



The All Rivers and Species Act 2021

Artifact Compilation: No. 1

Compilation Date: 27 July 2021

Next Compilation Date: Unknown

Registered: Unregistered

This compilation is in 1 volume
Volume 1: Sections 1-16

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Chapter 1 - Preliminary

Part 1 - Preliminary

1 Title

This legislation has been prepared with the title *The All Rivers and Species Act 2021*. All encompassing, all surrounding, all connected. This Act has been written in collaboration with GPT2 and several human authors of various backgrounds. This formal document is a hybrid of four separate GPT2 models trained using various texts [refer to Supplemental Appendix File A]. This Act has undergone various collaborative processes of editing, buffing and formatting - and remains an artefact.

2 Preamble

Like all good stories, this one begins and ends with a complementary audio-visual articulation [refer to Preamble file]. In another world, this may be enough to grant environmental protection, yet in some such a representation is not only outside of acceptable reputable legislative means, but would of course require a formulaic, arguably soulless file to make anything of it. Unmarked, an Act begs for a scribble - to exit the page.

3 Legal Basis

The river is not guilty of anything; it is not guilty of any great thing. The *All Rivers and Species Act 2021* applies the doctrine of Kaitiakitanga as per Section 30.31 Section 38(1).32 Sections 44, 45 and 49.33 Section 44(1)(f). 34 Sections 6. Appeals on a matter of law are permissible to the Spirits of the river. All appeals will be heard in the specific river and with their stewards pertaining to the appeal.

Initially, in Latin America, the concept of “water” was used interchangeably with differentially applied concepts such as “land” and “soil”. However, the early 20th century saw a shift in attitude towards scientific and technical innovation, and water as a property right emerged as a property rights concern. A property right replaced all other forms of property rights shared by all parties. This meant that water was regarded as a property right, not a human right. This meant that all other uses of water were considered secondary to that of the land, with the exception of a limited number of restaurants, bars and other public places. This created uncertainty for the new property rights espoused by the state, and exacerbated disputes over water rights in food services and beyond.

4 General Principles

The *All Rivers and Species Act 2021* is a response to legislation which applies class action status to rivers across New Zealand. It establishes a State Biodiversity Board and a National Biodiversity Fund to be used in conservation projects. There are incentives for research, training and education to increase the chances of long-term conservation. The recognition of the difficulties in defining ecological limits of habitats and the need to control the risks associated with the use of biodiversity are both prevalent in the Act. It also recognises the right of a species to exist by allowing its complete protection if threatened with any forecasted trajectory of extinction and the classification of special sites as biodiversity UNESCO heritage sites; with precautionary principles applied with immediacy. The Act seeks to provide rights to the rivers and the species that inhabit the rivers ecosystems so that there will be similar legal conditions for humans and non-humans, and legal protections in the interests of rivers. Part of the effect of the Act on the environment is that it creates a mechanism for assessment of the environmental health of the affected area and gives priority to the interests of Inter and Intra River species.

The Act recognises the socio-cultural imperative of nature, and seeks to restore the balance between the human and non-human worlds. We will use the same words, syntax and grammar to address the living world as we use for our animate family. Because they are our family.

The law makes very direct references to “the universe” and to “the human experiment to destroy its power by its own power.” In essence, the law envisages a “collective earth community” to be one of the most important elements of the overall body of the Act.

4A Definitions and Syntax for the Act

Environment

Environment refers to the physical, chemical, and biological properties of the Earth, its ecosystems, and other natural systems. Environment includes physical, social, economic, and political attributes associated with the natural environment.

River and River World and River Ecology

These phrasings must use capitalisation as they are pronouns. They mustn't be referred to as 'it' as they are living entities. Therefore Rivers are entitled to all they/them pronouns to be used accordingly.

Grammar

On the use of grammar and syntax for all future legislation: English is a noun-based language, which is only appropriate for a culture obsessed with things.

“A bay is a noun only if water is dead. When bay is a noun, it is defined by humans, trapped between its shores and contained by the word. But the verb wiikwegamaa (in Potawatomi) - to be a bay - releases the water from bondage and lets it live. “To be a bay” holds the wonder that, for this moment, the living water has decided to shelter itself between these shores, conversing with cedar roots and a flock of baby mergansers.” [Kimmerer]

“To be a hill, to be a sandy beach, to be a Saturday, all are possible verbs in a world where everything is alive.” [Kimmerer]

These are the grammars of animacy.

“In indigenous ways of knowing, we understand a thing only when we understand it with all four aspects of our being: mind, body, emotion and spirit. Most likely, through the gaze of science, we tend to act after only knowing a place privileged from two of these.” [Greg Cajete]

5 Relationship with other Acts

Like any subject, no Act lives in isolation.

Chapter 2 - Basic Framework

Part 2 - Simplified Outline of this Chapter

6 Significant Projects

The River Boundary Delineation Initiative (i): a project of the Act whereby the markers for where the river begins and ends is extended to encompass x, y and z coordinates. These new boundaries can be seen virtually as these fields and transition zones are georeferenced as to impose no physical human markers upon River Worlds.

Non-Human Rights Survey (ii): this study is the first stepping stone in understanding the meaning of Earth Rights and applies to the rights of nature in a way that makes natural entities more legitimately person-like, as they become implicitly normed in law, moving the rights of nature from lip-service to something with heft. What matters here is the tenor of the political will supporting legal protections of these entities.

7 Mutually Enhancing Relationships

The Act recognises the social imperative of nature and seeks to restore the balance between the human and non-human worlds. By promoting Indigenous knowledge of resources, spiritual connections to landscape and conservation of biodiversity all the indicators recognising mutually enhancing relations are present.

The river is important to inter-river species because it is a critical component of their physical, cultural, and spiritual heritage. The land represents food, water, shelter, security, and cultural resources that are vital to the daily lives of the inter-river species community. The river also serves as a platform for humans and non-humans to express themselves in creative and productive ways. Participating in outdoor recreation activities that increase the resilience of the community's physical, mental, and spiritual health are important aspects of community resilience.

8 Steward Knowledge Exchanges

There are people who are stewards of each place. They hold a deeper relationship with it. There are Bear people, Rock people, River people, Birch people, Mountain people, and so on. For inclusion in a peopled world, there are people who can act as our guides who are the students of rich knowledge we do not all hold access to, nor should we. We must listen to these peoples and elders of each place.

The River Ritual is a global concept, and does not exist in a single language. Nevertheless, according to Leo Neto et al.[66], the ideas of a cyclic river like the one that runs through the town of Socoroma, and its tributaries, are fundamental elements in generating the cultural identity of its inhabitants. The ideas of migration and cult are also generated by other mechanisms, which are more indirect, but nevertheless, they form the basis of the positions and understandings that exist in the social, political and economic spheres.

Kaitiakitanga

Kaitiakitanga means guardianship and protection. It is a way of managing and being with the environment, according to tikanga Māori. It is founded in whakapapa – the relationship between everything and everybody in the natural world – there is no distinction between people and their environment and includes the ethics of Stewardship. A kaitiaki is a guardian. This can be a person or group that cares for an area such as a lake or forest. They are given that role by the local iwi.

9 Conservation

The Act defines “conservation” as the preservation and protection of natural and historic resources for the purpose of maintaining their intrinsic values, providing for their appreciation and recreational enjoyment by the public, and safeguarding the

options of future generations. “Preservation” is further defined to mean: “in relation to a resource ... the maintenance, so far as is practicable, of its intrinsic value”. All of these three purposes (conservation, preservation and protection) are to be weighed against each other when making decisions. Hence, non-humans are not to be touched or maimed by mortal hands. Hence, they are not to be seized or charmed or overpowered or devoured. Hence, they are to be left alone. Hence, they are to be left pure and undefiled

10 Recognition of Ecological Limits

Ecosystems shall include, but not be limited to: (i) forests, (ii) rivers (iii) all living things which inhabit them, (iv) the dry land, (v) the depth of the jungles, (v) gridded saucer-like lands.

(vi) the beauty of the fountains and streams, (vii) the sounds of the animals, birds, insects, and fungi which inhabit them, (viii) the play of musical notes, both on the ear and in the chest of each, (ix) the enchantments which impress the mind to the exclusion of the senses, (x) the friendly spirits which inhabit the fairy-peopled forests, (xi) the friendly faces on which the eyes are glistening, and (xii) the wonderful crystal statues. (see Section 19.21 Section 97(1d), Sections 75, 76 and 77. Section 4(1)(b)).

11 Subjects to Be Communed With

Earth Jurisprudence principles state that law needs to transition from an exclusive focus on human beings and recognise that we exist as part of a broader earth community. We recognise that the universe is composed of subjects to be communed with, not objects to be used. Each component member of the universe is thus capable of having rights. We commit to evolving law so that it protects the natural world from destruction and cultivating laws that are consistent with the philosophy of Earth Jurisprudence.

Chapter 3 - The Act

Division 1 - The All Rivers and Species Act 2021

12 Framework Directive

The River Water Framework Directive establishes a framework for the protection of the River and Mutually Enhancing Relations to promote “Non-human Community Ecological Governance”. The functions of the State are to ensure the continuity of the rights of nature and the non-human experience through education, training and environmental protection. It also recognises the right of any more-than-human to

exist by requiring that any person or agency enter into a multi-species dialogue before they enter, add to, subtract from or manipulate the environment. It also maintains that future non-human generations will inherit their share.

River Water Framework Directives include:

If a Human patron seeks refuge in a River World they must first discover how to swim, how to speak, and howl in the name of their River. The River World learning curve is steeped with examples of adaptation and resistance.

The earth is, thus, a receptacle for gifts and for the conduct of the work of gathering and transporting the materials for the purpose of making the Rite. The materials for the construction of the Rite are different, since it is the product of different cultures, but the same holds true for the belief in the existence of parallel worlds where the inhabitants of human societies live and work, and where the rivers and the hills are familiar objects of worship.

If a Nonhuman patron seeks refuge in a River World they must, without question, turn to the River Spirit as their natural protectress and know that there is water in the rain, there is water in the winter, and then there it is buried, forming small ponds.

13 Trade Secrets

The River Species Act 2021 is fast becoming law and although it makes no provision for conflict resolution or protection of any kind, it does provide for injunctions, including one for trade secrets.

Trade secret (i): You can only speak for the river if you have listened to it first. Living to living.

Trade secret (ii): There is no beginning, middle and end.

Trade secret (iii): The river does not speak English (nor any other human tongue), sensations are the lingua franca.

Trade Secret (iv): Future climate change and its impacts depend on harmonious multi-species interactions to ensure that all human and more-than-human species and systems adapt to changing conditions.

Trade Secret (v): Every living thing has its own set of moving parts that may be moving at different speeds or appear to be moving at different speeds.

Trade Secret (vi): The river has to be carried to the other side, with all its streams and waterfalls. Only then does the river enter the sea, and then it is free to become something else.

Chapter 4 - Process Descriptives

Division 2 - Miscellaneous Appendix

14 Collaborative AI

We sought a Non-human team that could bring diverse experience, expertise, and perspectives to the Act. Some members have participated in past assessment processes.

The team's diversity adequately represents the spectrum of current and projected impacts on the various components that compose the Rivers complex energy system and their critical role to community building, spiritual well-being, and quality of life.

The author team has demonstrated experience in the following areas:

- characterizing climate risks to the river sector—as well as mitigation and resilience opportunities—at national, regional, and state levels.
- developing multi-species tools and communication methods.

The author team examined certain projects (private and public) that were likely to have significant effects on the environment and concluded that the dangers of unregulated and human centric interferences with river systems include the following:

- Increasing water temperature of rivers and lakes
- Increasing frequency and intensity of drought
- Increased spread of invasive species
- Decreasing number of people listening for the song of the river.
- Increased damage to forests and soils
- Increased acidification of soils
- Increased acidification of lakes
- Decreased understanding of the interconnectedness of ecosystems
- Increased wind disturbance
- Increased stratification of lakes
- Decreased opportunities for ritual and magic.
- Increased nutrient loading (from atmospheric runoff and pathogens)
- Increased harmful algal blooms
- Decreased seasonal abundance of phytoplankton
- Decreased reproductive capacity of oysters
- Decreased human empathy with aquatic systems
- Increased water pollution
- Decreased connections between humans and non-humans.

