

MORE THAN HUMAN RIGHTS

An Ecology of Law, Thought and
Narrative for Earthly Flourishing

César Rodríguez-Garavito (ed.)



Please cite as a chapter in *More Than Human Rights: An Ecology of Law, Thought, and Narrative for Earthly Flourishing*, César Rodríguez-Garavito, ed. (New York: NYU Law, 2024).

On the Origin of the Phrase “More-Than-Human”

David Abram

It may be useful for readers to know something of the philosophical origin and reason for the phrase “more-than-human rights.” I originally coined this odd phrase by which to speak of nature—the *more-than-human world*—back in the early 1990s, when I was writing my first book, *The Spell of the Sensuous: Perception and Language in a More-than-Human World*.¹ At that time, I found myself stymied by a lack of precise words and phrases by which to articulate the real relation between our species and the countless other shapes of sensitivity and sentience with whom our lives are entangled. There were all too few terms by which to speak of the outrageously

1 David Abram, *The Spell of the Sensuous: Perception and Language in a More-than-Human World* (New York: Pantheon Books, 1996).

multiform exuberance of nature—to acknowledge the upwelling and many-voiced creativity that steadily surges all around us and even *through* us as we go about our days. I was especially frustrated by the conceptual gulf between humankind and the rest of animate nature tacitly implied by the use of conventional terms like the *environment* (which conceptually flattens all other species into the passive backdrop of human life) and even the rich and still lovely word *nature* itself (which is so often habitually contrasted with *culture*, as though there were a neat divide between the two, as though human culture was not entirely a part of this breathing biosphere).

After stumbling around for a while in the tangled thickets of English, I finally concocted a new phrase—the *more-than-human world*—by which to articulate the broad commonwealth of earthly life as a realm that manifestly includes human culture, with all our creativity, our arts, and our technology, but which also (necessarily) *exceeds* human culture. The phrase was intended, first and foremost, to indicate that the realm of humankind (with our culture and technology) is a subset within a larger set—that the *human world* is necessarily embedded within, permeated by, and indeed dependent upon the *more-than-human world* that exceeds it. Yet by this new phrase I also meant to encourage a new humility on the part of humankind, since the “*more*” could be taken not just in a quantitative but also in a qualitative sense.

Of course, the recognition of our human embedment within a more-than-human biosphere brimming with its own intelligence is hardly a new insight. On the contrary, this understanding has been common to Indigenous or First Nations peoples on every inhabited continent and archipelago for numberless generations.

After I introduced the *more-than-human world* as a central notion throughout *The Spell of the Sensuous*, the phrase was slowly adopted by other theorists and activists, and within a decade-and-a-half had become part of the lingua franca of the worldwide movement for ecological sanity, informing work in the natural sciences,

in philosophy, in the arts, and in activist politics. And now it is heartening to watch as the phrase is taken up by legal scholars and jurists as a fresh way to extend the notion of *rights* beyond the strictly human estate.²

As far as I can tell, the notion of *more-than-human rights* is being deployed in this legal context as a clarifying alternative, or supplement, to the older discourse of *rights of nature*. The older formulation lends itself easily to the sense that earth jurisprudence is a separate domain neatly distinguishable from human jurisprudence: *human rights* are applicable to the clearly bounded realm of human concerns, while *rights of nature* deal with that other, different realm of nature, set apart from the first. *Rights of nature* is hardly a terrible formulation, and it has done good work in the world. Yet it tacitly underscores and deepens the bifurcation between humankind and the rest of the biosphere. Humans are one sort of thing, nature is something else. Humans are individuals, and they each have rights, while everything else is best thought of en masse (as an assemblage of beings, elements, and processes), an immense block of hard-to-distinguish powers that should also be accorded some (other) kind of rights.

The notion of *more-than-human rights* gently undermines this all-too-facile bifurcation, by nesting human rights *within* the wider array and purview of these elemental biotic, ecosystemic, and biospheric rights. At the very least, it implies a much more interesting relation between these, suggesting that human rights ultimately derive from (or emerge out of) that wider field of elemental, earthly integrities. If humankind is fully a part of the animate earth that we're finally coming to recognize in all its audacious and wild

2 See César Rodríguez-Garavito, "More-Than-Human Rights: Law, Science, and Storytelling Beyond Anthropocentrism," Chapter 1, p. 20–21 in this volume (proposing the term "more-than-human rights" and mapping its foundations and its implications for legal thought and practice).

creativity—if the delicately interlaced biosphere that sustains us displays its own ongoing and improvisational sentience, in which our human intelligence is thoroughly entangled—then human rights must ultimately be rooted in more-than-human rights. And, hence, developments and breakthroughs in earthly jurisprudence must feed back into and transform human jurisprudence.

Of Hubris and Humility

The recognition of a more-than-human world contrasts markedly with another recently minted term used by many scholars today. The *Anthropocene* is the word by which many persons refer to the geological epoch now upon us: the epoch in which humankind and its activities have become a large-scale, geological force affecting the atmosphere, the oceans, and the terrestrial ecosystems of this planet. The term has generated a great deal of excitement not only among geologists and biologists, but also among a wide array of theorists in the humanities and social sciences.

Like the *more-than-human world*, Anthropocene discourse undoes the neat bifurcation between culture and nature. Yet the Anthropocene does this not by nesting the human world within a wider, more-than-human world, but by simply dissolving any boundary between the human world and the biosphere. More precisely, the discourse of the Anthropocene neatly negates the possibility of a more-than-human world, since the name explicitly asserts that the human—the *anthropos*—is now coextensive with earthly reality. Within the Anthropocene, there is nothing outside the human estate—there is nothing of this world that exceeds the reach of human agency, no reality beyond the anthropos-scene. Despite the numberless other organisms that still inhabit and exert their influence upon the planet (many of whom are still unknown to us), the Earth is now—and for the long-term future—to be understood as a human world.

This is, I think, exceedingly problematic, and dangerously so. The problem is that Anthropocene discourse precludes any possibility of a turn away from such hubris. By asserting humankind as the preeminent power afoot in the world (and by proclaiming that prominence for thousands of years to come), such discourse forecloses any turn toward humility. It forecloses any gesture of restraint in relation to the wild-flourishing otherness of a world that greatly exceeds us. It also inhibits, or shoves deeper into unconsciousness, those moments of imaginative overwhelm wherein we lose ourselves in the fathomless weirdness of a thunderstorm, or in the graceful, collective swerves of a flock of starlings, or while watching a spider spinning its web (the spider's rapid, spiraling movements drawing us down and down into another scale of experience as she sets the radiating spokes and then dances between them, gradually weaving our focus into each knot within the web, until we're abruptly overcome by the uncanny sensation that we are witnessing the galaxy itself being born out of the spider's abdomen...). Such are moments when we're humbled by the strangeness of a world that vastly exceeds all our knowing.

In truth, the Anthropocene has already become an aspirational term for many persons, corporations, and technological initiatives. Having pushed beyond so many limits, having inadvertently destroyed so many of the Earth's autopoietic, self-replenishing powers, many theorists assert that it now falls to humankind to take full charge of the biosphere, to engineer and steer it for the good of humankind. This, of course, is the precise logic of the storekeeper's dictum: "You broke it? You own it!" Having broken the biosphere, it is now ours to own and to do with what we choose.

Of course there have been various other terms suggested for the name of this epoch—some of them serious, some tongue in cheek: the *Capitalocene*, the *Plantationocene*, the *Chthulucene*. But my colleagues in the Earth sciences say that these all miss the mark. They insist that what's important is to underscore the centrality of our

singular species in transforming the Earth's atmosphere and oceans, in altering the carbon cycle and the hydrological cycle, in destabilizing the seasonal round.

Well then. If we seek a title for this new epoch, one that emphasizes our species' responsibility in the creation of this catastrophic set of affairs, while holding open the possibility—indeed the necessity—of an ethical turn, then instead of relying upon the term *anthropos*, why not draw upon the etymology of the word *human* (an etymology that César beautifully invokes in his introduction to this volume)?³ The term *human* (derived from the Latin *humanus*) is cognate with the Latin word *humus*, which signifies the earth underfoot, the ground or soil, and hence is intimately bound to the term *humility*, the quality that holds us close to that earthly soil.⁴

Perhaps, then, a more appropriate title for the geological epoch now upon us would be the *Humilocene—the Age of Humility*.

Yet some scholars might object that the *Humilocene* sounds too awkward, too much like “*humiliation*.” I would suggest, however, that this vaguely felt echo is entirely appropriate. Should we not feel some shame, should we not feel *humiliated* by the realization of our culpability in the callous wreckage of so many ecosystems, in the loss of so many other species, in the obliteration of so much earthly beauty? If geological epochs last thousands of years—and if any members of our clever species manage to survive the next few centuries—would it not be important that our descendants actually *remember* the horrific consequences of our arrogance? Would it not

3 César Rodríguez-Garavito, “More-Than-Human Rights: Law, Science, and Storytelling Beyond Anthropocentrism,” Chapter 1 in this volume.

4 The hypothesized Proto-Indo-European root word is *dʰǵʰōm*, which likely signified *earthly ground and soil*, and is where the Latin *homo*, *humanus*, *humus*, and *humble* all have their origins. The word *human* probably originally meant something like “earthling.” Analogously, the Hebrew word for man, *adam*, derives from the Hebrew word *adamah*, meaning ground or soil. Hence, in Hebrew, too, *human* equates to *earthling*.

be important that *they not forget*—because it is too darn painful to remember—that they not *repress or pave over* the memory of the innumerable other animals and plants and places, the countless other shapes of vibrant intelligence that were lost in this era as a result of our callous disregard? That our descendants vividly remember that it was not a result of chance, but rather our own human obliviousness, and recklessness, that drove the steadily accelerating holocaust of species, ensuring the devastation that will likely mark our home planet for many, many long centuries to come?

For that is what an appropriate title for this geological epoch could do for our kind. It could help us to remember, and so perhaps to avoid repeating the same monstrous mistake. The *Humilocene*, the Age of Humility. And perhaps this initial, transitional phase that we're now living through—the dawn of the Humilocene—might yet come be known, in oral tradition, as *the Humbling*.⁵

In any case, the origin and intention of that other, simple phrase—the *more-than-human world*—is to remind us of our embedment in an earthly cosmos that we humans did not create, that we do not control, and that necessarily exceeds all our knowing.

5 The *Humbling* is a term suggested by my ally Dougald Hine, cofounder of the Dark Mountain Project.