eds. Dieter Gerten and Sigurd Bergmann (Bloomsbury, 2011), 85–106.

⁴⁷ Elizabeth A. Johnson, *Ask the Beasts: Darwin and the God of Love* (London: Bloomsbury, 2014), 266.

as a “hierarchical non-anthropocentrism.”⁴⁸ In a smaller area of scholarship, theologians are seeking new ways to imagine human/nonhuman relations beyond stewardship.⁴⁹ Works on stewardship remain most prominent, however, due in part to the concept’s application to other moral issues.

For instance, stewardship has been amended for relations in the Anthropocene. Christoph Baumgartner proposes a form of “planetary stewardship” in which humans are obliged to maintain “a hospitable climate for future generations” rather than god.⁵⁰ Willis Jenkins also details a generational account of stewardship in which humans likewise hold obligations on behalf of future generations.⁵¹ This can be combined with a theocentric stewardship, “if the direct obligation to God is understood as a practical command to care for a trust for the sake of future generations.”⁵² Each of these accounts share a view of humans as entrusted moral actors, with motivations to act located beyond immanent time and space (i.e., god or the future of a climate-changed world). In asserting the significance of distinguishing the ‘Anthropocene’ from the ‘Holocene,’ Paul Crutzen and Christian Schwägerl state: “Rather than representing yet another sign of human hubris, this name change would stress the enormity of humanity’s responsibility as stewards of the Earth. It would high-

⁴⁸ Frederick V. Simmons, “What Christian Environmental Ethics Can Learn from Stewardship’s Critics and Competitors,” *Studies in Christian Ethics* 33, no. 4 (2020): 529–548.

⁴⁹ David P Warners and Matthew Kuperus Heun, eds., *Beyond Stewardship: New Approaches to Creation Care* (Grand Rapids: Calvin College Press, 2019).

⁵⁰ Christoph Baumgartner, “Transformations of Stewardship in the Anthropocene,” in *Religion and the Anthropocene*, eds. Celia Deane-Drummond, Sigurd Bergmann and Markus Vogt (Wipf and Stock, 2017), 63.

⁵¹ Willis Jenkins, *The Future of Ethics: Sustainability, Social Justice, and Religious Creativity* (Georgetown University Press, 2013), 298.

⁵² *Ibid.*

light the immense power of our intellect and our creativity, and the opportunities they offer for shaping the future.”⁵³ The origin of “human responsibility as stewards” is left undefined, but the “immense power” of humans is offered in terms of our cognitive ability, not *imago Dei*.

An ethic of stewardship has also informed environmental law. It is found in property rights, obligations placed of landowners, and in efforts to enable environmental responsibility.⁵⁴ The *Canadian Environmental Protection Act, 1993* states, for example, that “principles to be considered in the administration of the Act” include the “principle of intergenerational equity, according to which it is important to meet the needs of the present generation without compromising the ability of future generations to meet their own needs.”⁵⁵ This link between environmental protection and future generations is made possible in part by an imaginary of stewardship. There are ‘the stewards’ (human protectors from the present generation) and ‘the stewarded’ (the environment protected on behalf of future humans).⁵⁶ When stewardship in-

⁵³ Paul Crutzen and Christian Schwägerl, “Living in the Anthropocene: Toward a New Global Ethos,” *Yale Environment360*, January 24, 2011, https://e360.yale.edu/features/living_in_the_anthropocene_toward_a_new_global_ethos.

⁵⁴ Emily Barritt, “Conceptualising Stewardship in Environmental Law,” *Journal of Environmental Law* 26, no. 1 (2014), 1–23.

⁵⁵ *Canadian Environmental Protection Act, 1993* Section 5.1 para. a.2.

⁵⁶ This observation is supported by works that start with a description of ‘religious stewardship’ prior to its description as a legal principle for land management or ownership. Emma Lees explains, for example, that while religious or moral motivations for stewardship are relatively straightforward, stewardship as a legal principle must include justification for obligations imposed on landowners. She proposes a harm-based approach to stewardship in property law, which requires taking into account the collective interests of future generations of land users. Emma Lees, “Property in the Anthropocene,” in *William and Mary Environmental Law and Policy Review* 43, no. 2 (2018), 561.

tersects with intergenerational concerns, a view towards future generations satisfies an impetus for moral action located beyond immanent time and space. This can also be seen in notions of stewardship, as indicated above, that privilege human consciousness. Each reflects the priority given to transcendence and cognition by Christian metaphysics.⁵⁷

Rights of nature in law, unlike environmental protection, challenge this form of Christian residue. The shift from dominion to stewardship was about reconstituting human identity. Intrinsic value may be assigned to nature, but this value was conferred in a way that helps explain human uniqueness in terms of care and not mastery. Rights of nature recast nonhumans from object to subject, elevating their status to that of other legal persons. Or, through obtaining rights, nature is no longer backgrounded in law as a resource in need of our protection. Nature's rights defy another barrier used to divide humans off from 'the rest', so that nature becomes worthy of consideration for its own sake, no longer inferior to the political domain of rights holders.⁵⁸ Stewardship softens this divide but does not fully overcome it, as it still limits the inherent value of nature in order to bolster our identity as caretaker. Unlike dominion or stewardship, then, rights of nature in law create an opportunity to use language of 'equality' when describing human/nonhuman relations, without the need for 'on behalf of' reasoning that calls on god or future generations. Such reasoning is still evident in nature's rights by way of legal guardians who represent nature's interests. This reasoning results from the need for *representation*, as opposed to a moral *justification* for why nature is worthy of rights in the first place. Representa-

tion in practice necessarily entails the centring of human outlooks and communication. This practice does not, however, exclude taking into account the interests of other beings or entities for their own sake.⁵⁹

This optimistic view does not overshadow the difficulties involved in granting nature's rights in practice. One issue is competing concepts of 'nature,' which like those of 'religion,' derive "meaning from the wider frameworks in which they are embedded."⁶⁰ For instance, in 2017, the Supreme Court of Canada ruled that the Ktunaxa Nation's constitutional right to religious freedom was not violated by the provincial government's decision to allow a ski resort development on their sacred site.⁶¹ The resort was to be built on Qat'muk, the home of Grizzly Bear Spirit, and the Ktunaxa Nation affirmed that any development on this land would cause Grizzly Bear Spirit to depart, permanently disrupting their religious practice and community. In reaching its decision the Court employed a narrow view of religious freedom, one that privileges a Christian (specifically protestant) conception of religion as belief.⁶² It concluded that the state is not obligated "to protect the object of beliefs, such as Grizzly Bear Spirit. Rather, the state's duty is to protect everyone's freedom to hold such beliefs and to manifest them in worship and practice or by teaching and dissemination."⁶³ This approach renders conceptions of religion as grounded in collective

⁵⁷ Ezzy, "Towards an Understanding of Being Human," 144.

⁵⁸ Val Plumwood, *Feminism and the Mastery of Nature* (Routledge, 1993).

⁵⁹ *Ibid.*, 213.

⁶⁰ Linda Woodhead, "Five Concepts of Religion," *International Review of Sociology* 21, no. 1 (2011), 122.

⁶¹ *Ktunaxa Nation v British Columbia (Forests, Lands and Natural Resource Operations)*, 2017 SCC 54, [2017] 2 SCR 386.

⁶² Nicholas Shrubsole, *What Has No Place, Remains: The Challenges for Indigenous Religious Freedom in Canada Today* (University of Toronto Press, 2019).

⁶³ *Ktunaxa Nation* at para. 71.

relationships, including relations to land, as inferior to those based on individual belief.

That decision-makers must reason which natural entities merit rights (and that judicial or quasi-judicial bodies determine whether these have been infringed upon) likewise entails an opportunity to maintain power asymmetries. In western settler societies, rights have not been granted to nature in totality or to all rivers in a jurisdiction; rights are attributed to specific natural entities whose distinctiveness must be defined in the process. In the Magpie River resolution, the river's particularness was defined by its contribution to the municipality's 'social, environmental and economic well-being.' Economic wellbeing was specifically tied to the river's importance to the tourism sector. These reasons, though dependent upon human valuation, do not cancel out the river's own ends or interests, nor does it deny that there are shared interests between humans and the river. That is, the river's right to flow is not only in the river's own interest, but those humans financially dependent upon the tourism sector. The Innu Council of Ekuanitshit resolution also mentions tourism, but unlike the municipality's, it also includes the 'sacred character' of the river as a source of 'cultural and spiritual activities.' It further states that 'the Innu of Ekuanitshit have the inherent right to maintain and strengthen their special spiritual ties to the territory,'⁶⁴ including the river.

A critical consideration of nature's rights requires concepts like 'sacred' to not be taken for granted, especially when the sacredness of natural sites can aid in justifying legal personhood for nature.⁶⁵ Differences or even tensions between Indigenous and non-Indigenous philosophies

may otherwise be glossed over. Jeanine LeBlanc and Paul Gareau explain that "Indigenous spirituality is often framed as a cultural element that stands in contradistinction to Western definitions of religion as a transcendent, metaphysical framework that is teleological, institutional, hierarchical, and authoritarian."⁶⁶ This hierarchical character is evident in attempts to make nature 'more equal' by redefining it as sacred. In western thought, rationality and sentience have served as reasons to separate humans from 'the rest.'⁶⁷ Religion (including the religious idea of human sanctity) has operated as another marker of human identity, which, as Ngaire Naffine explains, has influenced who counts as legal persons.⁶⁸ The bestowing of 'sacredness' upon nature can (but not inescapably) constitute an attempt to overcome this difference by incorporating nature into the human side of the human/nature dualism. This move does not resonate with the holism of Indigenous knowledges and their absence of dualistic constructs like sacred/profane.⁶⁹

Ecological Justice and Moral Considerability

The rise of nonreligion may be creating opportunities to locate and challenge the hierarchy perpetuated by the logic and language of stew-

⁶⁶ Paul Gareau and Jeanine LeBlanc, "Our Spiritual Relations: Challenging Settler Colonial Possessiveness of Indigenous Spirituality/Religion," *Anthropologica* 65, no. 1 (2023), 3.

⁶⁷ Plumwood, *Feminism and the Mastery of Nature*.

⁶⁸ Ngaire Naffine, *Law's Meaning of Life: Philosophy, Religion, Darwin and the Legal Person* (Hart Publishing, 2009).

⁶⁹ Paul L. Gareau, "Storied Places and Sacred Relations: Métis Density, Lifeways, and Indigenous Rights in the Declaration," in *Honouring the Declaration: Church Commitments to Reconciliation and the un Declaration on the Rights of Indigenous Peoples* (University of Regina Press, 2021), 137–138; Margaret Kovach, "Doing Indigenous Methodologies: A Letter to a Research Class," in *The SAGE Handbook of Qualitative Research*, eds. Norman K. Denzin and Yvonna S. Lincoln (SAGE, 2018), 393.

⁶⁴ Translated from French to English by Mathilde Vanasse-Pelletier.

⁶⁵ John Studley, *Indigenous Sacred Natural Sites and Spiritual Governance: The Legal Case for Juristic Personhood* (Routledge, 2019).

ardship. Beaman states: "Nonreligion opens the space to escape the confines of the harmful collaboration between stewardship and 'Big Science', allowing us to reimagine the world in ways that facilitate flourishing or living well together."⁷⁰ Rights of nature can emerge from within this space. The term 'Big Science' is borrowed from Bruno Latour by Beaman and is the type of science critiqued by Lynn White. It is not the 'earth sciences,' but science operationalised for politicized ends that serve the interests of nature's masters. Nonreligion is not above 'Big Science,' and it certainly does not equate to any sense of morality.⁷¹ The key point is that there is an unprecedented rise in nonreligion, and this brings opportunity to reshape expectations or norms in social and political life. Rights of nature provide a legal framework that grassroots actors mobilize to defend nonhuman entities from anthropogenic harm. The success of this process is explained by several factors, including collaboration between Indigenous and non-Indigenous governance.⁷² I propose that in certain social contexts another factor is the demographic changes in religion and nonreligion. In an effort to add credence to this claim I now turn to a brief empirical example.

In my research I explore the significance of religion and nonreligion for how individuals

⁷⁰ Lori G. Beaman, "Reclaiming Enchantment: The Transformational Possibilities of Immanence," *Secularism and Nonreligion* 10, no. 8 (2021), 9.

⁷¹ Ezzy, "Towards an Understanding of Being Human."

⁷² Kauffman and Martin locate points of similarity and difference across nature's rights in the United States, Ecuador and New Zealand, with one commonality being: "Indigenous and non-Indigenous local communities, concerned with the degradation of local ecosystems on which they depend, searched for new legal tools to expand their authority to protect these ecosystems. Given the inadequacy of existing legal frameworks, these communities sought new laws that strengthened their legal standing to protect Nature, ultimately producing RoN laws." Craig M. Kauffman and Pamela L. Martin, *The Politics of Rights of Nature* (MIT Press, 2021), 76.

construct their moral relationships during an era of planetary crisis. Morality in this context is defined by theories of ecological justice. Nicholas Low and Brendan Gleeson first proposed ecological justice (EJ) as a way to blur "the sharp moral distinction between the human and non-human world" traditionally found in liberal theories of justice.⁷³ Indeed, political philosophers like John Rawls and Brian Barry explicitly excluded nonhumans from the realm of justice.⁷⁴ They were not beyond moral concern, but issues of justice were specifically reserved for humans as moral agents. EJ theories position nonhuman life as having rights to the environmental conditions they require to live and often flourish. It encompasses what western thought traditionally deems to be sentient and nonsentient life.⁷⁵ Crucial to EJ is that nonhumans are situated in the community of justice for their own sake. It is a representation of interspecies egalitarianism.⁷⁶ Of course, a line is still maintained between humans and the rest, in that humans are owed environmental justice and nonhumans are owed ecological justice.⁷⁷ More recent works have sought to conceptualise justice in less divisive terms, such as 'multispecies justice'⁷⁸ and 'plan-

⁷³ Nicholas Low and Brendan Gleeson, *Justice, Society and Nature: An Exploration of Political Ecology* (Routledge, 1998), 46.

⁷⁴ Brian Barry, "Sustainability and Intergenerational Justice," in *Fairness and Futurity: Essays on Environmental Sustainability and Social Justice*, ed. Andrew Dobson (Oxford, 1999), 44–45; John Rawls, *A Theory of Justice* (Harvard University Press, 1971), 512.

⁷⁵ Brian Baxter, *A Theory of Ecological Justice* (Routledge, 2004); Katy Fulfer, "The Capabilities Approach to Justice and the Flourishing of Nonsentient Life," *Ethics & The Environment* 18, no. 1 (2013): 19–42.

⁷⁶ Val Plumwood, *Environmental Culture: The Ecological Crisis of Reason* (Routledge, 2002).

⁷⁷ David Schlosberg, *Defining Environmental Justice: Theories, Movements, and Nature* (Oxford University Press, 2007).

⁷⁸ Danielle Celermajer et al., "Multispecies Justice: Theories, Challenges, and a Research Agenda for Environmental Politics," *Environmental Politics* 30, nos. 1–2

etary justice.⁷⁹ The distinction of ecological justice is still empirically useful, however, as it can help capture where the moral line between humans and nonhumans remains stark and where it becomes blurred.

As its rights-based logic suggests, ecological justice finds institutional expression in legal rights of nature.⁸⁰ There are incongruities, however, between EJ theories and the actual implementation of nature's rights. Scholars of EJ are partial to the idea of flourishing.⁸¹ Craig M. Kauffman and Linda Sheehan observe that some legal instruments for nature's rights recognise a right to flourish, whereas others set more basic standards like avoiding species extinction.⁸² Nevertheless, EJ and nature's rights both depart from a place of redefining *who* has rights. In this way they each challenge the power imbalance maintained in the "human largesse" of stewardship: "While many liberal states have long had laws placing obligations on humans with respect to harming animals or the environment, more recent developments expressly recognise the personhood of beings other than humans. Such beings then enter the political landscape as rights holders, and not merely recipients of human largesse – a distinction definitional to the very idea of justice."⁸³

I aim to capture how notions of EJ manifest in the 'on the ground' perspectives, relation-

(2021), 119–140; Christine J. Winter, "Introduction: What's the Value of Multispecies Justice?" *Environmental Politics* 31, no. 2 (2022): 251–257.

⁷⁹ John S. Dryzek and Jonathan Pickering, *The Politics of the Anthropocene* (Oxford University Press, 2018).

⁸⁰ Wienhues, *Ecological Justice and the Extinction Crisis*, 11, 28.

⁸¹ See, for example, Baxter, *A Theory of Ecological Justice*, 56, 139.

⁸² Craig M. Kauffman and Linda Sheehan, "The Rights of Nature: Guiding Our Responsibilities through Standards," in *Environmental Rights: The Development of Standards*, eds. Stephen J. Turner et al. (Cambridge University Press, 2019), 366.

⁸³ Celermajer et al., "Multispecies Justice," 130.

ships, and experiences of religious and non-religious individuals who actively opposed an oil pipeline project. This project, called the Trans Mountain Expansion project, entailed the twinning of an existing interprovincial oil pipeline in western Canada. The new pipeline became operational in May 2024 with the capacity to carry approximately 890,000 barrels of crude oil per day from the province of Alberta to a marine terminal in Burnaby, British Columbia. It was purchased by the federal government in 2018 and later reapproved by it in June 2019,⁸⁴ just one day after the House of Commons passed a motion to recognise that Canada is in a climate emergency.⁸⁵ Opposition to this project focused on its adverse impacts on human health, water bodies, trees, climate change, animals, land, and the rights of Indigenous peoples, as the pipeline will impact the unceded territories of several Indigenous nations, some of whom did not offer their free, prior and informed consent to the project.⁸⁶ I conducted a total of thirty semi-structured interviews with non-Indigenous or settler

⁸⁴ This reapproval occurred after the Federal Court of Appeal overturned the government's initial approval of the pipeline in 2016 for two reasons. First, the court determined that the regulatory agency which recommended the project for approval did not adequately account for the effects of increased marine oil vessels under the *Canadian Environmental Assessment Act, 2012* and *Species at Risk Act*. Second, the Government of Canada did not adequately consult Indigenous peoples, as required by subsection 35(1) of the *Constitution Act, 1982* and outlined by the Supreme Court of Canada. See *Tsleil-Waututh Nation v. Canada (Attorney General)*, 2018 FCA 153, [2018] ACF No 876; *Haida Nation v. British Columbia (Minister of Forests)*, [2004] 3 S.C.R. 511, 2004 SCC 73; *Taku River Tlingit First Nation v. British Columbia (Project Assessment Director)*, [2004] 3 S.C.R. 550, 2004 SCC 74.

⁸⁵ It passed with 186 votes to 63. See <https://www.ourcommons.ca/Members/en/votes/42/1/1366/>.

⁸⁶ This means that "consent should not be coerced or secured after the project has begun, or without communities receiving basic information about the costs and the potential benefits, risks, and harms of the project." Kimberly R. Marion Suiseeya, "Procedural Justice Matters: Power, Representation, and Participation in Environ-

individuals engaged in protest and/or direct action in Metro Vancouver on the unceded lands of the Musqueam, Squamish, Tsleil-Waututh and Kwikwetlem Nations. I also engaged in participant observation as an 'insider,' helping to organise in-person events, attending rallies, and running social media campaigns aimed at educating the public and stopping the pipeline.

Opposition to the Trans Mountain Expansion project serves as an entry point to ask broader questions about relationships in the Anthropocene. Do the ways in which individuals construct their relationships resonate with principles of ecological justice? And are religious or nonreligious conceptions, language and identities relevant for how these principles are expressed? During interviews, I gained deeper insights into how people construct their relationships when they recalled their experiences of activism. This more 'practical' approach helps me avoid what Jenkins calls the 'cosmological temptation.'⁸⁷ Instead of adopting a narrow focus on belief or cosmology, I take a more 'bottom-up' approach that accounts for lived experience. This counters the 'greening of religion' approach that pursues cohesive worldviews, and commonly brings diverse ways of being with or without religion under one common umbrella of 'dark green religion' or 'eco-spirituality.'⁸⁸ Doing so perpetuates a sentiment that nonreligious individuals are somehow lacking, not only religion but in its moral framework.⁸⁹ It also fails to account for the messiness that often exists between religion and nonreligion in ordinary life.

mental Governance," in *Environmental Justice: Key Issues*, ed. Brendan Coolsaet (Routledge, 2020), 45.

⁸⁷ Jenkins, *The Future of Ethics*.

⁸⁸ Bron Taylor, *Dark Green Religion: Nature Spirituality and the Planetary Future* (University of California Press, 2010).

⁸⁹ Lori G. Beaman and Lauren Strumos, "Toward Equality: Including Non-human Animals in Studies of Lived Religion and Nonreligion," *Social Compass* (2023), 11.

This became especially clear when one interviewee, a biochemist who does not "call herself a person of faith" but "a person of science," still identified as being religious in practice because she attends church.

Everyone I interviewed expressed concern over the nonhuman impacts of the pipeline project. Matthew, for example, listed the "destruction of land and water and animal habitat" as harms of the pipeline project. He also reflected upon such issues in a broader sense, asking: "And why should there be this gap, this hierarchy, um, wide open, so that [we don't consider] the needs of non-human species the same way that we consider the needs of humans? And I do think that's very valuable. I think it extends to trees as well as animal. Um, so that's something that I don't understand why we do." Speaking of trees again, Matthew later stated: "I kind of include them [trees] with animals in my mind, like the non-human victims of all of this." Matthew framed nonhuman "needs" as morally considerable, without locating reason for such consideration beyond the "victims" (a term of personhood) themselves. Matthew further talked about 'fairness' and 'balancing needs': "Why can't we just weigh the animals' needs more fairly with our needs? [...] I don't know if an equal balance is possible. I think more balance than we see now, for sure." Matthew does not elaborate on what 'fairness' entails, or what an equal balance would look like. Crucially, his questioning relies upon a conception of animals as having needs that hold weight against our own. Whether they are balanced or treated as equal is a separate issue from their moral status.⁹⁰

⁹⁰ Matthew's questioning of whether "equal balance" is possible connects to Anna Wienhues' idea of "non-ranking biocentrism." In her account of EJ, Wienhues uses 'non-ranking' rather than 'equality' because it is not possible, in situations of resource scarcity, to treat all distributive claims as equal. Someone's interest will eventually

Another participant, Maureen, demonstrated moral consideration for nonhumans when recalling her experience of tree sitting. She did not explicitly mention fairness like Matthew, but a sense of unfairness underlies her distinction between creatures at the tree sit on one hand, and those violating their rights on the other. She stated:

I mean we have frogs that are hanging out, like little, two little adorable frogs, actually one's quite big, um, hanging out next to the tree sit. And I always say hi to them when we go by and check to make sure, and try not to scare them and it's like, find my route around to get there. And this is their home. This is where they live. They don't have anywhere else to go. I mean, the reason they're here in that zone, and not over in the pretty part on the greenway by the Brunette [River], is because well people are walking their dogs, and there's people running, we've already claimed that. And we made it look nice for us, right? And this idea that well this piece isn't useful to us, but it's useful to all these other creatures that need it. They needed a place to be and they needed a place just to, yeah just to live and have the right to have that just without us coming in and ripping it up to put in a pipeline so that a few people make some money.

Maureen mentions threats to the frogs' home and their right to live there. Concern is centred on the frogs themselves, for their own sake. This view resonates with distributive theories of EJ, which consider distributive harm (like "ripping

be treated as superior, receiving priority over another's. Crucial in this distributive model is that moral ranking is not determined a priori. Doing so opens the door to anthropocentrism. See: Anna Wienhues, *Ecological Justice and the Extinction Crisis: Giving Living Beings Their Due* (Bristol University Press, 2020), 40, 108.

up land") to the needs and interests of nonhumans, including their "homes." There are limits to how much humans can know about other animals, but it is nevertheless clear that certain conditions are necessary for nonhuman living or flourishing.⁹¹ One requirement is the place or territory in which nonhumans live, especially when they "don't have anywhere else to go," to quote Maureen.

Neither Matthew nor Maureen identified as religious. Matthew self-identified as "a spiritual person," and explained that he was raised religious, went to church and Sunday school until he was 13 years-old, and noted that there are several ministers in his extended family. When asked what spirituality means to him, he talked about "energy, consciousness, connectivity between all things, between the natural world and animals and other people." Maureen stated that she "doesn't feel" herself "to be religious," and she did *not* self-identify as spiritual. She explained that her parents were raised Catholic, but she was taught that "a lot of times religion does more harm than good." She then expressed: "I've met other people who I've found are religious and who are really, uh, impressively, moral, thoughtful caring people. So, I've learned to, to balance that out and say ... the concept of religion can be a good thing." That both Matthew and Maureen are nonreligious is not pertinent to their morally relevant relationships. They rather demonstrate that non-anthropocentric moral consideration is not dependent upon a religious worldview, or a view of nature as sacred, in which case harm to nature becomes immoral as an act of desecration.

It is certainly possible to advocate for EJ from religious perspectives. Another participant, Emma, identified as a practicing Buddhist

⁹¹ Wienhues, *Ecological Justice and the Extinction Crisis*, 42.

and referenced Buddhist principles when talking about fish threatened by the pipeline project. She stated:

You know, in the case of like, let's say the Nooksack Dace which has been here since the last ice sheets retreated, like this is all they know. Um, and so, for one species to decide that that species is not worth existence and force it into extinction is the utmost violence. So it's breaking the first [Buddhist] precept of non-harm.

She further explained:

So unfortunately, most of our ecosystems don't have rights [...] like the Nooksack Dace in the Brunette River and the, the salmon runs of the Brunette River. Like, we're at a period where the salmon populations on the West Coast are in dire states. And of course, there's huge consequences for all the ecosystems that they are part of. [And] the Nooksack Dace is like this endangered little minnow size, nocturnal fish that [has] four micro populations in [British Columbia]. And one of them is, like, right where they're planning the horizontal drilling. And, yeah, I mean, how do you ask for consent from a species that doesn't speak your language?

Emma's reference to ecosystem rights demonstrates a knowledge of nature's rights, which is accompanied by notions of agency (non-human communication) and functioning (the salmon's run). The Nooksack Dace are also presented as having interest in their river ecosystem, which becomes threatened by the pipeline construction's "horizontal drilling" (a distributive harm). Emma's question—"how do you ask for consent from a species that doesn't speak your language?"—further resonates with work on participatory justice that explores how to incorporate non-human communication or 'ecological

reflexivity' into political decision-making.⁹² This area of scholarship, like Emma, acknowledges nonhuman beings as agents with their own interests.

EJ can also arise from an ethic of stewardship that assigns inherent value to nature. The two are not mutually exclusive. Jenkins states: "To critics who object that responsibilities to nonhuman creatures should not come under the concept of justice, but rather under concepts of care or stewardship, the reply must worry for the softness of alternative concepts. Without capacity to make a claim on agents, nonhumans under our care or stewardship remain vulnerable to our self-serving conceits."⁹³ This approach to justice, according to Jenkins, does not entail a redefinition of nature's moral worth in a cosmological sense. Extending legal personhood to nature does not require nature to be reconceived as a person.⁹⁴ Justice for Jenkins is more strategic in that it is needed to adequately address Anthropocene powers, supporting Tănăsescu's point that there is no direct connection between moral status and rights for nature in law.⁹⁵ At the same time, my research indicates that there are perspectives that resonate more closely with notions of justice than stewardship. The people I interviewed did also express ideas of stewardship, as well as "human valuational perspectives" (e.g., trees are valuable because they provide us with oxygen).⁹⁶ These indicate humility in the sense of human dependence on nature, in contrast to the human exceptionalism seen in the dominion model. But such humility alone does not offer an alternative to hierarchical relations the way that EJ does.

⁹² Celermajer et al. "Multispecies Justice," 131–132; Schlosberg, *Defining Environmental Justice*.

⁹³ Jenkins, *The Future of Ethics*, 222.

⁹⁴ Ibid.

⁹⁵ Tănăsescu, *Understanding the Rights of Nature*.

⁹⁶ Plumwood, *Feminism and the Mastery of Nature*, 213.

Conclusion: We are all Terrestrials

How might we begin to challenge the human/nature dualism—as embedded in dominion and lingering in stewardship—from within a western framework? Ecological justice offers one vantage point. Another is Bruno Latour’s identity of “terrestrials.” This concept does not entail a reinvention of human identity so radically as a reorientation. It draws us back down to the place where we stand as one terrestrial among many, one “breather among billions of breathers.”⁹⁷ Latour also offers—in response to what he calls climatic and ecological mutations—a related geopolitical formation called ‘Terrestrial’ (capitalized ‘T’).⁹⁸ In this order the Terrestrial is a political agent, one who acts in recognition of their being grounded in a certain place with other terrestrials (both human and non-human). It is through this Terrestrial self-conception that one may be propelled to advance rights for nature, in the form of ‘terrestrial justice.’ The concept of ‘Terrestrial’ displaces “the human/other species distinction” from “our ethical thinking” while also avoiding the trap of “totality thinking” by situating us in our dwelling place.⁹⁹ This approach is particularly relevant to nature’s rights in Canada and the United States, where such rights appear locally, and are not sought for ‘nature’ as a whole but specific entities with whom one shares a territory.¹⁰⁰ An avenue for exploration is whether acting as Terrestrials would not lead us closer to rights of nature per se but decolonisation and land repatriation.¹⁰¹

⁹⁷ Bruno Latour, *After Lockdown: A Metamorphosis*, trans. Julie Rose (Polity Press, 2021), 11.

⁹⁸ Bruno Latour, *Down to Earth: Politics in the New Climatic Regime*, trans. Catherine Porter (Polity Press, 2018).

⁹⁹ Plumwood, *Environmental Culture*, 169; Tănăsescu, *Understanding the Rights of Nature*, chapter 5.

¹⁰⁰ Kauffman and Sheehan, “The Rights of Nature.”

¹⁰¹ For discussions on decolonisation in relation to justice, see: Christine J. Winter, *Subjects of Intergenerational Justice: Indigenous Philosophy, the Environment and Rela-*

The descriptive essence of ‘terrestrial’ makes it an identity not dependent upon (non)religious identity. It does not position humans as creatures, but it does not contradict this view either. It rather draws us away from thinking about creation as a whole to those beings we are connected to in everyday life. Latour states: “Speak of nature in general as much you like, wonder at the immensity of the universe, dive down in thought to the boiling center of the planet, gasp in fear before those finite spaces, this will not change the fact that everything that concerns you resides in the miniscule Critical Zone.”¹⁰² In this way it does reconstitute traditional cosmological priorities, shifting human focus from the temporal to the spatial. It redirects attention from “the destiny of souls” to “that of the world.”¹⁰³ Relatedly, the Terrestrial identity emphasises *who* we should act for as opposed to *why* in an ontological sense. Not everyone conceives of themselves as a steward, caretaker or eco-spiritualist. Everyone shares a dwelling place with other terrestrials.

Unmistakeably, Indigenous philosophies, legal orders and governance are a crucial part of nature’s rights in western settler societies. Religion and nonreligion occupy a more ‘behind the scenes’ position. The rise of nonreligion generates opportunity to imagine ways of being in the world beyond a model of dominion or stewardship.¹⁰⁴ Values of ecological justice and the concept of Terrestrials are examples. The latter

tionships (Routledge, 2021); Deborah McGregor et al., “Indigenous Environmental Justice and Sustainability,” *Current Opinion in Environmental Sustainability* 43 (2020), 35–40; Erin Fitz-Henry, “Multi-species Justice: A View from the Rights of Nature Movement,” *Environmental Politics* 31, no. 2 (2022): 338–359.

¹⁰² Latour, *Down to Earth*, 63.

¹⁰³ Bruno Latour, “Ecological Mutation and Christian Cosmology,” trans. by Sam Ferguson, a lecture for the International Congress of the European Society for Catholic Theology, Osnabrück (August 2021), 5.

¹⁰⁴ Beaman, “Collaboration Across Difference,” 138.

likewise has empirical credence. The individuals I interviewed are not merely acting as 'humans' on behalf of 'the earth,' but individuals concerned about the nonhuman entities (or terrestrials) impacted by a destructive project in their communities.¹⁰⁵ Maureen, for example, did not express concern for 'nature' but the frogs she encountered in-person at the tree sit. Although I interviewed people engaged in activism, not everyone self-identified as an 'activist' during interviews. They arrived at their activism as concerned teachers, scientists, artists, parents, grandparents and people with a meaningful connection to their local ecologies.

Equality is possible without reference to religious doctrine or even the philosophies of environmental ethicists.¹⁰⁶ This has implications for how we understand the normative beliefs that underlie the meaning and force of nature's rights. The idea of equality is not new, but we do not need to limit our search for notions of equali-

tarianism (such as nonhuman personhood) to longstanding religious traditions or cultures.¹⁰⁷ Conceptual support for nature's rights can be found in the lived experiences of ordinary individuals. This connection I make based on my data, from the local to rights of nature in law, is not causal. It offers insights into the social factors that help create a foundation upon which nature's rights become not only conceivable but practical. To be sure, nature's rights are not inevitable in some evolutionary sense due to the rise of nonreligion. I wish to highlight that a partial—and virtually ignored—explanation for nature's rights can be found in lived experiences, practices and perspectives that challenge the Christian residue of stewardship. This challenge entails suspending any moral justification predicated on 'our specialness' whether cast in religious or nonreligious terms. Afterall, we do all live as terrestrials.

¹⁰⁵ The idea of 'territory' becomes complicated by the fact that the individuals I interviewed engaged in protests and direct action on unceded land. They were aware of this and sometimes discussed how their involvement in opposition prompted or furthered their own self-reflections as settlers.

¹⁰⁶ Here I have in mind Aldo Leopold's 'land ethic,' which defines humans as members or citizens of a biotic community that includes plants, animals, soils and waters (or 'the land' collectively). Another example is Deep Ecology, which differs from the land ethic in part through its process of 'identification,' which entails an expansion of one's 'self' as an individual to an ecological 'Self' constituted by relationships with human and nonhuman beings.

¹⁰⁷ White did not view the alternative to dominion as stewardship, but rather referenced equality (White, *The Historical Roots*, 1206). Another example of anti-speciesism can be found in the works of Christian artist and poet William Blake. See: Anne Milne, "Blake's 'Auguries of Innocence' as/in Radical Animal Politics, c.1800," in *Beastly Blake*, eds. Helen P. Bruder and Tristanne Conolly (Palgrave, 2018), 65–86.

