

# From Glacier to Sea Confluencing Rights of European Water Bodies

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**Summary** 1 Introduction. – 2 A Confluence of European Water Bodies.

## **1 Introduction**

What if water and other living habitats in Europe were recognised as rightsholders?

Rights of Nature (RoN) movements are grassroots, citizen-led initiatives that, together with legal practitioners, engage with a subsection of Earth Law. Specifically, they provoke legal reformation by advocating for legislation on ecocide, constitutional rights for ecosystems, and legal personality for more-than-human beings, intending to revise anthropocentric legal frameworks into ecocentric ones. It needs to be emphasized that acknowledging the intrinsic value of habitats is not the same as claiming that they should be left untouched. Instead, RoN is a legal framework that strengthens the value of the rights of all living beings, human and non-human alike, calling them into negotiations with each other from a non-extractivist perspective. In the implementation of rights, there will thus be ongoing negotiations on what and how to prioritize (Gutmann 2021).

As an ontology, RoN emerged through traditional and Indigenous ecological knowledges, reforming regional, national, and even international legal frameworks and governance practices. In recent decades, nature's statutory and moral rights have entered sociopolitical discourses through contributions from Indigenous peoples, legal experts, judges, lawyers, heads of state, philosophers, and citizens (La Follette, Maser 2017; Corrigan, Oksanen 2021).<sup>1</sup> Over the past fifty years, RoN has reconfigured glocal legislation and geopolitics through its ecosocial transformative jurisprudence approach that recognises the intrinsic rights of more-than-human entities. Understood as an epistemological worldview or ontological worlding, RoN performs the decolonization of a five-hundred-year-old extractivist system (Kauffman, Martin 2017). The decolonial process connected to RoN stemmed from Indigenous peoples' struggles for land and water in several countries (for historic overview and roots, see a.o. Tănăsescu 2022).

RoN impacts are spread across the globe, and move across various legislative, political, and spatial scales, ranging from national constitutions to local court cases, concerned with single natural entities or 'nature' as a whole.<sup>2</sup> To illustrate the large variety of translations into practice, consider the UN's Universal Declaration of the Rights of Mother Earth (2010), national Ecuadorian, Bolivian, and Peruvian constitutions, environmental laws in Aotearoa (New Zealand) and Australia, and ordinances in North America (Humphreys 2017; Youatt 2017; "First River to Have Recognized Rights in Canada" 2021) that each acknowledge the intrinsic rights of more-than-human nature. These rights can mean, among other things, that nature is protected from damage caused by large-scale infrastructure and development projects that affect the balance of ecosystems and the people living in and around the area (Berg, Berg, Hultman 2019).

Over the last decade, RoN discourse has surfaced both within academic contexts and as citizen-led grassroots initiatives in numerous European countries. The Netherlands-based Embassy of the North Sea was founded in 2018, while the idea to nominate a glacier for president commenced its incubation in 2010 (Kassam 2024). Within this wave of dialogue and action, the Spanish lagoon

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**1** For an elaborate history on the expansion of rights to include more-than-human others, see Tănăsescu 2022; Boyd 2017, for primary seminal texts refer to Stone 1972; Nash 1989; Berry 2011; Cullinan 2011.

**2** Parentheses added to acknowledge the contradiction inherent in this rhetoric. It invokes an abstract totality that is simultaneously supposed to stand apart from humanity and yet include it. It separates nature from humans in order to protect the former, but this very separation relies on a fiction that does not actually exist in practice or in most non-Western thought.

Mar Menor stands as a landmark case. In 2022, it became the first ecosystem in Europe to have its legal personality recognised at the national level.

European environmental legislation is historically different from South America, New Zealand, and the USA (Schoukens 2018). Several law scholars claimed that RoN would be superfluous within a European context, as the continent already has adequate environmental laws in place (e.g. Darpö 2019). Some European politicians even explicitly disregarded RoN as incompatible with their principles (e.g. Watts 2024), to the contrast of their voters who are in favour (Epstein 2024). Nevertheless, we are currently witnessing an exponential growth in academic interest, artistic practices, and practical actions. The number of academic papers discussing RoN has sky-rocketed, as has the publication of several journal Special Issues (García Ruales et al. 2024; Makanse, Alvarez Ortega, Bastmeijer 2024; Knauß et al. 2025; Barić, Winkler, Nedić 2026; Warner, Martínez-Moscoso 2026). Western academic traditions of Ecofeminism, Science and Technology Studies, Critical Posthumanities, and Feminist New Materialism, amongst others, have shaped the arrival of RoN within academic institutions.

Research on the process leading to RoN – its moral underpinnings, knowledge processes, and pedagogies responding specifically to the European context – is still in its infancy. Its dynamics are context-specific and demand methods that enable actors to meet and tease out mutual points as well as differences from which to negotiate. Such knowledge is necessary if RoN is used in different places with different local conditions around the planet (Charpleix 2018). More studies of transformative learning processes are needed if these laws are to succeed, with communities and organizations exploring local answers to global crises (Angstadt, Hourdequin 2021). In this regard, an academic-artistic-activist synergy has been identified as essential to explore pathways forward, with initial discourse emerging in the last years (see first foundations laid by Rodríguez-Garavito 2024; Martínez-Moscoso, Warner 2026; Vasquez Montesinos 2026). This special issue responds to these burgeoning interests with a twofold contribution, as it both deepens the knowledge of practices, pedagogies, and theories in the European context, and offers an experiment in collaboration within a network of water bodies. This unfolds through diving deep into a crucial question: how can a water body be recognised as a living, legal subject across different European territories?

## 2 A Confluence of European Water Bodies

This special issue of *Lagoonscapes* weaves together text and images from academics, artists, and activists who are experimenting with and (re)configuring ways of proposing RoN for a variety of water bodies (glaciers, rivers, lakes, lagoons, seas, and oceans).

To approach this complex, affective and potentially transformative transdisciplinary subject that centers ecocentrism as a responsibility for habitability and survival, we require *eunoia*s – beautiful thinkers. Such thinkers extend beyond academic silos, reflect through pasts into speculative futures, and analyse ecosocial systems and structures for malleability, renovation, and redress. Before we introduce the contributors, we would like to acknowledge the main enablers of the multi-year process that led to this Special Issue via the Confluence of European Water Bodies: the Embassy of the North Sea (Christiane, Carolijn, Leon, Thijs, Harpo) and TBA21-Academy (Pietro, Kat, Ola, Markus) who facilitated 35 citizen-led RoN initiatives throughout Europe (known internally as the ‘water bodies’) to connect their practices and actions in order to ‘confluence’ – flow together.

This special issue presents the entangled *eunoia* of fifteen research papers, organised along the water’s journey from mountain to sea.

The issue opens with the glacier Snæfellsjökull in Iceland as a site where RoN poses questions of legalese and activism pertaining to voice, listening, and representation versus advocacy (Rawlings et al.). From there, the river section takes us through the issue of how waters become politically and legally recognizable. The Reuss Initiative frames legal personality as a democratic strategy for protecting water bodies (Schärli, Breda), while the dialogue with the Meuse shows that rights come to matter once a river can appear as plural political subject in public life (Schasfoort, Calabrese). The article on underground commoning in the urban waterways of Genova troubles representation itself by asking how water can be written without being flattened (Bergamaschi, Daneri, Ravera). Artistic methods are employed to envision how the Rhine can be approached through practice rather than abstraction (van der Eijk, Lubeek, Hurst), and walking, drawing, and poetry are brought together along the Taff river to reveal river knowledge as collaborative and situated (Price). Next, biopolitical actants are discussed within the context of the Po river to reconnect the water to the regulatory and infrastructural forces that shape it (Montanari).

The lake section shifts the focus to pedagogy, governance, and lived relations. Presencing and unlearning with lake Vättern shows how art-based ceremonies can unsettle habitual ways of thinking about water and open affective forms of engagement with RoN (Hultman, Laurien). Analysis of the Mar Menor case brings RoN and degrowth scholarship together to situate rights within broader

debates about limits, justice, and alternative economies (Purrmann, Fabre). Autoethnographic work with Limburg's post-extractive waterscapes makes sensory governance visible, showing how intimacy with anthropogenic waters is shaped by access, surveillance, and extractive histories (Obukhova). Next, the parallel between Mar Menor and Lake Vättern rethinks lakes as aquatic doppelgängers to enact them across different juridical and ecological contexts (Widengård).

The final section turns to lagoons, wetlands, and sea, with a focus on translating subject recognition into situated political and spatial practices. Analysis of the layered history of the Venice Lagoon makes a cultural-historical case for welcoming nature into European politics (Consolandi). Continuing in Venice, water relations are imagined as collective and more-than-human, using the figure of the siphonophore to think beyond individualism (Artioli, Soffietti, De Martino, El Hage), while spatial analysis of the Lagoon shows how design can help operationalise RoN by making claims visible in planning and governance (Anghileri, Longhin). The closing paper by the Embassy of the North Sea widens the horizon towards the sea, asking how legal imagination, civic institution-building, and artistic activism can open new forms of representation for marine life (Farini).

Taken together, the issue follows water through different forms, scales, and entanglements, while showing that RoN in Europe merges disciplines to bring about legal and cultural change. Before diving in, the issue opens with a speech by Robert Macfarlane, delivered at De Balie in Amsterdam for the opening of the 2025 Confluence of European Water Bodies, which sets the tone for the contributions that follow.

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