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Racializing Nature and Naturalizing Race: Intertwined Harms in International Law

Abstract: The way people treat each other and the way they treat their environment are inextricably intertwined. Thus, it is unsurprising that five centuries of colonialism, genocide, slavery, apartheid, and racial discrimination have produced climate change, mass extinction, desertification, deforestation, and polluted air, water, and lands. The West has used international law to institutionalize unaccountability for its racism and environmental harms. This article argues that international law's inability to stem accelerating ecological decline is attributable to and inseparable from the discipline's racism, and vice versa. This article explores five legal techniques—comparison, objectification, exploitation, taming, and extermination—that produce racist and environmentally harmful outcomes while cloaked in the legitimacy of the law. The racializing of nature and the naturalizing of race through international law depend on the erasure of subaltern worldviews. But another international law is possible where diverse sustainable legal traditions heretofore silenced make international law on their own terms.

Keywords: international law, racism, environment, Third World Approaches to International Law, postcolonial, decolonial, environmental justice

I. Introduction

Overconsumption and pollution by the rich have caused environmental change at levels unprecedented in human history. The last time there was this much carbon dioxide in our atmosphere was 3.5 million years ago (Willeit et al. 2019), the last time there was a mass extinction of species at this rate was 66 million years ago (Pievani 2014), and the last time the earth's nitrogen cycle was disrupted to this extent was 2.5 billion years ago (Steffan et al. 2015). Unlike in the past, environmental change today is produced by human activity, specifically the activity of a small percentage of humanity who are its very richest (Díaz et al. 2019; IPCC 2023; Lawson et al. 2019).

Global patterns of consumption and waste are characterized by extreme inequity, with the richest 20 percent of the world population consuming 80 percent of natural resources and producing 90 percent of waste (UNDP 2024). For example, just two states in the United States, Texas and New Jersey, with a combined population of 37 million, emit more carbon dioxide than the 1.2 billion people in sub-

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Saharan Africa (Ge et al. 2022; Choose Energy 2023; US Census Bureau n.d.). The poor are on the front lines of environmental harm because of their vulnerable geographic locations, a lack of resources and regulatory capacity to protect themselves, the ongoing extraction of their natural resources and labor to fuel an unequal global economy, and a systemic transfer of pollution from rich to poor areas (Natarajan 2021a). As those causing environmental harm are best positioned to evade it, there has been insufficient incentive for the rich to change their behavior (Natarajan and Khoday 2021).

Over the last fifteen years, my scholarly focus has been on, first, tracing how international laws and institutions structure and maintain global environmental injustice through enabling the rich to perpetually evade responsibility for the consequences of their actions; and second, turning to subaltern legal traditions for sustainable and equitable solutions. In collaboration with Kishan Khoday and Julia Dehm, I have considered the evolution of international law concepts such as sovereignty (Natarajan 2012; 2017), development (Natarajan and Khoday 2014; Natarajan 2021e), environment (Khoday and Natarajan 2012; Natarajan 2021d; Natarajan and Dehm 2022a), human rights (Natarajan 2022), and sustainable development (Natarajan 2023a) in ways that inevitably reproduce intertwined harms to people and planet. Julia Dehm and I sought out interdisciplinary legal scholars from across the world who explained how diverse international law concepts and specializations intersected to structure systemic overconsumption and pollution alongside escalating inequality, and who advocated for subaltern solutions (Natarajan and Dehm 2022b). As inequality and ecological decline have accelerated considerably since the onset of international environmental law, our work has been particularly attentive to how international environmental law concepts such as sustainable development and market-based legal solutions contribute to the problems that they claim to solve (Dehm 2016; 2021; Natarajan and Khoday 2021; Natarajan 2021b; Dehm 2022). We are far from alone in these scholarly endeavors, with interdisciplinary attentiveness rising sharply in recent years as unequal patterns of consumption and waste continue to escalate, with pandemics, economic slowdowns, wars, natural disasters, and ecosystem collapse utilized by the rich as opportunities for further enrichment while insulating themselves from harm.

A common thread running across such research is the indivisible link between the way people treat each other and the way they treat their natural environment. Thus, it is unsurprising that the Eurocentric culture that has dominated the world for five centuries through colonization, conquest, settler colonialism, genocide, slavery, apartheid, and racial discrimination has also produced climate change, desertification, mass extinctions, deforestation, and increasing toxicity of the air, water, and land. It is similarly predictable that this dominant culture, which created international law to serve its imperial expansion and evade legal accountability for colonial harms to the non-European world (Anghie 2005), would extend the same impunity to its environmentally harmful acts. The Third World Approaches to International Law (TWAIL) movement traces the perseverance of colonial harms in a putatively postcolonial world,[1] first because many lands and peoples remain colonized today (Xavier et al. 2021), and second because international laws and institutions continue to serve as a conduit for protecting the values of the rich and powerful (Chimni 2006). As part of the TWAIL movement, over the last two decades I have worked with like-minded scholars and practitioners to resist these harms in transnational solidarity and build a different kind of international legal praxis toward environmental and social justice (Natarajan et al. 2018; Natarajan et al. 2020; Natarajan 2024). While international law

[1] TWAIL is a transnational movement of international law scholars and practitioners committed to the interests of the peoples of the Global South. For its political commitments see Chimni (2006). For a historical overview and bibliography, see Gathii (2021) and Anghie (2023). For usage of the concept of "third world," see Mickelson (1998). For contemporary TWAIL scholarship, see the *TWAIL Review* (n.d.).

today is a keystone in structuring global injustice, it is possible to envision another kind of international law where diverse legal traditions heretofore silenced play their part in structuring more equitable relations between people, as well as between people and planet (Natarajan 2023b).

I explicitly situate this article amid past work and within the TWAIL movement for two reasons. First, I am deeply indebted to and shaped by perpetual scholarly collaboration within a broad and purposeful disciplinary movement. Second, this article builds on previous research, and I wish to avoid revisiting legal analyses and terminological debates previously canvassed. This article explores international law's relationship with race and the environment at a higher degree of abstraction when compared with past research that focused on the evolution of specific legal doctrines, concepts, and specializations. As such, there is a risk that international law in this article comes across as a somewhat theoretical and unchanging entity, but that is not my argument or intent. Rather, past research on the failure of disciplinary doctrines and specializations to produce their intended outcomes over time has led me to this more abstract inquiry. As such, liberal self-citation is employed in this article not to self-aggrandize but as a shortcut to circumvent research duplication and digression. Moreover, I wish to bypass longstanding terminological debates about the Global South, the third world, the environment, the human, environmental justice, and so on, that have been extensively surveyed by TWAIL scholars and on which I have taken a stance.

Most of my past work has focused on imperialism and cultural difference, as is habitual within TWAIL. While researching the relationship between human rights and the environment, I found myself focusing more explicitly on race and racism and the tendencies of racializing nature and naturalizing race within international human rights law (Natarajan 2022). In so doing, I realized that these tendencies were more broadly applicable across the discipline of international law, provoking the explorations in this article. This article does not focus on how international law structures the distribution of environmental benefits and harms in racist ways, as this crucial topic is ably addressed by environmental justice scholars and practitioners (Harris 1997; Cole and Foster 2001; Gonzalez 2001; 2012; Natarajan 2021a). Instead, I consider how social and environmental harms share at their root a particular worldview, and the role of international law in universalizing this worldview and legitimizing the resultant intertwined harms.

Following this introduction, Part II provides a brief overview of racism, environmental harm, and international law. Part III considers the mutual shaping of dominant Western understandings of race and the environment and the justification of these understandings through international law. Specifically, I consider five legal techniques—comparison, objectification, exploitation, taming, and exterminating the untamable—as the means whereby practices that are both racist and environmentally harmful are cloaked in the legitimacy of the law. The naturalizing of race and the racializing of nature by international law through such techniques are facilitated by the systemic erasure of alternative worldviews about nature (including human nature) and law. Part IV concludes that the inextricability of racism and environmental harm requires consolidating the growing solidarity across antiracist and environmental movements, and ceding power to subaltern communities so that their knowledges about laws of sustainable and equitable living can be valued on their own terms and can inform and form the international sphere in their own languages.

As aforementioned, there is a degree of abstraction in my examination of international law's relationship with racism and environmental harm, and I turn to disciplines such as philosophy, political theory, and Critical Race Theory among others for understanding. This revisiting of international law's theoretical and philosophical underpinnings is necessitated by the spectacular failure of current

international law initiatives to protect the environment and to combat racism. For instance, more greenhouse gases have been emitted since the adoption of the United Nations Framework Convention on Climate Change in 1992 than in all preceding human history (World Meteorological Organization 2024). On the 2025 International Day for the Elimination of Racial Discrimination, a group of United Nations independent experts expressed concerns about the "worrying resurgence and normalization of political platforms and organizations that promote and incite racial hate and discrimination and ideas of racial superiority" amid the rise of far-right neofascist politics across the world (UN OHCHR 2025).

I write this from Kingston, Jamaica, in the aftermath of Hurricane Beryl, the earliest Category 5 hurricane ever observed in the Atlantic region. In the time it has taken to write this, Tropical Storms Chris and Debby have gone by, and Ernesto is on its way. I moved here six months ago from Amman, Jordan, amid Israel's longstanding genocide in Palestine, which continues as I write, remembering colleagues killed in Gaza and universities decimated in their entirety. These two concerns—climate change and settler colonialism—are uppermost in my mind, coloring all my endeavors. They are place based and personal yet resonate far too easily across the non-Western world. Texts have obligations and relations to the places and people that produce them (Liboiron 2021, 28). I write as a racialized woman, born in India, living and working for most of my life in the non-Western world, but with the privileges that come with an Australian passport and settler colonial legal education. I attempt ethical counterhegemonic ecologically mindful work within an elite discipline that has a large ecological footprint, so I negotiate daily the diverse inescapable professional and personal contradictions, challenges, resistance, pushbacks, and continual learning that such undertakings inevitably entail.

This degree of self-situating may seem neither pertinent nor necessary but the customary invisibility of the author in legal scholarship plays its part in international law's racism. Such invisibility serves to universalize and normalize dominant worldviews through privileged peoples consistently occupying the place of putative objectivity. It is an indulgence usually exercised by white scholars to choose consistently not to introduce their relations to lands, peoples, knowledges, and disciplines (Liboiron 2021, 3). It allows white authors to appropriate the culture, voice, and positionality of racialized scholars for performative moves toward their own innocence, virtue signaling, and progressive branding (Isailovic 2024). While racialized scholars may also choose not to declare their positionalities, it is usually for different reasons, namely racism. More often we choose to situate and affiliate ourselves for solidarity and movement-building purposes, to engage more explicitly with the politics of knowledge production, and to reject the longstanding tradition of white scholars occupying, extracting, commodifying, and profiting from knowledge production about colonialism and racism. More importantly, explaining where an author is coming from acknowledges the specificity and limits of our insights and experiences. My analysis may not translate, or may only translate in limited ways, to the experiences of others in diverse places, times, and contexts. With these caveats in place, the subsequent section provides an overview of race and the environment in international law.

II. Race and the Environment in International Law

To begin with some definitions, racism consists of practices that "aim at problematizing, excluding, marginalizing, discriminating against, rendering insecure, exploiting, criminalizing, terrorizing and harbouring exterminatory fantasies against an identity group of people imagined as sharing a common and inheritable determining feature" (Hage 2017, 11, 12). Dominant Eurocentric worldviews use the concept of "the environment" to refer to the physical, chemical, and biological elements and processes

that affect humans (Britannica 2024). As "the environment" provides the natural resources that sustain humans and contribute to their quality of life, it was eventually understood to need protection and management to maintain these functions for the dominant culture, including through international laws (Natarajan and Khoday 2014). Modern international law has its origins in the works of European jurists from the sixteenth century onward when the colonial encounter motivated European legal reasoning to encompass all peoples and places under its imperial gaze (Anghie 2005). These international laws aimed to justify the subordination of the non-European world and manage competition between European imperial powers. Colonialism is not a one-off historical event of conquest or first settlement, but a continual process of stealing land, labor, and resources through genocide, settlement building, colonial state-formation, and economic exploitation (Liboiron 2021, 16). Laws and institutions play a crucial role in structuring and maintaining colonialism and imperialism because they ensure ongoing access to the lands and resources of others.

International law doctrines have justified the subordination of non-European peoples by portraying them as backward and in perpetual need of either European civilization or destruction. Legal doctrines such as terra nullius declared populous lands empty and open to European settlement because native populations were considered subhuman. Settler colonies then tried to make this legal erasure a reality through genocidal laws and policies of annihilation; segregation and apartheid; separation of children from parents; prohibiting native knowledges, laws, languages, and cultural practices; forced assimilation; and so on. Unequal treaties were used to legitimize European taking of land, labor, and resources from Indigenous peoples through manufacturing Indigenous consent despite extant imbalances of power (Watson 2002; Jacobs 2011; Napoleon 2012; Coulthard 2014; Lightfoot and MacDonald 2020). Europeans dehumanized some societies for the purpose of extermination and theft of their lands, and dehumanized other societies for the purpose of mass enslavement and transportation to force them to work on stolen lands. Eurocentric international laws enabled the enslaving, commodifying, and trading of African peoples for many centuries (Mutua 2000; Lewis 2000; Kelley 2002; Richardson 2008; Tamale 2020; Blackett 2022). While practices such as genocide, conquest, slavery, apartheid, and racial discrimination are illegal under contemporary international law, their prohibition is comparatively recent and hard-won, and their implementation yet to be fully realized.

Non-European societies were granted sovereign independence only if they demonstrated a commitment to imitating Eurocentric modes of law and governance with a view toward economic and cultural development in the Western sense. Crucially, such development entailed a commitment to fully exploiting natural resources. For instance, the Mandate System of the League of Nations classified societies into A, B, and C Mandates depending on their nearness to meeting European standards and assigned European tutelage to shepherd these societies toward independence. To gain sovereign independence, non-European societies had to demonstrate their openness to unlimited extractivism through agriculture, forestry, fishing, mining, fossil fuel exploitation, and industrialization; and by following this development pathway some postcolonial states have since accumulated their own power and wealth. While expanding ecological footprints and racialized oppressions within India, China, and other so-called emerging economies are the subject of increasing contemporary environmental and human rights critique, the legal conditions for decolonization demanded adherence to violent Western models of statehood, law, and development, and the erasure of alternatives. For instance, many Indigenous and Tribal societies were denied sovereignty by European powers as they were deemed too close to a "state of nature" and unable to exercise proper control over their environment and tame it to productive use. In mimicry of their colonial masters, postcolonial states continue to revisit similar legal violence on Indigenous and Tribal communities. In

addition to comprehensive internal transformation, the doctrine of *uti possidetis juris* requires that colonial frontiers be maintained in postcolonial societies, tying such societies permanently to the borders drawn by Europe (Natarajan 2012; Natarajan 2021c). It is important to keep in mind that dominant powers made an exception to this international law to create the state of Israel.

Such laws ensured that decolonization was conditional, delayed, and at times denied. Crucially, the underlying legal reasoning justified continual economic, political, and cultural intervention to measure, judge, and transform the non-European world. Today, such intervention has become normalized through the development industry. Economic, financial, development, and nongovernmental organizations from Western countries as well as international organizations such as the United Nations, the World Bank, the International Monetary Fund, and the World Trade Organization have heavily intervened in non-Western societies for many decades in the name of economic reform, sustainable development, human rights, democratization, good governance, and so on. Unsurprisingly, such interventions have paved the way for ongoing plundering of the labor and resources of the non-Western world. Thus, international law consistently designates certain groups as fit for plunder, rationalizing their subordination through racial inferiority (James [1938] 1963; Rist 1997; Robinson 2000; Gordon and Sylvester 2004; Gonzalez and Mutua 2022).

Environmental crises are the result of a global economic system created and sustained by genocide, colonialism, slavery, and neocolonialism. This economic system—racial capitalism—systemically destroys ecosystems because it requires limitless extraction of land, labor, and natural resources (Gonzalez 2024). It disproportionately exploits and impoverishes those racialized as inferior and increases their vulnerability to environmental harms. The capitalist imperative for continually increasing the rate of profits incentivizes overconsumption as well as overexploitation of people and planet because competition for cheap labor and access to natural resources intensifies over time (Gonzalez and Mutua 2022). As environmental catastrophes multiply—climate change, deforestation, desertification, floods, landslides, heat waves, mass extinction, megadroughts, melting glaciers and icebergs, ocean acidification, rising sea levels, superstorms, wildfires, and so on—the conditions upon which human life (and racial capitalism) depend are destabilized (Moore 2015).

Racialized communities are on the front lines of these harms as it is their lands that are becoming increasingly uninhabitable due to environmental change. Such change initially causes intense competition for scarce necessities such as water, food, and energy as communities struggle to survive, and later results in mass displacement when the land becomes entirely inhospitable. Yet international laws and institutions prevent migration to affluent states, with the Western world strengthening its borders and externalizing them, resulting in many populations being trapped in dangerous locations, with women, children, the elderly, the poor, and persons with disabilities disproportionately affected (Natarajan 2025). For those environmental migrants who manage to somehow make it to affluent states, they risk being criminalized and subject to lengthy detention and deportation (Gonzalez 2021). The laws and policies of Western states create mass displacement across the non-Western world, not only by systemically fomenting ecological and economic collapse, but also through Western intervention in wars and conflicts, and through installing and maintaining unrepresentative regimes across the non-Western world. International laws allow rich states to continue these harmful acts, to systemically externalize the harms, and to take no responsibility for the damage done. Indeed, blame is usually displaced onto local populations, who are expected to take responsibility over issues far beyond their control (Chimni 1998; Chimni 2004; Awad and Natarajan 2018; Natarajan 2025).

Contemporary human societies are "the outcome of a historical process which has made the larger part of mankind subservient to the other, and during which millions of innocent human beings have had their resources plundered and their institutions and beliefs destroyed, whilst they themselves were ruthlessly killed, thrown into bondage, and contaminated by diseases they were unable to resist" (Lévi-Strauss 1966, 126). The process of European colonialism is heavily racialized. The many hierarchical divisions that Europeans created and proliferated against Africans, Asians, and Indigenous and Tribal nations across the Americas and the world were part of the governing apparatus of colonialism that imagined and then policed these demarcations. Given the creation of international law as part of the colonial encounter, racism is in the DNA of international law. International law constructs and normalizes vast swaths of the nonwhite world as inherently less valuable, ensuring that such peoples can be oppressed more easily and normalizing their suffering (Richardson 2000; Andrews 2000; Gordon 2000; Gathii 2017; Watson 2022; Gonzalez and Mutua 2022).

Yet, the prevalent liberal tradition tends to characterize racism as aberrant: as an untoward incident that law should step in to correct, as opposed to a social structure that is governed by law. It is only when the governing policies of quotidian racism fail—when racialized peoples refuse to accept their dehumanization and can no longer be kept "in their place"—that liberals are forced to acknowledge that racism exists (Mehta 1999; Mills 2008). When such acts of resistance force the dominant society to confront their own racism, those in power attempt to frame such racism as exceptional and singular, by focusing for instance on the policeman who murdered George Floyd rather than the carceral state that suffocates Black communities en masse. Similarly, environmental harms are also structured by law and have been an equally long time in the making. Hage points out that the emergence of a "climate crisis" or "extinction crisis" is not actually new but rather signifies the moment when the environment shows itself to be ungovernable by the dominant culture—the environmental equivalent of a slave rebellion or an anticolonial revolution or the Black Lives Matter uprising (Hage 2017).

Several fields of knowledge are dedicated to studying the intersection of racism and environmental harm. Environmental justice scholars and practitioners focus on tracing the racialized distribution of environmental benefits and harms and combating environmental racism (Harris 1997; Cole and Foster 2001; Gonzalez 2001; 2012; Natarajan 2021a). Political ecologists with an understanding of racial capitalism explicate the production of capital in tandem with the production of racial difference to facilitate capitalist wealth extraction from and externalization of waste to racialized communities (Pulido 2016; González 2019; Gill 2021; Gonzalez and Mutua 2022). Climate justice advocates, especially those from climate-vulnerable states, are increasingly conjoining their call for reparations for slavery and colonialism with their call for reparations for climate change, emphasizing causal interconnections (Burkett 2009; Táíwò 2022; Obeng-Odoom 2023; Riley Case 2023).

Racism and ecological harm do not just happen to intersect during this period in history and thus affect one another. Rather, as Hage observes, these two harms are one and the same (Hage 2017). They are a product of the dominant Eurocentric mode of inhabiting the world, which reinforces and reproduces its own dominance even while making seemingly antiracist and environmentalist moves. It is a mode that urgently needs to be replaced with more sustainable and equitable worldviews to prevent ecological and social collapse. The next section explores five legal techniques that intertwine the oppression of peoples and planet.

III. Governance Through Comparison, Objectification, Exploitation, Taming, and Extermination

This section explores how racism and environmental harm are entangled in international law. It begins with considering some ways in which white people have drawn legal equivalence between racialized people and the environment. These comparisons then serve as a basis for legal techniques of objectification, exploitation, taming, and exterminating what cannot be tamed. These five techniques are examples of how practices that are both racist and environmentally harmful are cloaked with and obfuscated by the legitimacy of law. While undoubtedly there are other techniques that could be the subject of fruitful speculation, I focus on these five because I draw my insight from and am indebted to the inspiring anthropological work of Ghassan Hage on whiteness, multiculturalism, and diaspora (Hage 2017). Hage's attentiveness to notions of domination and domestication, rejection and belonging, and paranoia and protection resonated with me as a means of explaining some of the core functions of law—including international law—in modern Western culture. As such, I draw these five techniques from Hage's work not to assert that these are the only means whereby law legitimizes racism and environmental destruction, but as an intuitive starting point for exploring the circuitous discursive legal techniques for structuring systemic intertwined harms.

A. Comparison

White people have drawn equivalence, including legal equivalence, between those they racialize and the natural world in various ways. Often this entails comparing racialized peoples in varying degrees with nonhuman animals, and sometimes with plants and other entities. Such comparisons illustrate the relation between racism and speciesism, resting on assumptions of the lowly status of the nonhuman realm, any comparison with which intends to signify either insult or condescension. Comparisons of this sort represent intertwined fantasies of governmentality, where the constructed classifications for animals and plants serve as metaphors for the construction of human difference through racialization. When racists think of Blacks as monkeys, Jews as snakes, Muslims as wolves, Asians as cockroaches, migrants as viruses, refugees as rats, or any given racialized group as hyenas, vultures, parasites, cancers, and so on (the communities and metaphors tend to fluctuate and interchange), such comparisons are revelatory of how racists understand themselves and what they intend to do to those communities and species (Hage 2017, 9, 10).

For instance, such comparisons show racist and speciesist fears about the given community and species, thus acknowledging the superiority and power of the targeted community and species in some sense: They are strong, cunning, agile, numerous, evolved, survivors, and so on. The community or species is then demeaned as poisonous, savage, dangerous, dirty, diseased, dishonest, and so on. Hage points out that calling a male slave a bull, a female servant a lamb, a woman a flower, or a baby a kitten constructs different types of inferiority respectively: strong but dumb, useful but sacrificial, beautiful but fragile, cute but helpless. The comparison is a declaration of intent and shows what the comparer wants to do to them respectively: tame them, exploit them, preserve them, and protect them (Hage 2017, 11). As such, it is important to keep in mind that the logic of dominating and assigning inferiority to different groups is not done only through racialization; it also occurs through gendering, species, castes, classes, Indigeneity, disabilities, language, religion, and so on. Crucially for our purposes, all those who are inferiorized in this way are characterized as supposedly "close to nature" (Shiva 1989; 1991; Plumwood 1993).

Whether historically or in the present day, as Fanon observes, "when the colonist speaks of the colonized he uses zoological terms" ([1961] 2004, 7). While there is a long tradition of scholars analogizing human domination with the domination of nature to highlight shared thought processes, classifications, and practices (Plumwood 1993; Salleh 2005; Schild 2019), the subject remains worthy of exploration as long as both types of domination persist. For instance, in Israel's most recent assault on the Gaza Strip, Zionists use well-worn colonial tropes of humans versus animals to justify Israel's colonization of Palestine (*Middle East Eye* 2023; Sharma 2024), with the former Israeli Defense Minister Yoav Gallant declaring on October 9, 2023, that "[t]here will be no electricity, no food, no water, no fuel, everything will be closed. We are fighting against human animals and will act accordingly" (*Al Jazeera* 2023). Dominant Western comparisons of racialized peoples with the natural world are used to devalue both through legal techniques that objectify, exploit, tame, and exterminate them, as explored in the following subsections.

B. Objectification

While comparisons, contiguities, and hybrid shifting forms and relations between human and nonhuman realms are an integral part of all human cultures, past and present, such comparisons do not always produce objectification, subordination, or oppression.[2] The dominant Western mode of drawing equivalence between the natural world and certain communities rests on an erasure of alternative ways of understanding human-nature relations though a naturalizing of Western subjectivity. One of the silent assumptions underpinning Western law is the distinction made between human and nonhuman realms, between legal subjects and objects. This ability to clearly separate conceptually human and nonhuman realms is the product of a particular cultural history, a legacy of European Enlightenment thinking that dominates contemporary knowledge production (Natarajan 2022).

Just as hierarchies were constructed between the human and nonhuman, related hierarchies were formed for ways of knowing the world. Toward the latter half of the nineteenth century in Europe, a dualism between nature and culture cemented itself into two distinct forms of knowledge: the natural sciences in contrast with the social sciences and humanities. The delimitation of domains of study; the organization, classification, and lexicography within each domain; and the discontinuities therein assumed and internationally applied—all of this is usually treated as a given, as the undisputed neutral background condition for knowledge production everywhere (Liboiron 2021; Descola 2013). Mary Graham observes that

> for most Westerners reality is what it is irrespective of what humans think or know about it; secondly, that reality is ordered, that it has a structure that is universal and invariant across time and place. They claim that the structure and forces of the natural world remain the same in different times and in different contexts. They also believe that this structure is knowable and that Western science has provided the ability to explain, predict and control many natural phenomena and to invent technologies to solve human problems. (Graham 2009, 71)

[2] I use the term "nonhuman" in this article with reluctance in the absence of clearer alternatives. While I appreciate the aim of terms such as nonhuman, posthuman, and more-than-human, they inevitably recenter the human while struggling not to. See further Changani (2016).

It is worth remembering that these assumptions are relatively recent developments in Europe and carry concomitant cultural prejudices of time and place. While often taken for granted today, there is nothing universal or indeed demonstrable about the distinguishability between human and nonhuman realms, or between nature and culture. Rather these convergences of judgment give rise to practices and technologies—including for our purposes legal technologies—that in order to be effective must remain implicit and shielded from collective speculation.

By imposing such assumptions as the precondition for all thought, the Western world objectifies the non-Western world through a twofold process of epistemological violence. Western modernity does not merely translate non-Western culture into Western culture to render it legible therein. Rather, Western modernity first imposes its own culture onto the non-Western world to detect in the non-Western world analogous and familiar divisions and distinctions, before then translating the non-Western culture into cultural forms acceptable to the West (Descola 2013). For example, non-Western legal paradigms, principles, and concepts such as *akinoomaagewin*, *ubuntu*, and *sumak kawsay* are rarely accepted on their own terms as a means of forming, informing, or reforming international law, but rather are themselves probed, deformed, then reformed through the filter of international human rights law through notions such as collective rights, the rights of nature, and so on (Mboti 2015; Borrows 2018; Merino 2022; Natarajan 2022). Thereby, opportunities to address global ecological and social crises through drawing on diverse legal subjectivities are undermined. Instead, the epistemological monoculture of the Western legal subject is extended through limitless environmental laws and regulations (Natarajan 2022).

International law is the quintessential vehicle for such efforts as it provides a means for imperialistically expanding a particular legal subjectivity as the world norm. As with other Western modern disciplines, international law is a top-down knowledge system based on epistemological totalizations—that is to say, the ability to make decisions about what exists in its entirety (Fitzpatrick 1992; Argyrou 2005). Kishan Khoday and I have written elsewhere about how the creation of "the environment" within international law was the ultimate modern move, enabling international lawyers to become truly all-encompassing in their governance ambitions by conceptually occupying a subject position outside "the environment" from which international lawyers could see and govern this new legal object (Natarajan and Khoday 2014). Indeed, there is no other way to create legal concepts such as "nature" or "the environment" in the Western sense of these words. From such an external position, the Western legal subject remains unattached and unaccountable, the proverbial panopticon that sees everything from nowhere (Haraway 1988; Adelman 2015; Natarajan and Dehm 2022a).

European discovery of the non-European world, and the Enlightenment that developed thereafter, were shaped by Europe's preoccupation with uncovering, mapping, measuring, and instrumentalizing nature—a thorough objectification with the aim of extracting utility from nature to attain humanity's fullest potential (Natarajan 2021d). For a time in Europe, there was a period of reaction against what was seen as increasing estrangement from nature (including human nature), with Romanticism attempting to bridge this divide. Their differences notwithstanding, both Romantics and Enlightenment philosophers were united in their objectification of the natural world by assuming that a separation of humans from nature was possible despite its commonsensical impossibility.

Indeed, in addition to the non-European world kindling the Enlightenment's quantifying ambitions as well as Romanticism's fantastical and exotic visions, the non-Western world continues to confront and confound Western knowledge systems with more hybridized and disaggregated understandings of personhood, animality, and nature that sublimate or transcend the subject-object binary. Scholars

such as Smith, Allewaert, and Ferdinand trace how determined European efforts in the Caribbean to literally and conceptually segregate humans from nature only proliferated the very ambiguities and interpenetrations they most feared. Amid a richly fertile and deeply complex ecology, Europeans subjected Indigenous, African, and Afro-descendant communities to rabid exploitation, dishonor, abuse, brutalization, execution, and dismemberment. As their bodies and the environs intertwined, these communities drew from such interrelations diverse culturally potent forms of personhood. The narratives, myths, traditions, poetry, and fetishes of the region from maroon oral histories to Haitian vodou to radical abolitionist texts abound with creolized human-nature forms; dispersed, decomposing, and recomposing hybrid life-forms; and diverse interstitial arrangements that from such creative amalgamation derived powerful superhuman subjectivity and agency (Allewaert 2013; Ferdinand 2019; Smith 2023).

In contrast, dominant Western worldviews often resort to crude objectification, through cultural analogies that attempt to render nature legible through hypostatizing nature as "a nourishing mother, or a spiteful stepmother, or a mysterious beauty to be unveiled" (Descola 2013, 81). Similarly, legal technologies of objectification are efficient and effective means of dispelling strangeness and unknowability through imposing a familiar predictable order. Law can transform nature into natural resources, a unified planet into discrete sovereignties, earth into property, complex interrelated ecosystems into commodifiable and exchangeable parts, the universe into "the environment," cooperation into contracts, and so on. Just as nature is the object of law, non-Western cultures are objectified through racial hierarchies based on their putative closeness to a "state of nature." These hierarchies are reflected in the diverse struggles of non-Western states to attain sovereignty and non-Western peoples to attain legal personhood unless and until they successfully imitate Western states and individuals by adopting their worldviews, including their technologies of law and governance (Natarajan and Khoday 2014; Natarajan and Dehm 2022b).

Initial European encounters with the Americas in what is today the Caribbean, Central America, and the southern United States entailed traversing vast and unnavigable swamps, mangroves, and wetlands that long confounded colonial armies, scientists, cartographers, and doctors. Colonial fantasies about a terra incognita that would be a paradise were dashed by the reality of alligators, mosquitoes, heat, exhaustion, snakes, diseases, entangling vegetation, and ever-shifting admixtures of lands and waters. Moreover, the fantasy of a terra nullius was shattered by Indigenous populations that had the advantage of fighting expertise, attacking colonial troops with skill from their native environs. Indigenous populations were thereafter joined by Africans, enslaved and transported from Africa to labor in colonial plantations, who then fled into regions inhospitable to settlers to escape slavery. Thus, colonial fears were early intertwined, dreading attacks from Indigenous peoples, Africans, and Afro-descendants, but also from a natural world perceived to be overwhelmingly lush, threatening to infiltrate their bodies with poisons and possess their minds with fevered nightmares (Allewaert 2013, 30).

Despite determined European efforts to objectify the terrain and the non-Western peoples seen to be more at home in it, diverse unpredictable agentic forces came into being as people and planet intertwined in new ways. Complex entanglements and interpenetrations compromised and undermined the proliferating European taxonomies that tried to separate neatly the human from the animal from the vegetative from the atmospheric (Allewaert 2013, 30). While some colonizers categorized enslaved peoples as nonhuman animals, others believed that enslaved peoples were neither human nor animal but something in between: parahuman. Allewaert explores how enslaved communities harnessed this perception of parahumanity in diverse ways to disrupt and disband the

category of the human (ibid. at 85). Indigenous, African, and Afro-descendant communities transformed potentially soul-destroying collective experiences such as drowning and dismemberment into mythologies that were "rich and strange," where human-nature hybrids became creatures of extraordinary power that displaced the human being as the apotheosis of evolution. By turning to "the talking woods instead of the talking books" (21), enslaved communities without access to literacy manipulated Western techniques of objectification to create radical forms of subjectivity and agency. In this way, Allewaert observes that "the experience of parahumanity testifies to modes of self that did not simply critique the category of the human that was unevenly available to them but also suspended it" (22).

C. Exploitation

Comparing certain peoples with the natural world need not always lead to an intertwined objectification of those people and places, but comparison has often served as a precondition for such objectification. Similarly, objectifying peoples and places need not lead to their exploitation in every instance, but objectification is frequently a prerequisite for exploitation. Exploitation entails extracting unfair or dishonest advantages from labor or resources. Colonial domination and the domination of nature are interlinked exploitative extractive relations. Along with the natural environment, racialized peoples are frequently consigned to the realm of the nonhuman unless and until they fit the mold of the ideal white legal subject of Western law (Natarajan 2022). Fanon aptly named this as relegation into a "zone of non-being" where such people are treated as exploitable resources in the same way as the environment (Fanon [1952] 2008, 2). Just as the economy does not fully count costs accrued by the environment, the economy similarly externalizes and renders invisible most nonwaged and low-waged labor by treating it, as Marie Mies observes, as a resource freely available like air and water (Mies 1986, 110). Such labor in the past and present is disproportionately carried out by racialized peoples, especially racialized women. While conventionally described as "inequality," it is important to characterize these processes instead as exploitative extractive legal relationships, in the sense that the dominant culture's power is derived through permissible plunder of the subordinated culture and of the natural world (Hage 2017, 53).

International law serves as a laundering mechanism to transform colonial plunder into legal property. To legitimize Europe's interests in its encounters with the non-European world, European jurists created international law as a means of asserting that European interests were in fact universal laws (Porras 2014). When the non-European world resisted invasion and plunder, they were deemed in violation of this ostensibly universal law and thus lawless, savage, barbaric, or at the very least existing in varying degrees of backwardness. Thus, states of exception were justified, where Europeans could behave in the non-European world in a manner not legally permitted in Europe. Europeans could commit genocide, enslavement, and piracy; they could plunder the lands and properties of others, and then convert the resultant wealth into legitimate and registered titles recognized in Europe (Anghie 2005). Hage points out that the French word for laundering, *blanchissage*, gestures to the role of racism in illegally appropriating the lands, labor, and resources "of 'black economies' and transforming them into 'white' legally held property" (Hage 2017, 59, 60).

Thus, there exist two legal spaces operating side by side in codependence: one that is civilized, state regulated, cosmopolitan, and peaceful; and another that is savage, anarchic, racist, and violent. The first is well policed and the second is in a perpetual state of war. The existence, sustenance, and regeneration of the first space is entirely dependent on its unregulated plunder of the second space.

This apartheid-like tendency provides international law's raison d'être through sustaining what Anghie calls a "dynamic of difference" (Anghie 2005). International lawyers can continually identify new evils to combat in the second space (racism, ecological harm, sexism, corruption, terrorism, and so on) and thereby obfuscate that the sources of these evils originate within the first space, thus ensuring disciplinary growth because there will always be more evils for international lawyers to combat.

If these exploitative dynamics sound familiar, it is because they have intensified over time. Despite much of the non-Western world gaining independence, imperial plunder continues to accelerate, because rates of profit tend to fall over time so capitalist societies must continuously identify new means of plunder (Hage 2017, 57). Thus, today we see apartheid-like processes playing out not only internationally but within countries, cities, and neighborhoods everywhere as ghettoization and gated communities proliferate. The rule of law, egalitarianism, conservation, and environmentalism thrive in one space; while violence, dispossession, racism, and unchecked extraction characterize the other space. Capitalists need a lawless space where they can plunder, pillage, murder, and enslave, but they also need a law-full space where their plunder is protected from the pillaging of others so that accumulation is possible. International law is the intergovernmental assemblage that structures this global apartheid (Natarajan and Khoday 2021), attempting to maintain an equilibrium between these two different legal spaces so that one can efficiently exploit the other and continually amass power. International governmentality oscillates between biopolitics and necropolitics, the latter being when the profit drive is so intense that certain people and places lose their ability to regenerate because they are exploited to death (Hage 2017, 54, 62). Indeed, there are industries that profit from this very oscillation. Rist has observed that the international aid industry promotes a form of development that systematically foments extreme inequality and armed conflict, and then engages in humanitarian work to recover from wars, and then returns to development work once the situation stabilizes, and the cycle continues, creating work for themselves ad infinitum (Rist 1997; Natarajan 2023a).

It is important to clarify that, under globalized capitalism, exploitation is inescapable for all workers and thus characterizes the experience of many white communities as well. In contrast, the types of exploitation discussed within this article should be properly understood as a form of superexploitation (Latimer and Osorio 2022), which characterizes racial capitalism. For this reason, Gonzalez and Mutua characterize this latter more intense form of exploitation as expropriation:

> While all workers and their families are impacted by the unjust social relations and maldistribution of human and non-human resources imposed by racial capitalism, persons racialized as white (as superior) have been and remain predominantly subject to exploitation in the market (paid a "living wage"), while the people who comprise the global majority (those racialized as inferior or nonwhite) are disproportionately vulnerable to the (uncompensated or undercompensated) expropriation of their lands, labor, and productive assets. This leads not only to their impoverishment but, in some cases, to their expulsion to the margins of society as expendable surplus populations. (Gonzalez and Mutua 2022, 128)

Gonzalez and Mutua make this crucial distinction to underline the excessive burdens imposed on those peoples and places constructed as inferior (Gonzalez and Mutua 2022; Harvey 2004).

One of the functions of international law is to enable those living within the first space of law-fullness to dissemble their own superexploitative nature. Hage observes that such dissimulation is a key civilizational process: "The more a colonizing nation can shield its citizens from the savage realities that underpin it, carving out spaces where they are not exposed to the colonial conditions of their

good life, the more civilizational it appears" (Hage 2017, 66). International law enables those in the first space of law-fullness to more comfortably live with themselves by institutionalizing their unwavering commitment to democracy, human rights, humanitarianism, environmentalism, and so on, despite their diametrically opposite impact on the world. International law structures this dissimulation and provides a legal framework for irresponsibility, functioning as an "SEP" field—the Someone Else's Problem field immortalized by the sublime Douglas Adams in his *Hitchhiker's Guide to the Galaxy* series: "An SEP is something we can't see, or don't see, or our brain doesn't let us see, because we think that it's somebody else's problem. . . . The brain just edits it out, it's like a blind spot. . . . The Somebody Else's Problem field. . . relies on people's natural predisposition not to see anything they don't want to, weren't expecting, or can't explain" (Adams 1982, 26).

Such an SEP field is more easily achieved by international law in neocolonial Europe, compared with settler colonies in Australia, Canada, New Zealand, and the United States, or newer settler colonies such as Israel, where colonial harms are less easily exorcised from the settler nation and its collective psyche. The manifest disparities in life expectancy and quality of life between Indigenous communities and settlers within North America and Australasia, the Israeli extermination of sixty-five thousand Palestinians in the Gaza Strip within eight months (Jamaluddine 2025), and the quotidian acts of vicious racism and overwhelming violence required to maintain these settler colonies, are hard to ignore despite settler colonial states ritually pledging their fidelity to human rights and international law.

The costs of superexploitation are externalized not only in terms of the guilt and the blame, but also materially as pollution and waste: what Demaria characterizes as accumulation by contamination (Demaria 2010; Gonzalez and Mutua 2022, 149). Liboiron explains how pollution is defined in Western science in a manner that undermines Indigenous knowledges. While the presence of pollutants is labeled in Western science as contamination, it is only when nature can no longer metabolize and assimilate the pollutant that contamination becomes pollution. Liboiron describes how "[a]ssimilation theory transforms bodies of water and other environments into a resource for waste disposal. . . [t]hrough dominant science and other methods, these land relations come to seem true, good, and natural" (Liboiron 2021, 39, 40). Liboiron points out that first and foremost such science is premised on access to the lands of others. Second, complex Indigenous laws governing relations between land, fish, spirits, humans, water, and other entities are erased in favor of a legal system that treats nature as a sink for waste storage (ibid. at 40). I have written elsewhere about the unsustainability of calculating thresholds of environmental harm in these ways, which international law regularly does not only with regard to toxins and pollutants, but also for fishing yields and greenhouse gas emissions. Such a legal system provides not only permission to pollute but an imperative to do so (Natarajan 2023a). Liboiron asks: "Under what conditions does managing, rather than eliminating, environmental pollution make sense? That would be colonialism" (Liboiron 2021, 42).

While in colonial times those who qualified racially as humans were considered qualitatively distinct from a natural world that could be codified as property and owned, Allewaert points out that capitalism has in its own way eroded the human/nonhuman distinction through the money form that transforms any quality (including human qualities) into a numeric quantity that allows for equivalence and exchange (Allewaert 2013, 7). International law structures a global economic system where many Black and Brown laboring bodies are treated as disposable and akin to waste. Types of labor understood to be close to nature, such as care work, cleaning and sanitation, waste disposal, and so on, are disproportionately undertaken by racialized people—usually racialized women—insulating more privileged parts of the workforce from any unwanted contact with the natural world (Natarajan

2022, 218). Salleh observes how such work is often taken for granted as the "prior condition for the transaction that takes place between capitalists and labouring men" (Salleh 2005, 11).

The erosion of subjectivity, sovereignty, and self-determination for racialized peoples—so that they cannot adequately participate in their own governance due to relentless economic, political, social, and military intervention from the dominant culture—is paralleled by the actual erosion of their locales through exploitation (Smith 2023, 93). The Caribbean is an extreme example, with the submergence of entire sovereign nations expected in coming decades due to rising sea levels from climate change (IPCC 2023). From the 1970s onward, the Caribbean Sea has been reconfigured into a petrochemical hub to serve the expanding energy network of the United States. Ports and docking stations have been built by clearing coastal mangroves and coral reefs, even though these natural barriers historically protected Caribbean islands from the deadliest effects of hurricanes and tropical storms. Waters have become chronically contaminated with petroleum. Mining has proliferated, with fragile ecologies threatened by deforestation, seafloor dredging, and sand mining. Extractive industries are largely funded by international speculators under the pretext of bolstering local economic well-being (Smith 2023, 85, 92). But after six decades of such development, the longstanding and heavily racialized divide between locals and Western elites has only deepened in the region. Tourism and real estate speculation dominate the Caribbean economy, with money laundering, financial fraud, and drug trafficking playing a key part outside formal economic sectors. It is no coincidence that each of these sectors, whether formal or not, continues to cater to the extractive and accumulative desires of the West. Today, in service of rabid Western touristic appetites, the Caribbean is fetishized as a virgin paradise. Deforested areas are redecorated with imported shrubs from other parts of the world that better cater to Western imaginaries of what exotic tropical beauty is supposed to look like. Similarly, advertisements for the Caribbean frame the image of the Black native as raw sexuality, waiting and available to Western consumers (Maignam 2023, 173).

The current ecological predicament in the Caribbean is the outcome of centuries of exploitative extractive colonial practices, with plantations being the prime driver behind the deforestation of islands, whose denuded soil is yet to recover from the consequences of intensive monocrop cultivation. Colonial practices of slavery enabled cultivation at such scale and intensity that there were extreme alterations to the Caribbean landscape that violently displaced and eradicated Indigenous populations and ecosystems. These changes were so rapid and extreme that conservation practices were developed as early as the seventeenth century in the Caribbean so that plantation economies could be sustained. White settler environmentalism retained a utilitarian and domineering ethos that aimed to sustain crop yields, whereas Indigenous and Afro-descendant environmentalisms were appropriated to the extent that they served this purpose and repressed where they did not (Allewaert 2013). Very little has changed since then, with white environmentalism dominating international environmental lawmaking, expropriating on its own terms from nonwhite worldviews only what is useful to the dominant culture (Natarajan and Khoday 2014).

The Caribbean region and other small island developing states are often cast as the canary in the climate change coal mine. Rather than being exceptional, these regions are representative of how global ecological harms and racialized deaths everywhere map onto exploitative transnational flows of capital. Moreover, the Caribbean is a crucial site for imagining sustainable futures, not just cataclysmic ones (Smith 2023, 83, 87; Byer 2023). Being at the receiving end of centuries of some of the most extreme forms of colonial violence has produced in Indigenous and Afro-descendant communities an understanding of the landscape as a "recuperative site of postcolonial historiography" (DeLoughrey and Handley 2011, 88). Walcott saw in the Atlantic a counter archive (Walcott [1979] 2014, 253),

where submerged and dismembered enslaved bodies, ships, shackles, and memories were preserved in hybrid evolving forms by centuries of interaction with the seafloor, minerals, salts, corals, and marine life. Glissant observed that "our landscape is its own monument" (Glissant 1989, 12), with sylvan terrains literally and metaphorically interlinked with the memories, identities, and survival of Indigenous and Afro-descendant communities. While white settlers tried to erase or occlude these histories, the sentient waters and lands are more powerful still. They bear continual witness. Augusto speaks of liberation flora, referring to plants such as the yam and the calabash tree that provided spiritual, physical, pharmacological, and political sustenance to their growers in the face of colonial persecution (Augusto 2017). Newborn babies acquire the strength of the woods that guard their buried placentas: "My nabel string bury dere" means that person will always belong in that place because their tree has inalienably rooted them there. These practices mirror and echo West African burial practices where the dead were placed under sacred groves that hosted their spirits. The memory is echoed in Antonius Roberts's poignant monument to the first slave landing sites in the Caribbean, consisting of eerily beautiful tree sentinels facing West Africa from the Bahamas. Smith observes that exploitative and extractive practices such as deforestation are soul harrowing because they are both ecocide and epistemicide. Destroying the forests and polluting the seas is violence against nature and against collective memory (Smith 2023, 88, 91).

D. Taming

In addition to turning peoples and places into objects through robbing them of their subjectivity and agency, and extracting unfair benefit from them through exploitation and extraction, law can also tame people and places by subduing their power and making them easier to control. Humans exist within highly complex ecosystems. Every human invariably coexists in a space that already contains innumerable insects, animals (including human animals), plants, microbes, and other organisms. As part of interconnected ecosystems, each organism exists in the world with some degree of instrumentalization of some of the other organisms and of the natural world. In this sense, every species domesticates and tames nature to meet its needs for food, shelter, reproduction, comfort, and so on. What makes the dominant Western mode of occupation and settlement different is that its own interest is the sole organizing principle, with all prior and subsequent occupiers tamed to service its own advancement (or, where that is impossible, excluded or exterminated) (Hage 2017, 94, 95). As Thomas observes, the taming of nature in this manner is "the archetypal pattern for other kinds of social subordination" (Thomas 1983, 46; Hage 2017, 86).

When international law ranks the development of states, it is an assessment of their ability to tame nature to meet unlimited human desires. The transformation of Western societies from nomadic through to pastoral, agricultural, industrial, and postindustrial ways of life is considered a measure of civilizational progress based on their increasing ability to control the environment. By this measure, non-Western countries had to earn their sovereign independence by showing their ability to develop, and a postcolonial state's path to regaining power, wealth, and global status remains dependent on its ability to "emerge" from this so-called natural state (Natarajan 2012). While these comparisons serve to naturalize racist hierarchies in international law, they also serve to racialize nature. Like the noble savage, nature is innocent and pure, needing legal stewardship and protection. Yet it is also brutal, requiring the discipline and control of Western civilization. Similarly, nature is also feminized in contradictory ways, as bountiful, nurturing, beautiful, and the giver of life: soft, submissive, and easily manipulated. Yet also disorderly, wild, chaotic, and dangerous, in need of taming through law and order (Natarajan 2022).

International laws and institutions normalize and maintain these tropes efficiently and effectively, yet also claim to provide solutions to racism, sexism, environmental harms, and various other problems that the discipline helps create and structure. In this disciplinary fantasy of limitless governmentality and control, the Western desire to tame nature to meet Western comforts is identical in its legal reasoning to the Western desire to tame other cultures to meet Western comforts. The tamed space is the law-full space of white societies and those that can successfully replicate or assimilate into these societies. The lawless spaces of racialized wilderness are where the taming process is perpetually underway: aggression, domination, unbridled profiteering, and increasing social, political, and economic violence. When faced with this nastiness "outside," the tamed space provides a necessary corrective balm as well as a source of pride, complacency, and condescension to its inhabitants (Hage 2017, 93, 94, 132).

The homeland's fantasy of law and order always perceives itself as under threat of penetration from the lawless exterior: the bear and the wolf circling the safety of the home and hearth. Derrida describes sovereignty as a space that is always lacking (Derrida 2008; Hage 2017, 96). Taming nature and taming the racialized other must be an incomplete never-ending process because the calling to tame—the civilizing mission, the white man's self-imposed burden—is what defines and buttresses the virtue of the tamer (Hage 2017, 101). When European colonists compared African slaves with animals and endeavored to tame the power of both, such analogies shielded Europeans from having to recognize their own animality, ferocity, and wildness. Racialization projects onto others what racists sense as an insufficiency in themselves. By insisting that racialized peoples mimic Europeans to earn their humanity, Europeans not only displaced some of their own problems but imagined themselves as the solution (Allewaert 2013, 85). Thereby the inner insufficiency remains unresolved, but Allewaert points out that "this play of projection and resolution must have been one of the psychological boons colonialism provided Europeans" (ibid. at 102). For European jurists, this process of racializing nature and naturalizing race was central to crafting the subject of international law—the sovereign and the human—in their own idealized blameless image (Natarajan 2022).

We see this process play out in Israel where, since the formation of the Israeli state in 1948, the continual subordination, eviction, and extermination of Palestinians through legal processes is fundamental to the identity making of the settler colonial state and its citizenry. All settler societies are marked by the rhetoric of taming people and planet. Thus, just as white settlement of Australia claimed it was terra nullius or an empty land, Zionists assert the myth of "a land without people for a people without land" to underpin the foundation of Israel. For instance, Israel describes itself as "conquering the wasteland," "making the desert bloom," and "Judaizing the periphery" of the Naqab Desert. Such claims negate the longstanding existence of the Naqab Bedouin population in that land while establishing the character of incoming settlers as brave, industrious, and productive domesticators of an otherwise uninhabitable wilderness. In fact, the Israeli government planned forcible relocation of tens of thousands of Bedouins from their villages in the Naqab, which Israel characterized as "unrecognized villages," into government-planned townships, imposing assimilation through urbanization. Meanwhile, Jewish citizens were encouraged to settle and tame the desert in the wake of the wish fulfillment of Indigenous erasure as a means of crafting a national identity (Shalhoub-Kevorkian 2012, 111).

If we contrast Israeli attempts to tame the comparatively smaller Naqab Bedouin population with Israel's expulsion of 750,000 Palestinians during the 1948 Nakba (Eghbariah 2024), it becomes clear that demography matters when selecting between legal techniques for taming or expelling the human

and nonhuman other. We see a similar attitude in the Western world when it comes to the assimilability of non-Western migrants. As Hage puts it, one rabbit in the backyard may be cute but ten could turn them into pests (Hage 2017, 105). A small number of migrants may be perceived as harmless and useful but, as these numbers grow, they may be perceived as harmful and useless, like weeds: no longer capable of taming into service under law but instead approaching ungovernability. Hage observes that these measures of degrees of usefulness and harmlessness are largely a colonial inheritance into which we are all born. That is to say, legal technologies for taming nature and peoples are not made on blank slates. Rather, these are entrenched legal techniques of positioning and relating, which must be urgently reassessed and remade to combat contemporary ecological and racial harms (ibid. at 106, 110, 111).

E. Exterminating the Ungovernable

Hage describes racialization as uniting an othering of the will with an othering of the body. He identifies the racialized other of the will as epitomized in the anti-Semitic figure of the Jew, labeled as devious, scheming, and manipulative. And the racialized other of the body is epitomized in the bigoted branding of Africans as lazy, stupid, and strong. The other of the will is to be exterminated and the other of the body is to be exploited. But the racialized other is never wholly of the will or of the body but usually conveniently fluctuating combinations of both, where those who are in certain contexts deemed exploitable may in other contexts be perceived as dangerous and exterminable (Hage 2017, 30, 31). Moreover, those racialized and oppressed in one context often themselves perpetrate the same injustices in another, the manifest contemporary example being the Nazi genocide of European Jews and the subsequent Israeli genocide of Palestinians (Said 1979; Pappé 2008; Seikaly 2015; Khalidi 2020).

Hage identifies the wolf as the ultimate representation of a natural threat that cannot be domesticated (Hage 2017, 33). Ungovernability is a power relation that differs based on the analogy drawn: Wolves and cockroaches are both threatening but "one gazes down at cockroaches, not wolves" (ibid. at 46). The racism that analogizes a slave to a beast of burden is useful in the context of the plantation and the mine, but those perceived as useless, such as Arabs, were analogized more frequently with cockroaches, more in "the order of dirt, rubbish and waste, an inevitable left-over of the process of colonization that one has to live with and manage but that one can do without" (48). Hage astutely observes that "today racism is dominated by neither the plantation nor the mine. It has all the hallmarks of the processes of waste management in the ways it is institutionalized in the forms of mass incarceration in the United States, in the besiegement of Gaza, or in Australian detention centers" (48). Gonzalez and Mutua use the concept of expulsion to describe the processes that create such expendable surplus populations, and they characterize as sacrifice zones the racialized spaces where the land and people have been abandoned and left to die once they are no longer profitable (Gonzalez and Mutua 2022, 158, 160).

The colonizer—especially the settler colonizer—lives with ever-present fear of not only the bear and the wolf but most of all the peoples whom they perceive to be at home in wild places. The overwhelming fear of migrants in settler colonies such as Australia has its roots in precisely such terrors—what Arata has called "narratives of reverse colonization" (Arata 1996, 255; Hage 2017, 71). Similarly, ecological nightmares of reversal haunt Western apocalyptical fantasies where nature rises up against those who tried to dominate it (Hage 2017, 74). Just as international environmental law has failed spectacularly to stem climate change and other forms of global ecological decline, similarly

international human rights law has been unable to stem rising fascism and racism in Western societies today. As the power of Western states declines, there is growing dread within Western societies of losing their grip over the people and places that they have historically dominated (ibid. at 50). Right-wing politicians capitalize on such fears by driving polarization as a facile means of accumulating power. The process of polarization is the first step toward exterminating the ungovernable. What may otherwise be perceived as mere social difference can be converted into polarization by evacuating and erasing any and all commonalities (98). In his 1992 Redfern Address, Australian Prime Minister Paul Keating described this basic prerequisite for genocide: "We failed to ask, how would I feel if this were done to me?" (Keating 1992).

European colonial and Enlightenment thinking often equated revolution and rebellion with a return to a state of nature. As African and Afro-descendant slave rebellions against European oppression, colonization, and enslavement had inspired later revolutions in Europe and the United States, some European philosophers tried to delegitimize all such uprisings as primitive (Allewaert 2013, 47). Indeed, Burke perceived the French Revolution to be an explosion of primal forces where the rawest and crudest of humanity stripped away the decency of civilization to expose bare society (Burke [1790] 2001, 188, 239). Moreover, European colonizers in the Americas imagined and feared revolutionary political alliances between natural elemental forces and Indigenous, African, and Afro-descendant communities. In an attempt to minimize these fears, Europeans racialized the ecological knowledge of such communities as primitive (Allewaert 2013, 47). Nevertheless, it was undeniable that those communities had military acumen as well as what Che Guevara identified as the prerequisite for revolution: their "perfect knowledge of the ground" (da Costa 1994, 16; Allewaert 2013, 43). Those who understood their environment well could not only use this knowledge to escape oppression and enslavement but could revolt and resist European colonialism. Furthermore, in so doing, they undercut the central assumptions of the European worldview about the organization and hierarchy of forms and knowledges (Allewaert 2013, 7). The ungovernable is frightening not only because it can resist, rebel, revolt, and overthrow, but because it undoes extant hierarchies and distinctions between human and nonhuman, nature and culture.

Glissant observed how oppressed peoples strategically redirected the oppressor's power through diversionary tactics. Highly stylized speech forms and circumlocutionary narratives allowed for the forging of communications, connections, alliances, and solidarity between subaltern communities while sidestepping unwinnable head-on confrontations with colonizers. In so doing, radical and revolutionary subcultures were born with the capacity to disorder colonial thinking (Glissant 1989). Just as mythologies of dismembered bodies combining with animals and plants and shifting atmospheric forms undermined the closed and finite European understanding of forms, similarly subaltern narrative and speech styles undermined and destabilized the holocentric solution-driven logic and teleological purpose-seeking orientation of European modern thought (Allewaert 2013, 105, 107). Rather than being trapped within the logic and philosophies of the colonizer, these were radical and imaginative thinkers capable of fantasizing positions outside colonial history (ibid. at 109).

The Haitian Revolution and the first Haitian Constitution realized superbly the far-reaching nature of adopting such stances. Rather than wedding themselves to colonial imaginaries of the revolutionary rights of man and citizen, the first Haitian Constitution opens with "the supreme being before whom all mortals are equal and who has scattered so many species of beings over the surface of the earth with the sole goal of manifesting his glory through the diversity of his works" (Allewaert 2013, 111,

112).[3] This is a politics fully aware of the colonial legacy on which human rights depend, which explicitly transcends anthropocentrism for the sake of new political possibilities (Natarajan 2022).

IV. Conclusion

I have argued that racism and environmental harm are produced by identical legal technologies of comparison, objectification, exploitation, taming, and extermination. But why is it important to understand racism and environmental harm as one and the same? Because otherwise environmental laws, sciences, histories, and so on, as well as environmental advocacy and activism, may intentionally or unthinkingly reproduce violent colonial and postcolonial relations. There is a long history of environmentalism serving imperialist interests, with the pioneers of modern environmentalism being colonial administrators and scientists who ensured cultivation was controlled so that plantations stayed profitable. There is also a disturbing tradition of Western environmentalism undergirded by the power of the state and its military and police action. While police dismantle environmental protests, there is a more widespread and insidious form of state violence that kills and displaces millions to make land available for conservation and the "green economy." These policies of purging inhabitants to protect nature (that is to say, to protect nature to serve the purposes of the dominant culture) ominously echo Nazi environmental traditions of conservational purity and are now in resurgence in fascist movements around the world (Grove 1990; Anker 2001; Barton 2002; Komeie 2006; Liboiron 2021).

International environmental law solutions—from renewable energies such as hydroelectric dams, nuclear energy, and ethanol; to economic solutions such as carbon trading and debt for nature swaps; to green consumerism through ecolabeling, energy efficiency, recycling, and so on; as well as appeals to the global commons, the common concerns of humanity, the Anthropocene, and so on—all presume Western access to law and policymaking spaces in the non-Western world and the availability of the non-Western world to produce value for Western desires and futures. In this way, the environmentalism of international law propagates and maintains the dispossession and disenfranchisement of racialized peoples for a so-called global common good, wherein the powerful remain best positioned to leverage international laws and institutions as a means of defining this common good.

For antiracist scholars, policymakers, and movements, environmental concerns are crucial because on the most basic level, as Hage succinctly puts it, "it is futile to study anything on its own while aboard a sinking ship, as though that ship is not sinking" (Hage 2017, 2). Even if that ship were not sinking, there is a growing realization that we cannot treat each other with respect and dignity unless we also treat nature that way, and vice versa. Animal liberationists and ecofeminists made the connections between racism and environmental harms many years ago and these alliances are now solidifying in scholarly, activist, lawmaking, and policymaking spaces. For international law, uniform legal technologies for dominating racialized peoples and nature have severely limited the range of questions that can be asked about racism and environmentalism. International law discourse frames racism and environmentalism as managerial problems that are solvable through ever-expanding institutionalization and expertise in international human rights and international environmental law respectively, thereby continually reproducing the problems international law claims to solve (Natarajan 2022; Natarajan and Dehm 2022a).

[3] Translated by Allewaert (2013, 111): "L'Etre-Suprême, devant qui les mortels sont égaux, et qui n'a répandu tant d'espèces de créatures différentes sur la surface du globe, qu'aux fins de manifester sa glorie. . . par la diversité de ses oeuvres."

For international lawyers, environmental justice entails much more than a redistribution of wealth and a convergence between the ecological footprints of the poor and the rich. More fundamentally, it requires a disciplinary admission that the only path to such a convergence is a ceding of power to those non-Western peoples, traditions, and knowledges that have more sustainable and equitable worldviews. While international law today is a keystone in structuring global injustice, it is possible to envision another kind of international law where diverse legal traditions heretofore silenced play their part in restructuring better relations between people, as well as between people and planet (Natarajan 2023b).

While it is never easy to question vigorously the foundations of one's own position in the world, it is particularly difficult to do this within a discipline whose existence depends on the assertion of universal norms. Yet a postcolonial, decolonial, antiracist, antispeciesist, ecologically sound basis for international cooperation and solidarity requires the ability to adopt a decentered point of view. To not only ask, as Keating did, how would I feel if this were done to me? But also, to turn back upon oneself, to stare unflinchingly at the stranger that is there, and interrogate one's own certainties (Descola 2013, 62). To realize that Otherness—whether human, nonhuman, parahuman, superhuman, or in forms unrelated with the human altogether—does not just exist for me, but also exists in me, and with me (Hage 2017, 120).

Such an approach need not undermine the validity of an international law but rather could render it more complex and realistic by departing from simplistic Western cosmologies. In so doing, there would be space for other worldviews to speak more freely, with less interference and deformation by legal technologies of objectification that they did not create. The point is not whether any given non-Western worldview is any more moral or self-aware than the dominant Western one, but rather the point is an international law that understands itself—like any (eco)system—as capable of at once containing infinite and shifting multiplicities, variations, and interrelations without disintegrating. Hindu, Buddhist, and Taoist philosophies visualize such systems as the net of Indra, a limitless net where each knot contains a faceted jewel that reflects all other jewels: "[I]f you sit in one jewel you sit in all jewels at the same time" (Fox 2015). The objectification of international law is undone and instead the subject is everywhere while also containing everywhere within itself. Beyond the field of opposites—human and nonhuman, nature and culture, white and Black, Western and non-Western—lies not emptiness but interconnection, interdependence, and the infinite multiplication of legal subject positions (Natarajan 2022).

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