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Introduction - In the name of nature: Activists, experts, and the law

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INTRODUCTION

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In recent decades, there have been growing debates across the world about the protection of the environment and the protection of animals. Though the two issues have separate histories, they have become so entangled today that some consider the ‘Animal question’ to be “at the very heart of the ‘Nature question’” (Mason 2007: 204) – determining the place of human beings in the world. They are managed through legislation, administrative rules, and, increasingly, court decisions. The contributions to this special issue of *Civilisations* try to understand and analyse the way in which human relationships to animals or to the environment are shaped – or not – by legal action, and how people make use of juridical frameworks to actively engage in the protection of nature; how this issue is handled by lawyers, activists, and the state; and how, in other words, nature is ‘judicialised’ in relation to ecological or ethical concerns and as part of a will to manage it. Most of these contributions were initially presented during a workshop organised in 2022 in Paris in the frame of the programme *Ruling on Nature. Animals and the environment before the Court*, funded by the French National Research Agency (Programme ANR-19-CE03-0006).

This ‘dossier’ aims to approach the judicialisation of nature from an anthropological perspective. Drawing on various case studies, the issue brings together contributions on how different actors – activists, scientists, police officers or the legal community – handle the environmental damage caused by human activity or the threats such activity poses to animal species. How is the management of nature debated within the framework of legal constraints, and how are these constraints themselves subject to controversy? How do any tensions and conflicts that arise end up being arbitrated by the court?

Though these issues are not new, their scope has extended, reflecting changes in sensitivity to – and perception of – domestic and wild animals. A new trend is emerging in the discourses and practices of those who speak in the name of the environment and/or animals as many consider that this is no longer just a matter of human responsibility but also a question that involves the specific interests of nature and animals.

In this sense, animal law has evolved from a conservationist perspective – protecting some endangered species (e.g., whales, pandas) or ecosystems – to increasingly considering the well-being of animals, in keeping with Jeremy Bentham’s advocacy, in the 18th century, for the idea that animals should have some rights on the grounds that “they can suffer” (Bentham [1789] 1823). In 2007, for instance, members of the European Union included in an EU convention a provision for the welfare of animals as “sensitive beings” – later enacted in national legislation, for example in France (Le Bot 2007), albeit not without ambivalence (Brunet 2019; Perrin 2016), or even in the constitution, as happened in Belgium in 2024. Some international institutions, such as the World Trade Organisation, have adopted similar measures. International law thus seems to be slowly shifting from a conservationist standpoint to a welfarist one. A recent example of this shift is found in the recommendations for animal welfare issued by the World Organisation for Animal Health (WOAH), which refers to the “five freedoms” as a guiding principle for international animal management: freedom from hunger, thirst, and malnutrition; freedom from fear and distress; freedom from physical and thermal discomfort; freedom from pain, injury, and disease; and freedom to express normal patterns of behaviour – a series of recommendations taken from a 1965 report on husbandry presented to the UK Parliament by Professor F.W.R. Brambell.

However, these are not, strictly speaking, legal rights but the reverse side of human duties. A more recent idea in philosophical and juridical debates was introduced in the World Charter for Nature, a code of conduct developed by the United Nations in 1982 that proposed a shift from an “anthropocentric” to an “eco-centric” view, together with the idea of nature’s “intrinsic value” which is independent of human needs – an idea that has been applied in legal cases concerning the protection of both natural resources and animals. This leads to a general question: how is it possible to foster this intrinsic value and represent in court a natural resource that is in danger? Should we rethink our legal relationship to animals and to nature?

Animals are still (legal) ‘things’, ‘goods’, ‘property’ in all legal systems, though they may be granted various types of protection (or ‘rights’ in a limited sense); however, they are not (legal) persons – with a few recent exceptions. Should they then be conferred legal rights (and not simply the ‘right’ to be protected)? The question of attributing a legal standing to certain natural elements and animals was raised by Christopher Stone in his famous article ‘Should trees have standing?’ (Stone 1972; Nash 1989; Katz 1997; Hermitte 2011), with the aim of acknowledging that nature has a value in itself. Stone’s idea of attributing a legal standing to nature became a juridical tool in some court cases and influenced the thinking of many lawyers and judges in the USA and worldwide.

These legal debates and activism converge with changes occurring in anthropological views on nature and animals (Cuturi 2020). Anthropology has moved towards a new understanding over the last three decades, revisiting the place of nature and environment in anthropological theory and social discourses (Descola & Parson 1996: 1; Hastrup 2014). The so-called “ontological turn” undoubtedly marked an important step in this re-reading of the relationship between humans and nature (Descola 2005; Latour 2015; Viveiros de Castro 2009), and has fostered an important body of research whose aim was to question the dichotomy between ‘nature’ and ‘society’ produced by modernity, analysing how relations between the two are woven in multiple ways according to context.

These debates circulate throughout the world, and some legislatures or courts in different countries (Bolivia, Canada, Colombia, Ecuador, India, New Zealand, etc.) have already granted or attempted to grant legal personhood to various natural elements – trees, rivers, mountains, glaciers, reserve parks – or animals. In some cases, notably in India, these attempts were ultimately rejected by the Supreme Court, while in Colombia they were upheld and some of the consequences of that decision are analysed

here by **Sandrine Revet**, for the Atrato River, and **Carolina Angel-Botero** for the Nevado del Ruiz Park.

However, these moves, which have also been seen as a form of “legal animism” (Hermitte & Chateauraynaud 2013), are not without criticism in legal circles. The fact is that the consensus on the need to ensure reinforced protection of the environment and animals is not matched by a consensus on the legal tools to be adopted to attain this goal, nor does it correspond to shared views about human relationships to nature. Indeed, while granting legal personhood to animals or entities in the environment is a strategy that elicits strong questioning from anthropological and juridical perspectives, most legal proposals and rulings in fact tend to reform existing legal structures without subverting them, in a wide range of developments within a still dominantly welfarist or conservationist framework (Chapaux 2016; Cupp 2016; Favre 2000, 2010; Hermitte 2011). **Rebecca Cox’s** contribution here underlines from a juridical perspective the kind of tensions that are inherent to the protection of the environment in the case of ‘rewilding’ projects in the UK. One should also keep in mind that the vast majority of cases involving animals or the environment see the application of existing laws from various realms – constitutional law, tort law, criminal law, family law, etc. (Huss 2009).

The contributions in this issue consider a diversity of legal situations and practices, involving various spheres of authority as well as a variety of social actors, institutions, interests, and values. Most of the articles are based on ethnographic inquiry that includes in-depth interviews with local actors or legal experts. This material is combined with the analysis of legal texts or court decisions, and work on archives and documentation, including newspaper archives. Three main topics are addressed in the issue.

In the first section, ‘**Surveillance and Activism**’, the articles focus on how environmental crime is becoming a real issue for multiple actors, involving a diversity of relations with law and legality.

The second section, ‘**Expertise and Arbitrations**’, focuses on expert opinions on nature produced in judicial settings and on the conflicts and competition between the various representations of nature that come into play in these situations.

The final section, ‘**Legal Frameworks**’, addresses the question of legal language and its importance in the processes of ‘framing’ relations between humans and nature.

Surveillance and Activism

Many activist movements are turning to justice and law as key theoretical and practical resources to advance their cause (Agrikoliansky 2010). Converging initiatives that can be described as legal activism and police deployment can be observed throughout the world (Gaiti & Israël 2003). What emerges from this contemporary trend is the prevalence of institutionalised forms of environmental and animal protection aimed at placing these causes on the political, legislative, and legal agendas. The regulatory framework, particularly precise and constantly updated and amended, is primarily used as the preferred means of obtaining justice, to build a case, to enforce the legal order or change its rules, but also to transform the balance of local power relations.

As such, and in the legal arena – which is understood here as a social space – there are numerous possibilities for playing with the various sources of law, and it is important to understand both their limitations and contemporary changes depending on the cultural context, which animals are involved, and the cases being judged. Moreover, the judicial scene offers a peculiar ethnographic closed setting that poses several challenges for observation (Besnier 2007). This is a space that brings together judges, lawyers, representatives of associations, veterinarians, defendants, witnesses, etc.; a space for oral debate, during which the nature of the issues evolves as testimonies and speeches are given, always in relation to the written text; a space, lastly, that brings together elements external to the scene itself (such as the animals themselves), whose modes of representation must be described and understood.

Legal activism demonstrates how a diverse set of individuals come to be assembled in the same arena and form chains of interdependence, punctuated by tensions and conflicts. This happens because humans and animals find themselves caught up in various interactions that straddle the line between what is permitted and what is forbidden, and between conflicting legal and moral judgments. In these networks, actors are linked by conflicts in which each strives to establish their own representation of the situation as authoritative and binding. This process becomes part of the fabric of law insofar as it in no way refers to a social reality that could be conceived and understood independently of legal ideologies and the role they play in the construction and deconstruction of social and cultural customs and practices (Nader 2002).

Understanding how relationships between humans, nature and animals are governed by 'modern' law, and how nature and animals are introduced

by law into legal cases and courts, requires us to think about how the law works as an institution that's part of social life, not as a separate, isolated area (Bourdieu 1986). It also forces us to consider the various protagonists involved, not as a cluster of collectives whose operating logic can be studied as a pre-existing and autonomous reality, but as a stage where different registers of action and interpretation interact.

How does the legal framework influence the statements and actions of individuals and animals, and what sequences of situations do they find themselves caught up in? The articles in this issue also allow us to consider different points of view, depending on whether individuals act and think of themselves as whistleblowers, sentinels, witnesses, investigators, vigilantes, etc. In all these cases, animals are caught in the nets of legality, and more specifically in a hybrid space that combines law and a sense of justice, and in which assemblages of humans and non-humans are situated both within and outside the law.

A relationship with the law emerges that is not solely the preserve of the authorities, as citizens assert their right to use the legal framework, following a dynamic in which “the law is no longer just an instrument of power but an issue in power relations” (Commaille 2023: 125). The relationship to the judiciary in movements committed to the protection of nature and animals reflects an oscillation between the use of transcendent norms – whereby the law establishes the world as it should be – and the uses of legality conceived as one instrument among others for asserting the legitimacy of a point of view and imposing it in public forums.

The way the law is used by environmental, and animal right activists varies greatly depending on context. Some activists act solely within the framework of surveillance and reporting mechanisms upstream of the courts; others combine multiple courses of action, from investigation to attempts to reform the law and legal action; while others still operate on the border between low-key vigilantism and attempts to influence judicial decisions as civil parties in trials that publicise environmental or animal causes. Finally, some participate in institutional and state policing. In any case, when the project of defending the environment or non-humans becomes a legal matter, there are almost always actions of surveillance, or even policing of the cause, whether upstream or in parallel with the judicial arena, in addition to the police and judicial investigations themselves. This seldom highlighted observation raises important questions. In an article on the concept of surveillance (Peacock et al. 2023), the authors highlight the ambiguity of the concept, which oscillates between Foucault's interpretation of the coercive effects of the 'society of surveillance' – and of the panoptic

paradigm he developed in his *Discipline and punishment* (1975) – and the civic use of vigilance mechanisms seen as forms of resistance and a way of highlighting issues that are rarely considered, justified by a desire to care.

This second interpretation of the term is more relevant to the activist uses of surveillance discussed here. In the cases we are dealing with, surveillance is a mechanism that resembles a form of advocacy which, like the defence of other categories of ‘subordinate’ beings such as children, calls for governance and a form of control over the relationships we have with them, as well as the reporting of ‘bad practices’ that are punishable by law.

In this respect, the article by **Vanessa Manceron and Giovanni Gugg** on sworn volunteer guards in southern Italy, who come from environmentalist or animal rights associations, sheds light on this complex meaning of the judicialisation of the relationship between activist citizens and living beings. This group of Italian guards from the outskirts of Naples is intriguing in that, while they are mostly anti-hunting activists, they have been officially sworn in by the state as rangers, called upon to act as auxiliaries to the police in the fight against poaching and illegal hunting practices, as well as animal abuse. These guards occupy a middle ground, neither official representatives of law enforcement nor ordinary citizens committed to an environmental or animal cause. This makes them sentinels, guardians, but also acknowledged figures of authority, created and regulated by the law. They have, in fact, an ambivalent relationship with the state. On the one hand, there is respect for a hierarchical authority of which they feel to be agents, as they are sworn in and derive pride and social recognition from it. On the other hand, they may seek to replace law enforcement agencies in the name of morality and a desire for social justice that cannot be reduced to legalism. Hence, we have a social space in the grey areas of law, which is shaped by social relations and power dynamics. The guards are thus also self-proclaimed justice champions – even though legality is their framework for action, unlike the vigilantes studied by L. Gayer and G. Favarel-Garrigues (2021) – and stewards who pave the way to an ecological future, imagined as an alternative to extractivism and predation, in a region that is particularly haunted by the spectres of dispossession, crime, and capitalist destruction.

A second line of inquiry concerns legal actions related to the issue of animal subordination and animal agency, which **Mara Benadusi** explores here in relation to the case of captive elephants in Sri Lanka. Historically, the basis of animal advocacy was the idea of animals as innocent creatures who cannot speak for themselves and who need people to speak for them, and this began to be taken to Parliament and the courts from the 19th

century onwards in India and elsewhere (Dave 2023). Going beyond this assumption, the author shows how episodes of chaotic behaviour that an elephant may have when used in religious or touristic activities are presented by animal rights activists as an act of the elephant’s rebellion against human exploitation. For this, the activists may use visual tools to provide evidence in court or to cause a public scandal in the newspapers. Not only is human violence towards elephants denounced and publicised, but episodes of violence by an elephant towards humans, particularly when it attacks its caretaker, is also highlighted and interpreted as evidence of a revenge by the elephant against the way it is treated, and therefore as a sign of its agency. The author argues that these acts of defiance not only blur the boundaries between captivity and domestication, introducing non-human agency into the public sphere, but that the act of speaking should not be restricted to those who want to speak for the suffering animals, but has to be attributed to the animal itself who refuses to work, and rebels.

A third avenue for reflection concerns forms of porosity and the circulation of ideas and values between activist movements and judicial decisions. Through an ethnography of a trial held in Brittany in 2020 following the discovery of headless seal carcasses, the contribution by **Jérôme Michalon and Gaëlle Ronsin** reflects on the role played by environmental and animal rights associations in the judicial process and in the handing down of sentences and penalties. Noting that these associations with very different histories and values – environmentalists on one side and animal rights activists on the other – had joined the case as civil parties, the authors explore how they influenced the moral and legal assessment of the seal affair in different ways. Through a detailed examination of the debates and arguments in the courtroom, the authors demonstrate how the status of a protected species under environmental law was superseded by a criminological framing under the influence of animal rights organisations that had focused on issues relating to cruelty and mistreatment of the two individual seals whose heads had been cut off by fishermen. This case study clearly demonstrates the diversity of the associative sector and the equally diverse methods and strategies used to bring legal action in relation to nature, in the context of lawsuits in which these associations are civil parties.

Lastly, the article of **Benjamin Rubbers** focuses on the Wildlife Court in Uganda, a body which fights wildlife trafficking, showing how another form of dialogue between activism and the judicial system emerges, this time within the institution itself. The contribution first underlines the international dimension of both wildlife trafficking and the legal activism

aimed at combating it. While the increase in wildlife trafficking is linked to Uganda's external market, international pressure and foreign funding have also prompted legal and institutional reforms such as the creation of a special tribunal (the Wildlife Court) and an investigation unit. If the fight against the illegal wildlife trade targets corruption within the state, it is also within the state itself that activism has begun to emerge. The author shows how the government's decision to follow through on institutional reforms – measures that emerged within the international debate on wildlife – has been taken over by Uganda's judges and prosecutors. The latter often trained in the US, and have become the spokespersons and translators of these reforms at the local level. However, this judicial activism in favour of wildlife protection can also take on a repressive character, with judges deciding to hand down exemplary sentences without considering the cultural and social context in which the trafficking takes place. In a postcolonial context of hybridisation, where boundaries are blurring between foreign and national, or state and non-state, the author shows how the new values brought about by these legal reforms can lead to the establishment of a new relationship between humans and animals, while reproducing social inequalities and subordination.

Expertise and Arbitrations

The articles in this second section address the issue of mobilising different types of knowledge – particularly scientific knowledge. They consider how the latter is transformed into 'expertise' through the judicial process, confirming, if necessary, the importance of evidentiary proceedings in the legal context (Chappe et al. 2022), particularly in disputes related to nature. Indeed, scientific arguments and expert reports are part of court files and are used by petitioners, lawyers, and judges in combination with the principles of the law, legal reasoning, precedents, and constitutional principles. In dealing with these cases, judges must also weigh up the parties' scientific arguments with the political and economic implications that the decision may entail. This is particularly true in cases where claimants are opposing public or state-backed projects that are likely to have a negative impact on the environment, a protected area, or an endangered species, as the judge's decisions here also involve complex issues of jurisdiction, authority, and liability.

An issue that regularly arises in environmental and wildlife litigation is the effort by the parties to question the reliability of scientific data provided to the court. Such cases are indeed often battles between contradictory expertise, and the court's decision often depends on the lawyers' ability to discredit the experts of the opposing side. But what kind of science

does the judge consider in environment-wildlife related cases? And how do the experts help the judge in bridging the gap between science and law? (Keller & Ganesan 2024) According to Adler, what divides the interest groups involved in these litigations, with the parties accusing each other of doing "junk science" or lacking in "sound science," has nothing to do with science but is a question of "very divergent political preferences dressed up in scientific clothing" (Adler 2016: 110).

One concept that has received a lot of attention from environmental law specialists, for example, is that of 'best available science', used by regulatory agencies to impose wildlife and environmental regulations. Doremus (2004: 429) notes that, although the notion of best available science was originally intended to encourage greater judicial scrutiny of environmental decisions made by governments, it has, in fact, resulted in what she calls – following Wagner (1995) – a "science charade", deliberately camouflaging a given controversial policy as a matter of science in order to avoid accountability (Doremus 2004: 430; see also Adler 2016; Wagner 1995). By examining various disputes in the United States, she shows how the concept has been in fact strategically used by agencies or by Congress "to impose endless requirements for further studies before they can take regulatory action." (Doremus 2004: 415)

In his study of 'wildlife politics,' Rocheleau (2017) also notes that one of the important actors whose behaviour must be considered when studying such cases is the agencies in charge of conservation as they are one of the main players in assessing the place of politics and science in decision-making.

The intermingling of science and politics in matters of environmental and wildlife protection is one of the issues raised in Daniela Berti's article, which focuses on how a government project to build a road through a tiger corridor in the Indian Himalayas has been challenged in courts over the years. This case illustrates how politics intervenes throughout the expertise process: from the collection of data about the tigers' 'connectivity' and the drafting of the expert report – where scientists are constantly subject to government pressure – to the approval committee, where the government agency reinterprets or adjusts unfavourable scientific conclusions from the experts in order to push the project through. This committee, whose task is to ensure a balance between development and the conservation of nature, is a main player in the joint articulation of politics and science in decision-making (compare Rocheleau 2017 on wildlife politics). In such cases, the mediation between science and policy is ensured by the idea of mitigating measures. For example, road engineering solutions may offer spaces for negotiation, although what impact this has on the decision-making process

depends on the balance of power between the members of the committee. Courts are also involved. In this case, the proliferation of scientific reports, judicial reviews, and media pressure increases the number of fronts for confrontation. Asking for additional expertise is sometimes used as a tactic to delay the hearings in various, if not contradictory ways. Plaintiffs may try to wait until a case is attributed to a judge who may support it, but judges may also use this as a pretext to avoid taking a difficult decision, which may be read by project proposers as a green light to continue with the work.

Building on the ethnography of a Colombian court case that led to the recognition of the rights of the Atrato River, **Sandrine Revet's** article asks whether, beyond the change in the legal framework in which the rights of nature claim to operate – from an anthropocentric framework to an ecocentric framework – the rights of nature also imply a change in the expertise they mobilise. By examining the ways in which claimants and their lawyers constructed evidence and used expertise to build this case, the way in which the judges of the Constitutional Court contributed to this probative work by assembling expertise, and the process of implementing the decision, Revet's paper shows a double movement, with the centrality of expertise in the monitoring of a judgment on the one hand, alongside the interweaving of heterogeneous knowledge in the implementation projects on the other. The article concludes that the 'rights of nature' perspective does not fundamentally allow us to move beyond modern dichotomies of nature and culture, nor does it lead to a change in the type of expertise that such dichotomies use or produce. What is more important, as the case suggests, is the way people (judges, scientists, or locals) play with and assemble different types of epistemic frameworks.

The way in which different conceptions of nature influence scientific expertise is also illustrated by **Anthony Good's** article on a long-standing legal case in Scotland concerning the preservation of the wildcat. This is an iconic species that is locally and legally protected but is becoming extinct, in particular because of its hybridisation with the domestic cat. The case initially took the form of a controversy between scientists and activists about how to distinguish a wild cat from a domestic cat; between those in favour of a genetic purity and those who accepted a certain degree of hybridity. The debate also related to opposing views in conservationism: between those who called for the protection of the wildcat's habitat for its *in situ* restoration; and those who were in favour of creating a breeding and release centre to boast an *ex situ* population. Those who supported the creation of a breeding centre claimed that the wildcat was already

functionally extinct; their opponents denounced the suggestion, arguing it was evoked out of convenience by people who were prepared to defend a development project. The issue here of the legal implications of disputed taxonomic classifications merged with a controversy over the government's proposal to build a wind farm in an area which some said was the wildcat's last stronghold – a project opposed by advocates of *in situ* conservation. In his article, Anthony Good shows how, starting with a case about biodiversity and conservation objectives, the tribunal became an arena for promoting government policies to favour renewable sources of energy.

This case is an example of how the courts are now often called upon to deal with the growing tendency of governments to prioritise the climate crisis issue over biodiversity. Youatt (2015) notes how these are two very different policy issues: biodiversity has "its own set of discourses" which build on concepts about biological species and evolution, about ecosystems, but also about the intrinsic value of living creatures and their rights. In discussions of climate change, in contrast, causes and solutions are arguably contained within the material problems of political economy. The Court is called upon to rule on the definition of these political priorities, although the wildcat case shows how the shift from biodiversity to climate change was ultimately argued by recourse to either procedural or mitigation arguments, rather than dwelling in the factual basis upon which the original decision was made.

Legal Frameworks

The three concluding contributions to this dossier each question how legislative choices and judicial decisions frame relations between humans and nature, albeit in different ways. Beyond the different geographical locations and legal contexts – Greenland, the United Kingdom, and Colombia – these texts shed light on the performative role of law and legal language in the production of worlds and the fabrication of reality.

In an article on uranium exploitation in Greenland, **Pia Bailleul** analyses how the legal framework was a battleground for mining projects before the adoption of a 'hybrid' law, in 2021, that limited the amount of uranium that can be extracted, putting an end to ten years of conflict. The article highlights the role played by various forms of expertise which, by placing – and mediating – the debate in the realm of science and technology, have the effect of shifting the debate to the realm of efficiency, legitimising government intervention as the competent authority. However, for protesters, the idea of 'territorial flow', *nuna*, meant that 'scientific numbers' would not prevent pollution. As a form of political compromise,

the uranium law of 2021 eventually succeeded in articulating customary rights with the centrality and legal sovereignty of the state, opening a legal environmental imaginary that reflects Greenlandic indigeneity.

In the second article of the section, **Rebecca Cox** critically examines how British law supports – or hinders – rewilding projects. Through the study of legal texts concerning the introduction or reintroduction of various species such as bison, beavers, and marsh grasshoppers, Cox demonstrates how the law does not merely manage interactions between humans and reintroduced species: the texts also outline the contours of what is ‘possible’ and ‘tolerable’ in ecosystems. In so doing, the law does not merely regulate, it creates – it produces ‘authorised’ species, ‘legitimate’ landscapes, and ‘acceptable’ deaths. What judges and legislators say, and decide, more broadly defines the limits of ‘nature.’ They filter access to it and organise its coexistence with social norms and economic interests.

On a different but complementary note, **Carolina Angel-Botero**’s article discusses a decision by the Colombian Supreme Court recognising the Nevados National Park as a legal entity that is a subject of rights. Drawing on ‘speculative anthropology’, the author uses images generated by artificial intelligence, based on sentences from the judgment, to point out how judicial decisions commonly operate also as works of fiction. Rulings on the ‘rights of nature’ often prioritise a preservation of nature exclusive of human activities, even leading in some cases (as for the Nevados Park) to the militarisation of the natural reserve to assure its protection. This creates a landscape devoid of human presence – an imagined place entrenched in the nature/human dualism that was supposed to be overcome by giving rights to natural entities. The author, in conclusion, pleads for the judiciary to gain a better understanding of their role as ‘place-makers,’ and for a new understanding of legality that would open to an inclusive approach to the protection of the environment.

As shown in the three articles of this section, the legal language does not merely translate a state of affairs: it is performative (Bourdieu 1986). These texts, in their contrast and complementarity, pose the same fundamental question: what does the law do to nature when it qualifies, protects, and regulates it? What worlds does it make visible, and which ones does it leave out of the picture? By placing the processes of categorisation and qualification which are carried out by the practice of law at the centre of the analysis, the authors remind us that to judge is also to speak – and that in speaking, the law certainly provides a framework, but it also shapes ‘nature’.

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