

# MORE THAN HUMAN RIGHTS

An Ecology of Law, Thought and  
Narrative for Earthly Flourishing

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# Introduction

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Debates and initiatives on the rights of the more-than-human world are here to stay. Recent developments in the natural sciences, moral philosophy, and politics have fundamentally questioned the categorical distinction between human and nonhuman forms of life that is at the core of modern law and human rights thought and practice. From biologists' new findings on the profound similarities and interconnections between humans and other species to moral philosophers' recent work on justice for animals and other kingdoms of life to the increasing influence of ecocentric social movements, the traditionally rigid boundaries between humans and nature have become increasingly blurry.

However, legal thought and practice, including human rights, remain largely anthropocentric. Although the rights of animals, rivers, and forests have been recognized in several lawsuits and legal

actions and Indigenous peoples from around the world have long advocated for treating nature on par with humanity as subjects worthy of moral and legal consideration, mainstream legal approaches continue to view the rights of nature with indifference at best and suspicion at worst.

The premise of this book is that a fruitful discussion of the rights of nature—or, as I propose to call them, more-than-human (MOTH) rights—needs to consider a broad range of knowledges and practices. To this end, since 2022, the More Than Human Rights (MOTH) Project based at New York University School of Law has convened a growing community of prominent scientists, philosophers, lawyers, Indigenous leaders, advocates, and journalists from around the world who are actively working on this topic. Through an annual gathering, a yearly course, and a series of practical initiatives that I describe in Chapter 1, the MOTH Project promotes reflection on the profound intertwinement of the human and the more-than-human worlds and its implications for human rights in the Anthropocene. With this grounding, the Project also spurs experimentation on the creative and interdisciplinary efforts needed to integrate law, thought, and practice with the more-than-human world.

Like moths to the light, the authors of this book, the students in the course, and the participants in our gatherings and practical initiatives have been attracted by the little flame we lit and the intriguing possibilities opened by taking MOTH rights seriously at a time of ecological and social emergencies. If human disconnection from nature is at the root of our individual and collective malaise, what type of institutions and narratives might become imaginable if we push the boundaries of legal imagination to include the breathing Earth? What would happen if the ecological turn that is evident in other fields took root in law and human rights?

As the subtitle of this book suggests, the Project tackles these and other questions through an interdisciplinary, global dialogue that weaves together law, thought, and narrative. The volume's

structure follows the threads of this multicolor fabric. In Part I, I frame the conversation by fleshing out the concept of MOTH rights as well as its conceptual and practical foundations and implications. In Part II, philosophers Will Kymlicka, Danielle Celermajer, Anna Sturman, and Dale Jamieson examine the theoretical underpinnings and challenges of MOTH rights. Part III moves to narrative and includes essays by and dialogues among José Gualinga, Carlos Andrés Baquero-Díaz, Robert Macfarlane, Merlin Sheldrake, David Abram, and Andrea Wulf. In Part IV, legal scholars, judges, and social scientists—including Craig M. Kauffman, Emily Jones, Agustín Grijalva Jiménez, Ramiro Ávila Santamaría and Catalina Vallejo Piedrahíta—discuss the legal practice of MOTH rights. The volume closes with an epilogue by David Abram on the origin of the term “more-than-human.”

The MOTH Project’s contributions, including this volume, are meant to serve as pollinators. As a result, the Project has grown organically through expanding circles of cross-fertilization and collaboration. I first want to acknowledge the core team at NYU’s Center for Human Rights and Global Justice (CHRGJ). My colleagues Carlos Andrés Baquero-Díaz and Jacqueline Gallant believed in the idea from the beginning and became my co-creators with their unique mix of intelligence, generosity, and open-heartedness. Thanks largely to Jackie and Carlos Andrés, we were able to reach out and connect other pollinators whose work has deeply influenced my own and has served as an inspiration for my thinking on MOTH rights. Among the early members of the collective, I am particularly grateful to Merlin Sheldrake, Robert Macfarlane, Giuliana Furci, Cosmo Sheldrake, Patricia Gualinga, and José Gualinga, who went out of their way to contribute ideas, make introductions, and become friends and co-conspirators in many of the initiatives of the Project. A year into the Project, I had the fortune of meeting David Abram, David Gruber, and Danielle Celermajer, who also became close collaborators.

I want to close by thanking colleagues who have been essential to our regular events and activities. Ariel Sim's professional and gentle facilitation allowed us to run gatherings in nature that have nurtured deep collaboration and connection. Agustín Grijalva and Ramiro Ávila's generous partnership allowed us to take the MOTH course from New York to Quito, as we oscillated between venues at NYU and the Andean University of Quito. Elena Landinez's designs have become an essential part of the MOTH Project's identity, not only in terms of our visual style but also in terms of the integration of the arts as a core component of the Project. At NYU, Youssef Farhat and Henessa Gumiran skillfully carried out the myriad of operations that a project of this sort entails. Tom Kruse at Rockefeller Brothers Fund and Darius Cuplinskas at Open Society Foundations trusted the intuition behind the Project since its inception and have supported it in more ways than one. And this book would not have been possible without Jacqueline Gallant's thoughtfulness and wizardry with words. To all of them, my heartfelt gratitude.