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ABSTRACT

I will outline four justifications of regional ecological obligations calling for different political authorities to collaborate for ecological reasons: through voluntary agreement between political entities united by an ecological region; by a shared regional history or cultural relations to an ecological region; with reference to 'place-based' duties with an ecological basis; or by obligations to an extended set of individual right-holders. None are conclusive reasons but show that there are normative grounds for regional collaboration of separate political authorities. The article contributes to discussion on, despite its practical relevance, a much neglected concept in political philosophy.

KEYWORDS

Regions; regional justice; ecological regions; political regions; sovereignty; political philosophy

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1. INTRODUCTION

Political regions do not match ecological regions, and the very concept of 'regions' has not received thorough and systematic philosophical and normative analysis. Environmental ethicist Holmes Rolston remarks that a part of the problem giving rise to unprecedented environmental destruction is that 'power is decentralized into national and subnational units', and moreover '[t]hese political units may have little or no intelligent relationship to geography and ecology' (Rolston, 1993, p. 277). He suggests that '[r]egionalism in environmental policy can be beneficial, but only if the regional focus is as geographical and ecological as it is political, and only if the region is aware of its global connections' (Rolston, 1993, p. 277). Surely it seems reasonable to say that the divisions of nation states today works at cross purposes with environmental conservation. Unfortunately, Rolston does not expand on his remark nor argue for it.

Having noted that the concept of 'regions' is used both ecologically and politically, I will investigate how the two dimensions can normatively relate to each other in a credible way and whether it is reasonable to put a normative emphasis on ecological conceptualisations of regions. Regional ecological imperatives here refer to obligations of otherwise separated political authorities to collaborate for ecological reasons. Such obligations make political mandates and

CONTACT Patrik Baard  patrik.baard@ifikk.uio.no
Department of Philosophy, Classics, History of Art and Ideas, University of Oslo, Oslo, Norway

conservation policies have an intelligible relation to ecological borders. Stated differently, there is an expectation that political entities, joined together in ecological regions, should collaborate and this article is about the justifications of that expectation.

I do not, however, argue that political borders ought to be re-drawn and based on ecological regions, nor that sovereignty fully should reflect ecological borders. The argument defended here is more modest, stating that the political ought to follow the ecological when it comes to natural resources, and that ecological conceptions of regions provide *pro tanto* reasons for otherwise divided political entities to collaborate. Such obligations to collaborate for ecological reasons are what I call regional ecological imperatives. Yet, I will argue that regional imperatives challenge the liberty of a sovereign state to freely dispose of the natural resources within its border. In contrast, regional imperatives suggest that two or more politically separated entities ought to collaborate for the benefit of the ecological region that they are both part of. That is, authority should in some meaningful manner reflect ecological conditions and divisions.

Besides offering normative clarification to a concept used both in ecology and politics the paper intends also to contribute to political philosophy. Political philosophy conventionally limits itself to either principles of cosmopolitan (Caney, 2005), national (Miller, 2013), or communitarian justice (Kymlicka, 2002). Such limitations have made regions a normative blind spot, despite being a growing concept in practical policies. Yet, the conventional principles of political philosophy, such as resource sovereignty being the substantial mandate a nation state has over the natural resources on its territory, are challenged by practical crises such as habitat loss and species extinction. This challenge is due to such principles being limited to natural resources within a nation's border, whereas issues such as habitat loss, species extinction, and loss of wildlife do not have such limits. Alternatives to conventional principles of political philosophy exist, such as the 'river model' (Nine, 2022) or 'watershed model' (Ochoa-Espejo, 2020) of sovereignty. An upshot of regional imperatives is that it utilises an existing concept and contributes to normative analysis of an often-used practical concept.

Following this introduction, I will clarify what regions are, ending up with two relevant conceptualisations of regions, one political and one ecological. In section three, I will investigate four possible grounds for regional ecological imperatives: voluntary agreement, communitarian-like relations to places, place-based duties, and extensions of place-based duties, before ending with a summary remark.

2. WHAT ARE REGIONS, AND WHY SHOULD THEY BE CONSIDERED NORMATIVELY?

There are different conceptualisations of regions. While 'region' can refer to a supra-state unit when several nation states decide to collaborate politically or economically, it can also refer to a sub-state unit of a geographically delimited space that is wholly within the borders of a single state. It may also refer to a unit that transverses two or more states, without referring to the full territory of either state. For geographers regions may refer to a sub-state unit, while for 'international relations scholars it refers rather to the supra-state institutional arrangements [...] of economics and governance (for example, the European Union, the North American Free Trade Agreement (NAFTA) or Mercado Común del Sur (MERCOSUR))' (Jones & Paasi, 2013, p. 2). The analytical issue is made all the more complicated by the fact that regions consist of entities that are not directly neighbouring. Consider a case where a region R consists of entities A, B and C, but where B is the only entity in R which directly borders to A and C. However, A and C are united by being parts of R, and A may have obligations to C, and vice versa, for that reason.

What in this article will be called a political conceptualisation of regions consists of cultural, social and economic dimensions. Though it is difficult to clearly distinguish these dimensions, as they will often be intertwined in practice, the different components serve different functions in

the arguments for regional ecological obligations. In the subsequent part of the article a cultural region is one where a group, united by a long-standing common cultural practice, require access to territory for reasons of self-determination. Such is the case for, for instance, Sápmi, which transgresses the borders of several nation states. Sápmi is central for the indigenous Sámi of northern Norway, Sweden, Finland, and Russia, as the Sámi has attachments to that area due to its central role in preserving their culture and history (Armstrong, 2017). The area understood as a cultural region can transgress national borders and require that nation states cede control of parts of the authority over land within its territory to enable cultural practices. This sense of political regions will play a central role when communitarian foundations for regional ecological obligations will be considered in Section 3.1.2. Social dimensions of regions place less, but existent, emphasis on a shared culture but recognise how space is constituted by social practices (Varró & Legendijk, 2013, p. 20). Such practices include constructing that social space and having influence and mobility in it. Political agreements are one example of the social dimensions of political conceptualisations of regions, relating to aspects such as enjoyment of social rights in other nations where one is not a citizen. For example, the Helsinki Treaty of 1962 between Denmark, Finland, Iceland, Norway, and Sweden, promotes a close community between the Nordic citizens. The treaty allows for issues such as residing in the different Nordic countries and close cooperation in the legal, cultural, social and economic fields, effectively forming a political region. The social practices constituting regions need not be legally encoded and can refer to social norms on sub-national levels. The social dimensions of political regions will play a part in the arguments investigated both in Section 3.1.2 and in 3.2.1. The economic dimension relates to how different political authorities form economic relations. Examples include trade agreements with other political authorities, such as other nation states, thereby creating regional entities such as the EU, MERCOSUR, or NAFTA in addition to agreements on more local scales between neighbouring states, forming regions based on economic relations. The economic dimension also forms the basis for regions within a nation state due to there being different sites of production, processing, and consumption within a nation state, where the different regions within the same nation state mutually rely on each other. The economic dimension of political regions is most consistent with upholding conventional territorial rights and the liberty of entering and stipulating the content of agreements, which will be investigated as a foundation for regional ecological obligations in Section 3.1.1.

Ultimately, the main ambition is to analyse whether and how political conceptualisations of regions and their different dimensions can justify regional ecological obligations in a way that is more ecologically apt than ecological conceptions of regions. In contrast to the political conceptualisations of regions, Section 3.2.2 will place substantial emphasis on ecological conceptions of regions as a basis for regional ecological obligations. While political conceptualisations of regions are not generally clearly defined, neither are ecological definitions of regions where the concept usually designates large areas or major ecosystems that often, but not always, transgress the borders of sovereign states. Ecoregions are major ecosystems 'resulting from large-scale predictable patterns [...] which in turn, affects the kinds of local ecosystems and animals and plants found there' (Bailey, 2014, p. 154). Similarly, the UN Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services states that an ecoregion is:

A large area of land or water that contains a geographically distinct assemblage of natural communities that:
 (a) Share a large majority of their species and ecological dynamics; (b) Share similar environmental conditions and; (c) Interact ecologically in ways that are critical for their long-term persistence. (IPBES, n.d.)

Consequently, an ecoregion is defined by the presence of uniform plant and animal communities with predictable successive stages. An ecoregion need not necessarily be limited to one such climax. For example, in mountainous areas different elevation zones have different climaxes. These

definitions overshadow conceptual and epistemic controversies in ecology regarding stability as the extent to which ecosystems or biotic communities are observer-dependent is disputed (Jax, 2010, p. 83). Historically there have been different views on ecosystems ranging from being regarded as stable and continuous units to stochastic systems with low degrees of cohesion (Justus, 2021; Odenbaugh, 2007). To Botkin (2012), the dynamic and changing characteristics of the environment are often lost in ecological models which give an impression of steady-state ecosystems with long-term stability. In this article I will merely contend that ecosystems provide a foundation for ecoregions that have, at the very least, some criteria that different observers can agree on. Such criteria make it *meaningful* to talk about specific ecoregions based on their characteristics, stability and long-term persistence.

Fulfilling Rolston's (1993) request of giving a greater ecological regional foundation for environmental policies requires considering why regions should be discussed normatively. To suggest that the political entities joined in an ecological region ought to collaborate for ecological reasons diminishes parts of the sovereignty they have over the ecosystems within their borders. Thus, there will be some potential costs of rejecting or softening the principle of resource sovereignty for ecological reasons. But on what normative grounds does resource sovereignty stand? David Miller, defending resource sovereignty, discusses control over resources as a territorial right in opposition to cosmopolitan equal ownership of the Earth (2012, p. 264ff). A resource is not merely 'there', but must be extracted, processed, and traded. Such processes have impacts on key social and economic elements such as employment structure and level of development (Miller, 2012, p. 264). Miller provides two indirect arguments for the conclusion that states ought to also have a right to the extracted resources. First, considering how resources impact on society, 'for reasons of self-determination it will normally be desirable that the resources should remain under the collective control of the society's members' (Miller, 2012, p. 264). Second, if a nation has a transhistorical identity, giving people mandate over natural resources within its territory 'encourages them to use those resources in a sustainable way, so as to support their way of life in perpetuity' (Miller, 2012, p. 264; see also Rawls, 1999).

Miller is not attentive to regional differences when he argues for the relevance of the nation-state as a whole as a foundation for resource sovereignty. But many factors defeat a relation between resources and the nation as argued for by Miller. These factors provide an argument where regions are the proper analytical entity for managing natural resources and Miller's argument may actually justify giving increased regional influence. For reasons of self-determination, it will be likely that regional actors will want to preserve control over the resources and use it sustainably since they are directly dependent on it, whereas a nation may shift focus between different regions within its borders. An economic, cultural or political region where there are resources may still be in poverty even as the wealth derived from those resources is accumulated in capitals or richer regions of the same nation. The dependency of regions on natural resources is evident when a region loses employment opportunities or local connections to environmental resources, as well as possible 'identity-loss' if the region socially identifies, to a great extent, with the resource extraction, processing and trading. Such regional identity-loss also defeats the 'transhistorical identity' where the present generation (of citizens in a nation state, again being Miller's analytical foci) 'has inherited rights from its predecessors' and 'recognizes reciprocal obligations towards successor generations stretching far into the future' (Miller, 2012, p. 264). Thus, regions seem a more appropriate analytical and normative unit than the nation state when it comes to some natural resources.

States will be the analytical focus for political authority in this paper and the discussion in subsequent sections. That focus is partly due to the assumption of large parts of political theory that the state is the primary analytical unit. A more substantial reason is that states have clearly established conventional authority with significant power over ecological areas as a part of resource sovereignty. My aim is to investigate whether political or ecological conceptualisations

of regions have the power to justify that political authorities ought to recognise regional ecological obligations as a basis for their conservation policies. Recognition of such obligation will in turn constrain parts of their liberty regarding resource management. States provide a solid background for discussing how ecological regions relate to political authority and political conceptualisations of regions. When applied to sub-national levels, authorities commonly have less mandate compared to the nation state and accepting regional ecological obligations do not carry the same costs. Furthermore, from an analytical perspective sub-national units differ substantially between nations. Similarly, the mandates and delimitations of supra-national entities are more unclear than the territorial rights of states. Yet, it should be noted that an outcome of the arguments for regional ecological obligations is a stronger mandate, for ecological reasons, for different constellations of sub- and supra-national entities when it comes to conservation policies. The state will play different roles in the arguments investigated in the next section, ranging from arguments that leave territorial rights of nation states intact and where states can enter voluntary agreements consistent with their territorial rights, to arguments with an increased place-based ecological focus that challenge the resource sovereignty of nation states.

In the following section, I will investigate to what extent political and ecological conceptualisations of regions can justify that political authorities should recognise regional ecological obligations, and thus to cooperate in an ecologically informed manner, or have its nature conservation policies be based on ecological conceptualisations of regions.

3. JUSTIFYING ECOLOGICAL REGIONAL OBLIGATIONS

In this section I will outline four different arguments for regional imperatives, understood as normative bases for when different political authorities should collaborate to manage natural resources.

3.1. Giving normative prevalence to political conceptualisations of regions

In this section I will investigate two justifications of regional imperatives that gives prevalence to political conceptualisations of regions (which includes cultural, economic and social components). If successful, these arguments have several benefits since they cohere with conventional views on political authority where ecological conceptualisations of regions play either an informative role to conventional political authorities, or as regional ecological obligations having a cultural basis.

3.1.1. Voluntary agreements as a foundation for regional imperatives

Voluntary agreements between sovereign entities or local authorities as a basis for regional imperatives is the closest of the arguments investigated in this article to respecting current territorial rights. The nation state is the *sine qua non* of theories of sovereignty. What has been called the Desert Island Model of sovereignty ‘pervade[s] our thinking, so much so that people do not even see them as controversial hypotheses to which there could be alternatives’ (Ochoa-Espejo, 2020, p. 7). In the Desert Island Model territory is conceptualised as independent discrete entities. However, human settlements are often not established on (metaphorical) isolated islands, but rather in interdependent and overlapping political areas (Mancilla, 2016; Nine, 2022; Ochoa-Espejo, 2020). Rejecting or at least questioning Desert Island Models of territory requires formulating alternatives that are attentive to such interdependence and overlap.

In this first argument I will assume that the resource sovereignty of political authorities gives them extensive liberties over the environmental areas and natural resources of their territory. At stake in investigating this argument is what role ecological conceptions of regions can play in relation to such liberties. The voluntariness primarily concerns the underlying reasons for recognising regional ecological obligations and expect joint cooperation. Such reasons affect both the

entering of joint commitments but also the stipulation of what those commitments consist of. Other reasons to enter or refrain from entering such agreements – such as economic growth giving emphasis to the economic component of political regions – risks fitting uneasily with ecological reasons for such collaboration. The content of such agreements ought to be ecologically informed to give normative weight to ecological conceptions of regions. However, an entity with substantial liberty to enter and stipulate the conditions of agreements need not necessarily give substantial weight to ecological conceptions of regions as reasons for recognising regional obligations, but can give an emphasis on cultural, economic or social dimensions as reasons for entering and stipulating the conditions of agreements.

So let us assume that regional ecological obligations are justified in a way compatible with preserving the Desert Island Model, where our intuition that there are regional imperatives coheres with established and conventional principles of sovereignty. A state, or a sub-state entity, A, can voluntarily decide to collaborate and set joint policies regarding a shared ecological region with a neighbouring state, or sub-state entity (even in a different nation state), B, and is at liberty regarding the content of that agreement and in weighing ecological or cultural, economic or social factors. This preserves the self-determination of A and B consistent with the Desert Island Model. A and B are free to enter agreements to have certain obligations towards each other, detail what that agreement consists of, and the underlying justifications of the agreement, such as by reference to cultural, economic or social factors. Nevertheless, they are also at liberty to refrain from entering such agreements and the content of the agreement need not be based on ecology.

Given the definitions above, it can be said that voluntary agreement preserves the political sense of regions but neglects the ecological sense as the borders of authority and jurisdiction do not reflect ecological regions. Or at the very least, ecological conceptions of regions do not necessarily play a decisive role as a justification or reason for entering and stipulating the content of such agreements. Due to its consistency with existing territorial rights, it risks reintroducing the shortcomings of resource sovereignty. There is no warranty that either of two (or more) neighbouring entities will reach a consensus on what the regional obligations consist of. A can decide to, for instance, perform actions on a joint ecosystem that B finds implausible and should be refrained from. But A is free to do that according to resource sovereignty up to the point of not damaging B's ecosystems which would infringe on the resource sovereignty of B. This is consistent with the Desert Island Model's neglect of interdependency.

Yet, neither authority can be considered *blameworthy* in this account should they not cooperate for ecological reasons. Consider, for instance, migratory species. The monarch butterfly has undergone a sharp decline, primarily due to the use of glyphosate designed to kill weeds, and is an iconic species uniting Canada, the US and Mexico, as well as serving as the symbol of the North American Free Trade Agreement (NAFTA) (Mancilla, 2016, p. 26). In the case of migratory species, such as the monarch butterfly, Mancilla (2016) argues that a plausible theory of territorial rights should advocate shared sovereignty. This shows that there is more to environmental resources that defeats or at the very least gives reason to question some of the resource liberties of neighbouring states, in turn speaking in favour of recognising stronger collaborative imperatives. If the policies of a political authority in an ecological region works at cross-purposes with ecological knowledge regarding a specific shared resource or migratory species, that authority could be blameworthy. Such justified blame shows that there are many ethical assumptions doing the normative work, which conflicts with the generous liberties of resource sovereignty.

This section primarily reiterates the shortcomings of resource sovereignty that motivates the need for considering regions. Arguments in favour of regional ecological obligations based on voluntary agreement place a greater normative emphasis on upholding resource sovereignty – perhaps limited to the economic dimensions of political regions – relative to the normative obligations stemming from ecological regions as the political gets the normative upper hand. Consequently, other reasons for justifying regional obligations will be investigated.

3.1.2. Shared history, similar cultures: a cultural basis for regional imperatives

Another possible justification for regional obligations is with reference to shared history and culture. This has the possibility of expanding the political conceptualisation of region by paying greater attention to cultural aspects while also encompassing those ecological systems that are pivotal to preserving communities. The same place or ecosystem may figure in culture and folklore, be the source for past achievements and accomplishments, and provide a source for a sense of identity for neighbouring political entities. The importance of place to members of communities provides a cultural basis for regional imperatives. Political authorities *should* collaborate due to the cultural meaning of an area. This argument emphasises the cultural and social components of political regions and the cultural importance of access to environmental areas.

Due to the importance that access to and continued usage of an area play to a shared identity, there are strong imperatives to care for that place and preserve it collaboratively. Being a part of such a region and not joining such efforts could be a sign of disrespect for the shared history and culture. The result is what could possibly be most aptly described as a communitarian-like ground for regional imperatives. Communitarian theories in political philosophy place an emphasis on shared practices and understandings within each society (Kymlicka, 2002, p. 209). Rather than a neutral liberal state, communitarians argue in favour of a non-neutral state that accentuates the common good (Kymlicka, 2002, p. 220; Sandel, 1984; Taylor, 1985). The common good 'is conceived of as a substantive conception of the good life which defines the community's "way of life"', and 'provides a standard by which [...] preferences are evaluated' (Kymlicka, 2002, p. 220). In the case of regional ecological obligations it would be non-neutral authorities in an ecologically delimited region that accentuate a common good, where the ecological region is part of that conception of the good. The agents of the region that do not manage it wisely are thus blameworthy.

For example, having access to environmental areas and strong norms of *friluftsliv* ('free-air-life', the word exists with similar meanings in Danish, Norwegian and Swedish) has been essential for centuries to many countries in the Nordic region, legally encoded in *allemansrätt* ('everyman's-right' or 'freedom to roam') in Norway and Sweden in modern times (Anker, 2020). This norm has also influenced, for instance, urban planning in the Nordic countries (Thurfjell, 2020, p. 166) and provides a source of identity.¹ A different example is the many indigenous communities that rely on access to and usage of natural resources as part of their identity and cultural practice. Armstrong (2017) discusses such instances as 'attachments' being cases in which 'individual identity is bound up in individuals' ability to securely interact with a specific resource' (Armstrong, 2017, p. 121). Armstrong discusses the reindeer herding Scandinavian Sámi having such an attachment to the area Sápmi. Reindeer herding provides a shared life-plan 'deeply wrapped up in a specific mode of existence in relation to the physical environment', and 'there is an intimate and profound connection between an individual's identity and her ability to securely interact with a specific natural resource' (Armstrong, 2017, p. 121). The loss of access to that area is an injustice to those with such attachments given the role of such access to a common good.

There are several weaknesses of these grounds for regional obligations. While the communitarian-like arguments, once in place, offer strong reasons for preserving the environment, there are many conditions that must be fulfilled for the arguments for regional imperatives to hold. First, there is contingency in the sense that not only do different communities likely relate differently to the same natural resource. This pluralism defeats a single meaning of it. Additionally, the resource in question must have come to signify something that is to be valued and preserved to the community or communities. These factors may not necessarily exist in anything but a few cases, as not all ecological regions are meaningful to any community in such ways. Moreover, it is not certain that natural resources *per se* play such a role at all to communities, as their common good may be founded on extrinsic factors. Such factors include specific events of historical

significance to the community having occurred at the spot. Factors such as events of historical significance then provide reasons to preserve that place, rather than there being ecological reasons for preserving it.

Second, and more importantly, there is no reason to believe that neighbouring authorities will act in the spirit of regional imperatives over a joint resource, even if sharing a history or culture. History shows plenty of examples of the opposite, of neighbouring authorities waging war against each other for control over a resource. An objection to this is that waging conflict over resources is not what entities in regions *should* be doing. Yet, due to the contingency involved in communitarian-style defences of regional imperatives, this argument becomes highly vulnerable as a justification of regional imperatives. It will only cover some areas due to contingent factors, such as the ecological region happening to bear a significant importance to a specific present group. Few ecological regions are that lucky. Furthermore, while this argument has the possibility of recognising the ecological features of the place as a central reason for care, there is greater emphasis on the political – or rather cultural – sense of regions.

3.2. Giving normative prevalence to ecological conceptualisations of regions

In this section I will outline two justifications for regional imperatives that place a greater normative emphasis on the ecological conceptualisation of regions than the above arguments.

3.2.1. 'Place-based' duties: *ius situs* and the authority of place

An alternative to the arguments in the preceding section that pays greater attention to the ecological conception of regions is found in Ochoa Espejo's (2020) 'place-based duties'. In a critical scrutiny of the Desert Island Model, Ochoa Espejo formulates an alternative 'watershed' model of sovereignty with a place-based focus and ecological foundation. The watershed model intuitively fulfils several *desiderata* relevant to regional ecological imperatives. She writes that 'watersheds [...] create unique obligations among those within the watershed, and these in turn establish unique collectives' (2020, p. 17). The grounds for this model are place-based duties to the extent that 'living in particular places create ethical and political obligations', and 'a deep moral connection is present between individuals and the places where they live' (Ochoa-Espejo, 2020, p. 22). The obligations that are evoked do not depend on *who* someone is, but rather *where* they are (Ochoa-Espejo, 2020, p. 151).

She calls such place-based duties *ius situs*, being 'a normative system by which physical presence in specific places gives special duties to individuals' (Ochoa-Espejo, 2020, p. 267). Basing obligations on place and presence as preconditions for social relations emphasises interconnectiveness, openness, plurality and change (Ochoa-Espejo, 2020, p. 296). The place-based imperatives are illustrated in the following manner:

[I]n 2017 there was an earthquake in Mexico City. In some neighborhoods, before emergency services could arrive, those who were near collapsed buildings created human chains to move debris and liberate those trapped inside. If you happened to be there at that moment, you could not simply leave and open a gap in the human chain. Your presence there generated a particular obligation to keep the chain going regardless of whether you were a Mexican or a foreigner [...] Simply because you happen to be there, you are expected to cooperate. In sum, there are place-specific duties. (Ochoa-Espejo, 2020, p. 151)

Ochoa Espejo does not reject more universal duties but suggests that they are supplemented with these special place-based obligations. She writes that 'place-specific duties allow cooperation below or above the threshold of the state without having to rely on shared practices connected to identity' (2020, p. 170). Both 'below' and 'above' the threshold of the state seems clearly relevant to regions, given how the concept both relates to sub-state and supra-state units.

But there are some reasons to be cautious about accepting *ius situs* and the arguments for place-based duties as a foundation for regional imperatives. The example above relies on crises or disaster situations. Having often escaped thorough and systematic philosophical treatment (Sandin, 2018) crises and disasters are highly exceptional, which defeats the role of the argument as a foundation for more general obligations. For instance, when disaster strikes, ‘what would otherwise be categorically forbidden becomes morally possible’ (Hurd, 2002, p. 405; Sandin, 2018, p. 20). That is, everyday obligations may only hold in certain circumstances, up to some type of threshold after which what is obligatory shades into being supererogatory (Urmson, 1958). The professional duties of rescue workers will differ, but that is another matter. It seems sensible that crises pose special conditions and, for that reason, do not serve well as an argument for general, place-based duties. Crises give rise to obligations that are justified for other reasons than being present at a place, such as duties to rescue and similar. One would struggle to find an ethical theory where it would be permissible to ‘leave the chain’ in a crisis situation, conditional on factors such as presence, capacity to provide aid and the risks of being harmed oneself. Accepting place-based duties is not required to explain such imperatives and the examples do not justify concluding that such duties exist.

Ochoa Espejo, however, means to provide a ground for place-specific duties that are more general than solely being relevant to crises. ‘In any given place’, she writes, following the above-quoted earthquake example and neglecting the differences between crises and other situations, ‘you are similarly (*sic*) related to many other [...] more complex institutions, like traffic rules or norms of urban living’ (Ochoa-Espejo, 2020, p. 151). This similarity to crisis situations is questionable. Exemplifying such duties are ‘obligations of local citizenship: being a good neighbor, respecting sacred spaces, fostering the local ecosystem’s resilience, sharing communal areas, and generally, participating in schemes of cooperation specific to the locale’ (Ochoa-Espejo, 2015, p. 68; see also Ochoa-Espejo, 2020, p. 152). Place specific duties ‘allow strangers to live close to one another without deep conflict’ and ‘reflect common understandings that allow for predictability and ease in social life’ (Ochoa-Espejo, 2020, p. 152).

Ochoa Espejo maintains that the obligations stemming from place differ according to local customs and local environments (2020, p. 152). Local customs and environments provide an additional layer doing the normative work in Ochoa Espejo’s place-based duties, making them less dependent on places. As an example, in some nations, such as Sweden, there are ‘nature-based integration’ projects aimed at promoting a shared understanding of nature, such as the above mentioned *allemansrätten* (Singleton, 2021). Such integration includes guided walks that construct space in different ways, prompting different behaviours and ways of experiencing it according to specific norms (Singleton, 2021). However, due to the diversity of participants, ‘there are different views about what is appropriate in nature’ (Singleton, 2021, p. 125) and there may be clashes between different norms and ideas about what one is permitted to do during such nature walks. This gives rise to a coercive component as the participants, often newcomers to Sweden, ‘should be using nature but in the prescribed way’ and ‘must be “enlightened” about the Swedish “correct” way of doing things’ (Singleton, 2021, p. 126). That is, the place-specific duties must be learnt. In this context there is no specific norm or common understanding that arises out of presence in a specific place – such as being in the forest – *per se*. Thus, Ochoa Espejo introduces an additional layer that provides a normative push to the place-based duties.

Explicating this additional normative layer, those that are aided in the earthquake example above have moral standing which to Ochoa Espejo seems to be limited to quite conventional right-holders. For instance, it would be curious if, in an earthquake, some people decided to devote their efforts to ‘rescue’ household objects in the presence of people who need aid. Yet, in the case of directing their efforts to minimise damage to artefacts of cultural and historical importance the example changes, though it is unlikely that saving such an artefact would trump saving a person given the substantial rights that individual persons have. What this

shows is that the additional layer that does the normative work must be emphasised and spelled out, which puts the ecological foundation of place-based duties in question. Rather, specific norms emanate from the place when conjunct with a specific meaning and understanding of the place.

In the case of neighbours or relations to nature, the way to behave in these contexts relies less on place and is more dependent on norms of what constitutes a good neighbour, or how one should act in nature. But this entails adopting cultural norms when one is present at the place. There is nothing specific with ‘place’ as such, and the loci of the duties in, for instance, nature-based integration is rather to be found in intersubjective norms and adopting a specific cultural understanding of place and the duties that apply when present in a place.

Ochoa Espejo also emphasises this interpretation and the normative layer discussed above, stating that ‘place is [...] constituted by culture, social activities, institutions, and physical constraints’ (2020, p. 153). This makes what seemed to be an ecological conceptualisation of place rely substantially on a social conceptualisation of it. She rightly identifies that ‘every culture has a wide range of variation in the conception of cultural norms, and even insiders disagree at times about how to interpret place-specific relations’ (2020, p. 166). But conceding this more and more resembles the communitarian-style basis for regional imperatives sought above and is vulnerable to the same criticism as a foundation for regional ecological imperatives where the cultural or social components of political regions are emphasised at the expense of ecological conceptions of regions.

Given these shortcomings, I will below suggest an expanding of *ius situs* as a basis for regional imperatives.

3.2.2. *Extending ius situs as a basis for regional ecological imperatives*

In this section I will investigate under what conditions an ecological basis for regional imperatives can play the normative upper hand relative to political conceptualisation. Extending the concept of right-holders gives ecological knowledge a greater normative weight and *ius situs* as an ecological basis in support of regional obligations. Consequently, it fills the normative layer that Ochoa Espejo relies on with more entities, which in turn gives greater normative emphasis to place.

One reason for the proposed extensions is that while *ius situs*, as place-based obligations, intends to avoid the objections facing communitarian-styled relations to place by regarding places such as rivers as preconditions for social relations (2020, p. 160) and putting an emphasis on presence rather than culture, there are still cultural and social meanings that dictate place-based duties. That is, cultural norms, as part of the political conceptions of regions, still play a central role in place-based obligations that introduces many of the shortcomings of the communitarian approach. Thus, in contrast to each of the three arguments discussed above, this section will propose how ecological conceptions of regions can play a more central normative role. Another reason for the extensions is that moral standing is not limited to humans in a place, and the extensions here provide a normatively reasonable way of making ecological regions politically meaningful. This fulfils the *desiderata* sought in this paper of putting normative emphasis on the ecological conceptions of regions. The ecological conceptualisation of regions does not merely inform, but lead, what political authorities should do. The foundation for this expectation is due to the normative status of those present in and reliant upon places, and the ethical value of places *per se*, respectively. It should be noted that the suggestions here require accepting conceptual and normative innovation and possible extensions and modifications of core conditions for right-holding regarding what entities have legal and moral standing.

Rivers and watersheds are special types of natural resources, prompting Ochoa Espejo to name her account ‘the Watershed Model’ exemplifying *ius situs*. Rivers and watersheds transport water, being a precondition for life and health, and often transverse national borders. In her words, rivers provide a *lifeline for regions*² (Ochoa-Espejo, 2020, p. 253, my emphasis; Wohl,

2004; Palmer, 1994). This function as a lifeline is not limited to the use people make of such resources but also encompasses the river's function for biological systems. Ochoa Espejo writes that 'the duty to preserve the river as a lifeline is a duty to save the river's self-regulatory functions, which allow those who live in the wider region's water basin to use the water sustainably' (2020, p. 253). This strengthens the ecological basis of regions and combines them with the political conceptualisation. But as was evident from the preceding section, more normative work is required to reduce the reliance on norms to do the normative work for place-based duties.

The presence at places is not limited to humans but also includes animals, as Ochoa Espejo agrees (2020, p. 112). During recent years there has been an upsurge in animal political theory, giving normative recognition to wild species of animals. Donaldson and Kymlicka (2011, 2013a, 2013b) have formulated what they call *zoopolis* according to which wild animals are granted sovereignty based on self-determination. At the core of Donaldson and Kymlicka's argument is that self-determination and interests are necessary conditions of political standing (2011, p. 173). The moral importance of autonomy 'depends on whether their flourishing is tied to their ability to maintain their modes of social organisation and self-regulation on their territory' (Donaldson & Kymlicka, 2011, p. 173) which includes sentient beings (2011, p. 36) such as animals. Consequently, wild species of animals, by virtue of being sentient beings whose flourishing is tied to access to environmental areas and usage of natural resources, are due such access to the areas needed for their flourishing.

If recognising that wild species of animals are ethically and politically relevant, and such species need access to areas for continuance of their life and well-being, then there are reasons for preserving such areas that rely less on cultural and social norms and instead give greater emphasis to the ecological conception of region. That is, merely by being sentient and flourishing beings dependent on access to environmental areas, wild species of animals are granted respect and recognition. Conceptually, should the ethical and political standing of wild species of animals be recognised, the areas they need are transformed to their, in a political sense, territory, and their sovereignty ought to be respected. The reason is that, like human communities, 'communal flourishing' requires 'securing their lands and autonomy' (Donaldson & Kymlicka, 2011, p. 174).

If wildlife has political standing, this calls for regional imperatives by considering how some wildlife requires large environmental areas for their well-being, and such areas often transverse the borders of political authorities. If wild animals have rights of access to environmental areas of certain quality due to the importance those habitats play for their well-being and self-determination, the importance of caring for and maintaining healthy ecosystems becomes pivotal not just for reasons of human self-determination. Apparent in *zoopolis* is that the care for environmental areas or ecological systems is derivative of the need for sentient animals. Protecting such areas thus becomes instrumental to respecting the well-being of other sentient creatures. This is like how place in *ius situs* is a precondition for relations, and place-based obligations are derivative of preserving the place, such as preserving a 'river's physical, chemical, and biological self-regulatory functions that allow the river ecosystem to recover after shocks' (Ochoa-Espejo, 2020, p. 270). Alasdair Cochrane also argues in favour of political rights for animals (2019, 2018) but without invoking notions such as sovereignty. Like Donaldson and Kymlicka, Cochrane bases his account of political standing on sentience but also adds that sentience leads to intrinsic value, and political rights is a way of respecting that value. Sentient animals have interests that matter in and of themselves, and 'which impose duties on moral agents' (Cochrane, 2019, p. 11). Both Donaldson and Kymlicka's *zoopolis* account, and Cochrane's account of political rights for animals, lead to ways of planning and acting that respects the interests and well-being of sentient animals. The emphasis on sentience has the benefit of reducing the impact that cultural and social norms may have on the ethical status of animals. That is, that some wild species of animals are recognised due to their cultural or social importance. Instead, it is merely sentience that

counts in favour of such recognition, and the need that wild species of sentient animals have of access to areas for their flourishing.

Both Donaldson and Kymlicka, and Cochrane, explicitly exclude insentient entities such as plants, trees, or ecosystems from the domain of direct political standing. While such entities may have ‘abilities to sense the world around them, and their behaviour shows that they respond to stimuli [...] it is very unlikely that plants are *aware* of themselves and experiences feelings of pain, joy and so on’ (Cochrane, 2019, p. 22; see also Donaldson & Kymlicka, 2011, p. 36). Despite limiting extensions of sovereignty and political standing to animals and explicitly excluding insentient beings, recent years have seen pushes from a wide array of actors to further widen the sphere of right-holders. Under the general heading of ‘rights of nature’ (RoN) there have been calls for legal recognition of ecological areas such as rivers. Zoopolis and the political representation of wildlife surely enlarges the set of creatures for which environmental areas matter as areas of importance to animal well-being. They make the protection of such areas derivative of their role to the wild species of animals. But this says little of the normative standing of place *per se*. RoN provides an alternative by recognising the legal standing of an environmental area *per se*. Thus, for instance, the New Zealand legislation recognised the legal personhood of the Whanganui River in 2017, being a recognition of the meaning that the river has to the māori (Boyd, 2017).

To Ochoa Espejo, other accounts besides *ius situs* cannot ‘capture the idea that rivers matter for us *as rivers*, rather than as pipes for human needs of reservoirs for a specific people’ (Ochoa-Espejo, 2020, p. 262), and cannot justify the view that the river has intrinsic value. To avoid the reliance on norms suggested above, *ius situs* should recognise the normative relevance of ecological space *per se* as this would provide a foundation for normatively conceptualising space with an ecological basis. The seeds of that are present in Ochoa Espejo’s work when she writes about the intrinsic value of rivers and that rivers matter to us *as rivers* (2020, p. 263). Surprisingly, she rejects granting rights to the Whanganui River as even if ‘we owe duties to the river *qua* river [...] turning the river into a liberal subject of rights may further disconnect it from other subjects of rights, rather than acknowledging the deep web of entanglements among them’ (2020, p. 263). That RoN would reject such entanglement is questionable as RoN commonly express interrelatedness and dependency (see Boyd, 2017; Kauffman & Martin, 2021). This does not reduce the normative layer doing the ethical heavy-lifting of *ius situs*, but it enlarges that layer to also recognise the intrinsic value of entities such as rivers, giving place-based duties an ecological foundation.

RoN have been recognised in legislatures and generated discussions in legal and moral philosophy (Stone, 1972), but it is difficult to provide a general argument that all legislations should recognise RoN, similar to more general rights (Baard, 2021, 2022, 2023; Corrigan & Oksanen, 2021). While there is more flexibility in legislations than in legal and moral philosophy regarding what entities can be ascribed legal personhood or rights, that flexibility of legislations is not absolute (Baard, 2021). Moreover, despite a complex and disputed relation between ethics and legislation, moral rights often underlie general and universal rights such as human rights and, given some theories, animal rights. But both humans and animals differ substantially from the entities encompassed by RoN. A river or ecosystem have vaguer boundaries than a person or animal (Baard, 2023). The very concept of rights seems primarily to be applicable to cohesive individuals. In contrast, an ecological region or area such as a river usually consists of a variety of entities and species, forming a less cohesive whole. But rights often require fulfilling other conditions besides being an individual, prompting extensions or modification of the conditions for right-holding. Among two conventional conditions are having will or interests (Corrigan & Oksanen, 2021; Kurki, 2021; Baard, 2021, 2023). Not being conclusive, we ascribe rights, or at least dignity, to animals whose will may be difficult to ascertain with certainty but whose interests, understood as well-being, are discernible.

We can however ascribe representatives to human beings who may have difficulties expressing will, or when interests in the sense of well-being must be ascertained in a more general manner. Granting representatives to environmental areas such as rivers is also a possibility in RoN, as has been shown in legislation. Consequently, despite being a conceptual and normative innovation extending many core conditions of right-holding, it need not necessarily be unreasonable to accept RoN should there be a fair procedure for ascribing representatives (Baard, 2023). This may be a possibility even if the entities in question differ substantially from the conventional discrete and unified right-holders of human and animal rights. Through representatives, the collective entities of an environmental area could be protected ecologically.

Accepting wild animals as having political rights, or RoN, can make wild species in need of ecological regions, and ecological regions themselves, right-holders towards which political authorities have corresponding duties, giving a greater normative function for ecological conceptions of regions. Neither extending political representation nor basing regional imperatives on ecological foundations – to provide habitats for wildlife, as well as recognising the standing of place *per se* – are without their challenges. Yet, they provide extensions that place a normative emphasis on the ecological features of regions, where ecological and political conceptualisations of regions are in play and provide mutual support in ways that challenge the substantial mandates granted by resource sovereignty.

4. SUMMARY REMARK

Table 1 summarises the four arguments justifying regional ecological obligations:

Despite sovereign states having resource sovereignty over the natural resources within their territory, such resources do not reflect or even relate to the borders of political units. Consequently, I have incorporated two notions of regions, by investigating whether a political understanding of regions can have ecological foundations, and where an ecological delimitation of regions has political relevance. Motivating my inquiry has been the mismatch between political units and ecology when it comes to management of natural resources working at cross-purposes with mitigating habitat destruction and species extinction.

After defining an ecological and political sense of regions, I outlined four different arguments for regional ecological obligations, where it can be expected that an autonomous political authority cooperates with a similar neighbouring entity for managing natural resources. I clarified how the ecological conception of regions related to the political conception to see whether there are possibilities of aligning the ecological and political conceptions (see Table 1). While political authorities of the same region are at liberty to enter agreements and stipulate their content, when ecological conceptions of regions play a greater normative role then ecology provides reasons for entering the agreements and influences the content of those agreements.

Neither of the justifications for regional imperatives outlined here provide all-things-considered reasons but they show that there are possible normative foundations that justify expectations that political authorities, united in ecological regions, ought to collaborate to manage natural resources. Such expectations constrain the liberty of each of the entities to manage the resources in a non-ecological way. While the first two arguments were more consistent with existing and conventional understandings of the relation between politics and ecology, they suffer from severe shortcomings. The latter two diverge to a greater extent from conventional principles of sovereignty and require normatively reconceptualising space to a greater extent but, if successful, normatively incorporate respect for animals and the environment.

While this paper has only provided an outline for how to understand regions normatively, its contribution is its focus on a, in political philosophy neglected though practically used, concept and in generating an understanding of the relation between ecological systems, political mandates and normative understandings of space.

Table 1. Overview and summary of arguments for regional ecological obligations.

Argument for regional obligations	Characteristics	Ecological effectiveness
Voluntary agreement	<ul style="list-style-type: none"> - Preserves resource sovereignty. - Nation states at liberty regarding the reasons for entering or refrain from entering agreements, as well as concerning the content of those agreement. 	<ul style="list-style-type: none"> - Not ecologically effective as ecological conception of region plays no normative role. - Ecological knowledge informative at best. - The content of agreements may not be justified ecologically. - Gives precedence to conventional political conception of regions.
Shared identity	<ul style="list-style-type: none"> - Communitarian basis, to the extent that a specific environmental area is necessary for maintaining a community due to the central role of that area in the coherence of one or several communities. - Can result in strong obligations to participate for ecological reasons across the boundaries of political mandate when conditions obtain. 	<ul style="list-style-type: none"> - Gives normative relevance to space. - Requires that a specific group relies on access to a specific area for cohesion and sustainability. - Contingent upon a specific group actually requiring such access, and does not rely on ecological features itself. - History of disputes between groups regarding the same area.
Place-based obligations	<ul style="list-style-type: none"> - Normative emphasis on obligations that arise due to presence in places. - Not dependent on identity relying on shared history and culture. - Less dependent on voluntariness – if one is present, one should act. 	<ul style="list-style-type: none"> - Difficult to justify general obligations through obligations when crises emerge. - Relies too much on social and cultural norms justifying how one should act in a place. - Heavily anthropocentric.
Extending <i>ius situs</i>	<ul style="list-style-type: none"> - Similar to place-based obligations, but includes an expanded view of normatively relevant subjects present at places and ecological place itself. - Place greater emphasis on ecological conditions for those present at place. 	<ul style="list-style-type: none"> - Includes animals as entities of moral and political relevance. - Can include ecological regions when recognising rights of nature or similar duties to entities such as rivers, serving as lifelines for regions. - Requires conceptual and normative innovation.

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NOTES

1. Norwegian philosopher Arne Næss distinguished between ‘true *friluftsliv*’ and that which is merely forms of ecotourism (1989, p. 178), exemplifying this norm.
2. It is unfortunate that Ochoa Espejo does not provide a definition of ‘region’ here. The reason may be that Ochoa Espejo primarily discusses borders and nation states, whereas here the topic is different and tries to both maintain, or at the very least accept, sovereignty of nation states, but add that there are regional obligations that supplement and sometimes constrain the sovereignty of nation states.

ORCID

Patrik Baard  <http://orcid.org/0000-0003-2835-919X>

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