

In these pages, we promote a common effort to renew the relationship between humans and water, and, in general, the relationship between humans and non-humans. This effort, rooted in a philosophical discourse around the concept of Being, starts with a profound cultural change and is functionally mediated by the creation of a charter of the rights of water.

To understand the commitment of some current realist positions around Being, it is worth retracing a brief, and undoubtedly trivialized, history of western ontology. Parmenides and Plato set foundations to the western ontology, conceptualizing the irreducibility of Being as such (“for Being is, but nothing is not”). This concept was further developed by Aristotle, who also formalized logic on the basis of the principle of non-contradiction—a cornerstone of western scientific culture and philosophy. However, centuries later this dialogue was revolutionized by Kant, who laid emphasis on questions of human access to Being, rather than Being itself, thus treating the relation between thought and world as the primary subject matter of philosophy (correlational ontology). This discourse reoriented philosophy away from ontology towards epistemology, and at the same time it created the basis of the German idealism movement. Parmenides’ irreducibility of Being was definitively abandoned in Hegel’s argument, which transformed the concept of Being into that of Becoming. With Hegel, ontology is no longer static, but has a phenomenological focus expressed through a triadic dialectic of thesis, antithesis, and synthesis. However, by focusing on the process of representation and/or phenomenology, the post-Kantian philosophies and to a greater or lesser extent all the thinking that spun out of the German tradition, risk falling into the trap of doing away with the world. Against this drawback, object-oriented philosophies have emerged in the past two decades. These philosophies propose a kind of realism whereby the attributes of autonomy, agency, force, and intelligence pertain to

all objects and not merely to humans.¹ Within this broad movement of speculative realists, many suggest that every object retains a unique reality in excess of any interaction and relation with humans or other objects, and that all objects have equal ontological standing. Within this anti-correlationist vision of reality, even the post-Kantian distinction between subject and object becomes unnecessary, and every object is real regardless of any description or representation. In this respect, by somewhat renewing the Greek philosophical tradition, objects and subjects are synonyms and populate the universe with unique qualities of their own. In such a pluralist and heterogeneous universe, water, like all objects, is a real and irreducible agent.

Water is alien to humans, while inherently connected to them. Complex human-water relationships live in the name of trust and fear, respect and dominance, tool and divinity, dependence and emancipation, and they have characterized history. Water wets most of the Earth and acts daily on all its players. It has an absolute identity independent of humans and has shaped nature and the development of human civilization and culture. In the poetic words of Tom Robbins: *“Water – the ace of elements. Water dives from the clouds without parachute, wings, or safety net. Water runs over the steepest precipice and blinks not a lash. Water is buried and rises again; water walks on fire and fire gets the blisters. Stylishly composed in any situation—solid, gas, or liquid—speaking in penetrating dialects understood by all things—animal, vegetable, or mineral—water travels intrepidly through four dimensions, sustaining (Kick a lettuce in the field and it will yell “Water!”), destroying (The Dutch boy’s finger remembered the view from Ararat) and creating (It has even been said that human beings were invented by water as a device for transporting itself from one place to another, but that’s another story)”*.²

¹ See the metaphysics of Quentin Meillassoux, Graham Harman and other thinkers of this new tradition, often featured in the volumes of the independent journal, *Collapse*, edited by Robin Mackay.

² Tom Robbins, *Even Cowgirls Get the Blues*.

At the dawn of human history, in Mesopotamia, the Tigris and Euphrates ensured the fertility of the soil, helping the advance of agriculture and the flourishing of a primal society beyond mere subsistence. The Nile and the large East Asian rivers facilitated transport, intercultural and commercial exchanges, and together with other factors and circumstances, enabled the Egyptian and Chinese civilizations to reach unprecedented heights. To this day, these rivers play a leading role in the geopolitical arena. Even the first human settlements of the Greek civilization developed in the Aegean archipelagos, rather than inland, since growth and socio-economic networks are always more easily sustained by sea rather than land travel. Drinking water is, of course, essential to the life of humans, other animals, and plants, but is also central to the societal and cultural development of humans in that it has historically allowed travel and exploration, hence commercial and cultural exchange. It is an instrument of sanitation, dignity, and well-being, and it is a means of economic growth, thanks to crop irrigation, feedstock sustenance, and industrial supply.

Humans' relationship with water has been fruitful and rewarding throughout history, but we surmise that it is eroding as a consequence of the correlationist philosophies, anthropocentric tendencies, and the ever-increasing subjection of humanity to the economic growth for its own sake. It is time to start acknowledging water, not merely as a tool for human development, but as a powerful agent of the (eco)system in which also humans operate. In the history of humanity, empowerment movements have often been triggered by tragedies. For example, in countries with a colonial history, the recognition of each man as an individual in their own right was frequently accompanied or sustained by efforts to abolish slavery; these efforts started at a cultural level, establishing the principles of equality, and only at a later stage took on a political and legal stance. A similar process occurred regarding the status of children, a path that led to the

"Convention on the Rights of the Child". This pattern has made it possible to guarantee that the development of increasing portions of humanity is autonomous and not subordinate to others. Empowerment of individuals and groups has allowed for improved social balance and relations among humans, and the achievement of concrete results, such as technological, philosophical, and cultural developments. Perhaps, in a similar way, (for humans) to fully acknowledge the agency of water, water should have cosmopolitical rights of its own, even outside the needs and uses that are connected to human activities. Perhaps, water should be recognized as an autonomous agent and given a legal status, to re-set the balance in its relation with humans and promote a future in which both humans and water enjoy fulfilling development. We believe that accepting that water is an agent with equal ontology to that of human beings (and other non-humans) would thus entail recognizing its specific rights. In doing so, we must also be aware of and escape the pernicious tendencies of today's legal discourse.

Current laws ruling and directing relations among humans and between humans and other objects (*e.g.*, goods) are often technocratic and devoted to efficiency and not primarily to equity. A line of argument sees the Western laws developed largely to serve private property and contractual freedom. Law is thus almost entirely subservient to the needs of the economy, so much so that the needs of the economy now dictate all political choices. One of the problems of current laws, and even of current rights, is that, despite the useful end they serve, they are heavily based on the concept of property. Individual rights are also somewhat based on the right to property, on the concept that we are each in possession of ourselves so that others cannot own or dominate us. A similar conclusion can be drawn about the definition of common goods, whose legal theory is grounded on the idea of exclusion. However, the real value of common goods, of

which water is a chief example, is different from that provided by the classic legal treatment, and ultimately water is caught in the vise of the economy.

In contrast, water rights should be based on inclusion rather than exclusion, on the ability of water to create symbioses with humans and other players/objects, so that the use of water is not rivalrous but relational. Speaking about water in terms of scarcity or abundance follows the paradigm of water-as-a-resource, and hence of property or use of the resource. Property and usufruct always pertain to someone or something external (*e.g.*, in the case of civilization the property and the usufruct pertain to a political microsystem as a person, a city, or a state). However, in this way, water is not considered as an agent within the non-territorial ecosystem which also civilization belongs to. Multiple examples exist of social and ecological conflicts that arose from the water-as-a-resource paradigm. Water should instead have the right not to be negotiable (*i.e.*, part of a contract) and not to belong to individuals; its relations should be extraneous to economic development and be tied to a qualitatively responsible use. At the same time, the rights of water should not be used as a justification for the abuse of one group over another. Furthermore, these rights should not be univocal, but contextual: a function of each specific (eco)system. Even more profoundly, in humanity's renewed relation with water, culture must be the first to address these issues. The ontology of legality has a bottom-up approach; it starts from the community and not as an imposition from the jurisdiction. Extrapolating concepts on the edge of the liberal and libertarian ideology, we can ideally assume rights as an immanent entity internalized and respected automatically by all the humans because they are based on a commonality of values and purposes. Thus, law is mainly the result of real-life experience combined with the customs and values of a community, which serve the purposes of a given social activity and over time become consolidated in the form of traditions and laws.

The necessary cultural and social acknowledgment that is required to provide the ground of a legal transformation around the relationship with water and other common goods, should be also accompanied by a leap in the political discourse. Theories of democracy grounded on a dichotomic world of acting humans and passive non-human entities are fragile, at a time in which the interactions between humans, animals, technological objects, the environment, and hyperobjects³ are increasingly intense and inextricable. Humans are deeply entangled with the non-human; it always has been the case, but the intensity of these interconnections has increased and has become impossible to ignore. A fruitful reaction could be to accept this consortium and admit that humans are capable of affecting nature as the non-human is of affecting culture. As Jane Bennett puts it, if humans can exercise their will and progress only if accompanied by a great entourage of non-human entities, then the appropriate functional unit of a democratic theory should no longer be a human individual, nor a collective of humans, but instead the ontologically heterogeneous group of humans and non-humans that converges around a problem and evolves as a whole in a given context.⁴ We surmise that water is a critical node of this network.

On a superficial level, it may seem that humanity is already working to develop habits and methods to protect water and the environment. In reality, most of the actions in this direction are based on the consumer interest within contemporary capitalism: they are pursued, often with good intent, but within an interest that has entered the consciousness of contemporary capitalism. For example, large corporations themselves are increasingly driving the development of environmentally friendly technologies. This paradigm is always strictly related to the interests

³ Timothy Morton

⁴ Humans must find new procedures, technologies, regimes of perception that seek to consult non-humans more closely or that listen or respond more accurately to their testimony, instances, and proposals since these offerings are profoundly important for the health of the political ecologies to which we belong. Jane Bennett, *Vibrant Matter*.

and wills of micropolitical entities and does not escape the concept of environment-as-a-resource and, of course, water-as-a-resource. However, given the tendencies of contemporary capitalism, the so-called green consumerism risks degenerating in what Deleuze and Guattari define a “society of continuous control”, whereby the approach to ecology (intended as the equilibrium within a system) is one of total control over human and non-human activities. In such a society, efficiency, even green, is overtaxing, which is paradoxical with the etymology of the term. A new ecological society will require not only laws and bureaucratic programmes but new practices and a new sensitivity.⁵ The distance to be bridged is still coded in a concept of nature as an “abstract environment”. Ecological thinking requires a different type of differentiation other than the dualistic concept of Nature vs Culture. Ecological consciousness means thinking and acting with awareness of the confederation of humans and non-humans that evolve together. A sustainable community is designed in such a way that the lifestyle, activities, economy, physical structures, and technologies that characterize it do not interfere with Nature’s intrinsic ability to support life, but instead facilitate its creative force, a generative power that is chiefly exemplified by water.

As scientists, we offer a glimpse of what we prize and pursue day by day in our research process, hoping that it may help fashioning the set of tools required for the cultural, social, and political change that these pages wish to promote. The scientific approach, although almost always implicitly, applies the ecological concepts (intended as a systemic vision of the target of

⁵ *“It seems to me essential to organize new micropolitical and microsocial practices, new solidarities, a new gentleness, together with new aesthetic and new analytic practices regarding the formation of the unconscious. It appears to me that this is the only possible way to get social and political practices back on their feet, working for humanity and not simply for a permanent reequilibration of the capitalist semiotic Universe. One might object that large-scale struggles are not necessarily in sync with ecological praxis and the micropolitics of desire, but that’s the point: it is important not to homogenize various levels of practice or to make connections between them under some transcendental supervision, but instead to engage them in processes of heterogenesis.”*, Félix Guattari, *The Three Ecologies*.

the study in its environment) in its definition of experimental work. The object of scientific research enters a negotiation with the scientist. Natural sciences (*i.e.*, physics, chemistry, and biology) are based on observational data and their interpretations are not made based on axioms, but on models that are considered true until proven otherwise. This approach denotes a humble attempt to interact constructively with the manifestations of phenomena whose intrinsic essence is inconceivable but that can just be extrapolated from a complex system with multi-factors with the aim of establishing a legal system (*i.e.*, a scientific theory). The mission of this legal system is not the search for the absolute truth, but it is built to best fit the empirical observations and to be fruitful for the continued progress and refinement of the theory (theoretical fertility). In this framework lies the scientific process, which proceeds by sequential contradictions that implicitly acknowledge that study objects have their own predetermined and undeterminable ontological state. Also another founding concept of scientific exploration— that of non-territoriality— might inform a way to pursue the changes endorsed in these pages, thus to provide water with its own overarching rights. The scientific approach is rooted in the idea that the laws that govern the behavior of objects and of the universe are the same everywhere within this universe and know no borders.⁶ The knowledge⁷ that science proposes does not exist to preserve any context or group of interests. While contextual practices should guide the specific relationships among communities and between communities and water, the concept of non-territoriality could contribute to defining the ontological status of water and to ensuring that any interpretations of its rights (*i.e.*, laws) are compatible with each other. Water is a central element in global cycles,

⁶ Natural laws may be utterly contingent and the principle of sufficient reason may actually not stand, but without necessarily invalidate the principle of non-contradiction; see the views of Quentin Meillassoux in *After Finitude: An Essay On The Necessity Of Contingency*.

⁷ Here, we do not wish to enter a complex debate around the essence and reach of scientific propositions. The reader should be sufficiently lenient to accept the term “knowledge” as solely functional to the more general discourse, and not as a statement of its own.

whose causes and effects insist upon (eco)systems, beyond national and geographic borders of any kind. Rivers flow through diverse areas and multiple communities. If the laws of one community interfere with the rights of all, rivers may cease being a life-supporting resource or, worse, become a source of conflict. This example is a simple application of the concept of non-territoriality to our relationship with water.

Science and anthropomorphism are only humble informants in the commitment to engage with water and other objects as fellow citizens. They see in non-humans intelligence (although not necessarily consciousness) and willfulness (one might dare say “will of power”) that we recognize in ourselves. As Jane Bennet puts it, from the narcissism of our gaze on the non-human we can move on to learn how to care for it. Science and anthropomorphism can catalyze a sensitivity that discovers a world of distinctive complexity, of resonances and vibrant objects.⁸ Civilization is entangled in this world of humans and non-humans (also, culture is entangled with nature), and it continues, inevitably and rewardingly, to interact with water. The attempt of the current era to extract humanity from the non-human, including water and Nature in general, chases a deceptive will and an illusory consciousness that pretend to be purely human from both an ontological and a practical standing. On the other hand, some rampant environmentalism seems to chase an ideal of Nature (whose water is a central element) not contaminated by humanity, in this way not recognizing the strong Nature (water)-human entanglement carved in a mutual-aid reality. Against these two barren predicaments, we propose a path that is based on the acceptance of a balanced relationship between humans and water and on our civil and strategic engagement with water that entails giving up some of the pretensions and claims we automatically make when we think of human progress: these would be signs of success rather

⁸ “*Maybe it is worth running the risk associated with anthropomorphizing (superstition, the divinization of nature, romanticism) because it, oddly enough, works against anthropocentrism*”. Jane Bennett, *Vibrant Matter*.

than weakness. A humanity that endures identical to itself cannot be successful. Cultural blinders are conducive to demise, because the functioning of a community is valid only within a context that, however, is constantly undergoing changes. Humans and water exist within a system, a confederative network, an assembly of things that evolves. For all players to thrive, they need to evolve with and in the system. This means humanity may need to abandon its super-humanhood certainties and accept to be part of a confederation of objects all with equal ontological value. Sustainability is the unlearning of the continuous and changing tension that occurs between humans and the non-human, between humans and water: it presupposes creating a resilient and plastic culture in which the confederation of humans and non-humans can evolve to ensure that each entity in this community can be. In a commitment to value humans' relation with water, a constitutional charter of the rights of water may not only plant the roots of a new sustained development of the human-water nexus, but also those of a new self.