

Scale Political

*The Social and Territorial
Foundations of Animal Politics*

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Abstract: The animal ethics literature tends to focus on animals either as individuals (with rights or moral standing) or as part of biological populations or species (vulnerable to extinction, loss of genetic diversity, resilience, abundance, etc.). But politics takes place at the level of social and cultural groups, not individuals or biological populations, and it concerns how members of groups navigate and shape the terms of collective life together. We explore the importance of seeing animals as members of groups or associations (e.g. herds, pods, neighbours, clans, commoners), and how such groups fit into larger visions of interspecies politics and justice. Political theory has long faced the challenge of how to relate different scales of political community (local, national, transnational), each with its own rules of membership, authority and legitimacy. Adding animal groups to the mix ramps up this complexity, but we argue that this complexity is generative. It helps clarify the need to think about political communities as interdependent (not isolated or self-sufficient), grounded (in physical space and/or social connection), and overlapping (with different communities having divided authority in shared places, not exclusive or unitary power). We explore how political community of this scale and scope could enable justice in more-than-human politics.

Keywords: *Animal politics; right to politics; social membership; territorial rights; interspecies politics; treaty relations; interstitial federalism*

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Do animals have a right to politics, that is, a right to participate in collective self-determination insofar as this is meaningful to them? Most political theorists, including many of our colleagues in the animal “political turn”, are sceptical that a right to collective self-determination is meaningful or possible for animals, taking the view that consideration of animals’ interests by human political decision-makers is sufficient for achieving political representation and justice.¹ On this view, politics *on behalf of* animals is sufficient; politics *by* animals is deemed unnecessary or incoherent. We disagree and have argued elsewhere that denial of animals’ right to politics contributes to their ongoing domination and exclusion.² Our goal in this paper is not to defend the claim that animals have a right to politics, but to explore how this right might be realized, drawing on both North American Indigenous and Western traditions to shed light on the scales of animal politics.

Politics is an activity of collective social life—it’s about how associations of individuals collectively discover, shape, and govern the life of the group and its relationships with other groups through cooperation, care, socialization and acculturation, collective decision-making, conflict resolution, and so on. Many animal groups are social and political in this sense—they purposefully manage the benefits and challenges of group living. Their group life isn’t just an unfolding of automatic or instinctive processes, nor is it merely an imposition of alien or tyrannical rule; it is the active accomplishment of members of a community who are oriented to one another and acting together as “we”.

Indeed, many animal communities address what Bernard Williams called the first question of politics: they establish relatively peaceful, secure, and cooperative group life in ways that are seen as legitimate by group members.³ There is a common perception that animal groups are characterized by “rule by bullies”, as in the stereotype of an alpha male who dominates or coerces members into submission. But successful and sustainable animal politics, like human politics, significantly

1 Cochrane, *Sentientist Politics*; Garner “Animals”.

2 Donaldson and Kymlicka, *Animals and the Right to Politics*.

3 Williams, *In the Beginning*.

depends on members' willing acceptance of group norms and procedures. This happens when members of a social group experience the norms they live by as neither alien imposition nor oppressive tyranny, but as in some sense "truly theirs".⁴ While they sometimes contest, ignore, or violate group norms, they nevertheless accept that they are part of a norm-governed community, and they help to reproduce that society on a daily basis. For example, a dog who violates a play norm by engaging too roughly with her buddies apologizes so play can resume. (Indeed, if behavioural norms are never violated in an animal community, they aren't social norms but rather biological regularities).⁵

Our starting assumption, then, is that in dealings with animals, humans need to make room for politics *by* animals in this sense i.e., by respecting their ways of addressing the first question of politics. Sometimes this is best achieved by thinking of animals as forming their own separate self-governing political communities. But there are also situations in which humans and animals share a political community together and in these contexts humans need to learn how to do politics *with* animals—that is, learn how to co-author the norms by which we all live together, making them "ours". This naturally raises the question: when do animals form their own political communities, and when are they members of shared polities with humans? To answer this question requires some account of the *scale* of politics. We think it is useful to distinguish two kinds of political scale—social and territorial—since both are relevant, in different ways, for thinking about politics *by* and politics *with* animals.

First, the social. A lot of theoretical work on animals has focused on the moral standing of animals as individuals, or, alternatively, on the protection of animal species. Much less has focused on animal communities—herds, flocks, pods—qua social and cultural collectives, not biological aggregations or systems.⁶ This social scale is crucial

4 Cornell, "Wolves Have a Constitution", 9.

5 On animal social norms see Lorini, "Animal Norms"; Andrews, Fitzpatrick, and Westra, "Human and Nonhuman Norms".

6 See also Youatt, *Interspecies Politics* and Maldonado-Chaparro and Chaverri, "Why Do Animal Groups Matter?", on the importance of attending to social groupings as distinct from individuals or species.

for thinking about the right to politics. Politics, in the first instance, is about how the members of social groups cooperate, coordinate, make collective decisions, and generally shape their shared form of life, both in relation to their internal affairs and how they relate to external groups. It is crucial that there be political communities which match social groups, serving as vehicles for societies to govern themselves.

Many social animals belong to multi-level forms of community, with wider or narrower functions and intensities of social connection and cooperation. For example, the matriarchal societies of African savannah elephants are composed of nested layers of community from family to bond group to clan. Sperm whale societies, as defined by shared codas and other dimensions of culture and social norms, can comprise as many as twenty thousand individuals. For most social animals the relevant organizational group is much smaller—the extended beaver family, the wolf pack, a herd of white-tailed deer, or flock of crows. Some animal associations are interspecies, often tied to quite specific functions, as in the case of stable hunting partnerships of coyotes and badgers, multi-species parasite cleaning stations in the ocean, and predator warning networks in the forest. And, we will argue, there are interspecies communities that include both humans and other animals.

Whether simple or complex, thick or attenuated, within or across species, many animal communities live under a collective set of norms—or even, in cases of thick sociality, a constitution—“a set of basic principles and rules by which members of a community cooperate, make decisions, engage with each other and the world around them, distribute and exercise authority, and set about trying to get things done”.⁷ This isn’t a consciously deliberated and adopted constitution, but one that is rooted in “the accretions of long experience”, allowing communities to survive as “coherent, sustained, identifiable collectives over multiple generations”.⁸

7 Cornell, “Wolves”, 2.

8 Cornell, “Wolves”, 5, 4.

So one type of political community, what we call a society-based polity, is grounded in ideas of a shared society and of social belonging or citizenship. The picture is of society as a norm-governed scheme of cooperation, in which the members of this cooperative scheme have the right as members to shape the norms that govern society, and to share in the benefits and burdens of social life.

In the contemporary West, humans have operationalized the idea of social citizenship primarily around the nation state: “society” is often equated or conflated with “the nation”. However, this is not the only scale where social citizenship is possible. A variety of other scales of society-based polities can be imagined. In settler states, for example, Indigenous peoples form their own societies, with their own forms of social citizenship or belonging, and seek to maintain or regain the lands and self-government powers necessary to realize their own conceptions of social citizenship.⁹ Other “nations within”, such as Quebec, Scotland, and Catalonia, have also made claims to form their own “social union”,¹⁰ with their own norms of social citizenship or “social patriotism”.¹¹ And there are long-standing debates about the role of cities or entities like the EU in articulating subnational and supranational forms of social citizenship or belonging.¹²

Where do animals fit into this image of society-based polities, tied to participating in a shared norm-governed society and solidaristic cooperative scheme? On the one hand, we have suggested that many animals belong to their own society-based polities: pods, flocks, and herds of wild animals should be seen as forming self-governing communities, often operating at multiple levels, as in the fission-fusion structure of elephant societies. The matriarchal family and closely associated bond group have a dry season home range. In this context, certain norms and practices operate under the authority or leadership of the family matriarchs. When the bond group leaves this home range and joins up with others into larger clan groups, or

9 Green, “Impossibility”.

10 Noel, “Quebec’s new politics”.

11 Ruiz Jimenez, “Social Patriotism”.

12 E.g. Baubock, *Democratic Inclusion*.

with adult males during mating periods, then different norms and leadership structures might come into play (around sexual norms or defence of the group or shared care for youngsters, for example). This is what we mean by politics *by* animals.

On the other hand, some animals should be seen as members of a shared society with humans. This is particularly true, we would argue, of domesticated animals: indeed, domestication is quite literally a process of bringing animals into society to live and work alongside humans, coercively incorporating them into a scheme of cooperation with humans. Unless and until they choose to exit, they should be seen as having the political right to shape the norms that govern this cooperative scheme, and the social right to a fair share in its benefits. This requires learning how to do politics *with* animals.

However, society-based political communities are not the only possible kinds of political community, and they are not the only kind of polity shared by humans and animals together. There is also a need for what we call place-based political communities, defined not by shared social membership but by shared residency in a territory. To be sure, this contrast between societal and place-based political community is complicated. After all, society-based political communities always have a spatial dimension: they operate at a particular geographic scale, namely the territorial base that grounds, or serves as a holding environment for, the cooperative scheme or social life world of a particular group or people. Indeed, since the rise of the nation-state, the Western political tradition tends to simply equate or conflate societal and territorial boundaries: every society has “its” national territory, and societal self-government is equated with exercising exclusive sovereignty over that territory.

It should now be clear, however, that two or more societies often inhabit the same or overlapping territory, and so there need to be mechanisms by which people who belong to distinct societal polities can come together to govern their shared territory. This is true even if we just focus on humans: consider Northern Ireland, or Jerusalem, or Indigenous nations within settler states. In none of these cases can territory be assigned exclusively to one group, and various

forms of inter-societal federalism or power-sharing are needed to govern the territory. This becomes even more obvious when we take animal societies into account. Many animal (including human) communities share geography and habitat with countless other animal communities with whom they don't share any kind of thick social relationship — that is, they have physical proximity and ecological entanglement without shared sociality. Any plausible account of politics — for humans or animals — needs to recognize that sharing society and sharing territory often come apart.

To make sense of this complexity, the standard conception of society-based polities needs to be supplemented with a conception of place-based polities that intersect and overlap with society-based polities, grounded in their own distinct forms of legitimacy and authority. While various groups of humans and animals are rightly seen as members of their own societal polities, governing their own distinctive forms of social cooperation, they should also be seen as members of place-based polities that they share with other human and animal societies.

This is an unfamiliar idea, at least in the Western tradition, so it may help to provide a specific example of multispecies political scales. We live in the Eastern Great Lakes region of North America, a region long inhabited and governed by Haudenosaunee, Anishinaabe, and other Indigenous peoples, colonized by France and England, and lying along the borderland between the settler states of Canada and the US, and the province of Ontario and the State of New York. All of these political communities — First Nations, provinces/states, and countries — are recognized political jurisdictions with different authorities and powers. Moreover, they all claim self-originating or inherent jurisdictional powers. Provinces are not just an administrative wing of the central Canadian state but have their own non-delegated powers in a federal arrangement in which neither is supreme. And Indigenous nations have never ceded their inherent rights to self-government and territorial jurisdiction. Their relationships with other authorities are instantiated in ongoing treaty relationships. Some of these claimed authorities are in conflict. And when Indigenous,

provincial, and federal authorities disagree, as they often do — none has inherent supremacy. This is important, because too much political theory operates on assumptions about unitary and absolute states, whereas the political landscape, even before thinking about animals, is much more complex than that.

Western political theory does not contemplate that animals might be members of such societies, nor that they might form their own societal polities, nor that humans and animal societies might need to learn how to do politics together regarding their shared territories. However, there are two very important Indigenous treaties operating in this region which are helpful for expanding political imaginaries regarding the nature of political relations between different peoples, between peoples and the lands they share, and for pointing the way to better human–animal political relations. Note that treaties, in this context, are not one-time agreements, let alone divisions of land ownership — they represent ongoing relationships in relation to the land which must be continuously renewed and reaffirmed.

First, a treaty called “The Dish with One Spoon” has long governed relations between the Haudenosaunee and Anishinaabe peoples.¹³ The “dish” is roughly the Great Lakes region, including all the surrounding land and rivers that drain into the Great Lakes/St. Lawrence. The idea of one spoon is first of all an idea of peace and sharing — a spoon, not a knife, and one dish and spoon shared cooperatively by many. The human and animal peoples of the region all share the same place and eat from the same dish. It is the responsibility of all peoples, therefore, to honour and care for the land that sustains them, and to do so in ways that allow others also to be sustained in their ways of life. Nobody owns the land, but they do belong to the land in a way that is understood in terms of reciprocity, and a responsibility of care. Jurisdictional authority is grounded in this right relation.¹⁴

13 Our discussion of these treaties draws from Simpson, “Looking after Gdoo-naaganinaa”, Stark, “Changing the Treaty Question”; Allard-Tremblay, “Two-Row Wampum”, and Allard-Tremblay and Coburn, “Flying Heads”.

14 Pasternak, *Grounded Authority*.

A second treaty, “The Two Row Wampum Treaty”, was agreed between the Haudenosaunee and Dutch settlers in 1613, later renewed in relations with the English and French at various times. The belt shows two rows of purple wampum shells against a background of white shells. The resulting three white bands represent a commitment to peace and friendship into the indefinite future. But the belt represents a more specific political idea. The purple rows represent European settlers and Haudenosaunee peoples respectively—separate, equal, and each riding in their own boat or canoe down the river, represented by the white background shells: “In one row is a ship with our White Brothers’ ways; in the other a canoe with our ways. Each will travel down the river of life side by side. Neither will attempt to steer the other’s vessel”.¹⁵ Again, we see the idea of separate peoples, with their own laws and ways, co-existing on the same land, or travelling the same river—not interfering with each other’s internal affairs, but sharing the same lands and waters, and doing so in ways that respect and sustain everyone who belongs to the land.

We believe these two treaties offer critical insight into the normative questions around right-sizing political community for human and nonhuman animals, including the triangular or multivalent relationship of separate peoples in interdependent relations with each other, and in relation to the same land base. It is well known that settler states have violated these treaties in multiple ways—cultural genocide, assimilation, colonization, land theft, and destruction. What is perhaps less well known is the failure on the part of settler states to recognize that for the Indigenous peoples of the region, animals also form political groups and nations, and they, too, are parties to the treaties. But the treaties continue to guide political relations in this region, and many Indigenous political theorists have pointed to the lessons to be drawn for political relations more broadly.¹⁶

15 As stated on the Onondaga Nation website: <https://web.archive.org/web/20251113004657/https://www.onondaganation.org/culture/wampum/two-row-wampum-belt-guswenta/>.

16 On the importance of the Two Row Wampum and the Dish with One Spoon as models for how to uphold autonomy in contexts of overlapping communities and authorities, and as models for decolonizing Western political theory, see Allard-Tremblay, “Two-Row Wampum”, Allard-Tremblay and Coburn, “Flying Heads”.

We believe that one way to draw this lesson is to make a distinction between the rights and responsibilities that attach to sharing a society with others, and the rights and responsibilities that attach to sharing a place.¹⁷ This idea has roots, not just in Indigenous traditions, but also in some recent developments in Western political theory, such as theories of the commons, green political theory, and theories of place-based duties, all of which can help to reconceive political community in ways that support animals' right to politics.

What does it mean to think about animals in the context of this Great Lakes region in which multiple human political communities overlap, and political authority is shared and divided? What does it mean to recognize that animal political communities (including multi-level societies) are also eating from the dish, and travelling the river in their own vessels?

To answer these questions, we first need to add some missing layers to the map of the eastern Great Lakes region. What political-jurisdictional scales seem to matter to animal communities, and what rights do they need? The region matters to many animals for the same reason it has significance for many humans—it is one of the largest freshwater systems in the world, and an ecologically rich boundary zone of Carolingian and Boreal forests. A crucial geological feature is the Frontenac Arch, a spur of rocky land connecting the Canadian Shield to the Adirondack mountains. The Shield is a rugged northern region covering much of north central and eastern Canada, underlying the boreal forest. The Frontenac Arch is a small extension of the shield that connects south through New York state to the Adirondack mountains, and on down to the Appalachians. The Shield, including the Frontenac Arch spur, is rugged, non-arable, and dotted with lakes and wetlands. Thus it has seen limited human settlement, and is an area in which many animal communities, and the plant communities they depend on, have managed to eke out an existence. It's a crucial stopover for millions of birds migrating north and

17 While developing these ideas in our own way, we see it as a fundamental test of ideas of interspecies politics that they be compatible with, and supportive of, decolonization.

south along the Atlantic flyway. It is a vital land link for animals, like moose, wolves, and many others migrating between more northern wilderness regions like Algonquin Park and more temperate regions in the Adirondacks and further south. Climate ecologists consider this Algonquin to Adirondack (“A2A”) corridor one of the best hopes in Eastern North America for animals (and plants) who will need to gradually shift their ranges northwards in response to climate change. So, this region constitutes a unique ecosystem, one of the most biodiverse on the continent, a critical migration corridor, and a climate shift corridor.

Unfortunately it is also bisected by the most travelled human corridors in Canada, threatening its integrity as a bioregion crucial to the ongoing ability of various animal groups to maintain the integrity of their social and political systems—from wolf packs, turkey flocks, and deer herds to extended beaver clans and seasonal visitors like yellow warblers and cedar waxwing flocks. Indeed, half of Canada’s human population lies along the east-west Windsor-Quebec City corridor and poses a severe threat to the Frontenac Arch. We believe that the Frontenac Arch is a scale—ecological, geological, social, and political—that matters to many animal communities, their collective agencies and ways of life. But notice that no single society-based polity is well positioned to recognize and protect the A2A corridor and the interests, rights and responsibilities of the many different groups residing there. The animal and human communities who reside in A2A can manage many of their internal community affairs perfectly well, but they lack the necessary power to defend their interests against larger states or polities which would sacrifice them for a “greater” or “larger” good.

So how can a politics that empowers this kind of scale, and in the right way, be conceived? Recall our distinction between two fundamental ways of sharing a political community—one based in sharing a social community (a wolf pack or a flock of cedar waxwings), and one based in sharing a place (wolves and waxwings together, along with countless others making their home in the A2A region). This latter case of sharing place needn’t involve any form of close or dense

social connection, attachment, or cooperation. It can encompass more attenuated forms of contact, *modus vivendi*, limited cooperation in the face of shared external threats, or even predator–prey relationships, but it is not a thick form of norm-governed sociality. And yet this is the relevant political association which needs to be empowered to protect their common interest in, and responsibility for, protecting their interdependent relationship with the land.

As noted, the Western political tradition contains rich discussions of the rights and duties associated with citizenship in political communities built around ideas of shared social membership. However, unlike many Indigenous traditions, it is impoverished when it comes to conceptualizing the idea of political community built around ideas of shared rights and duties related to sharing a place, or “right relationship” to the Land. The failure to theorize place-based politics is often said to be one of the causes of ecological crisis: the Western tradition has theorized politics solely as a matter of governing societies when it must also be theorized as governing and caring for shared lands, territories, habitats and ecologies that may cut across different societal polities. The example of A2A illustrates this mismatch. It is a place which contains and overlaps multiple social communities, none of which map the boundaries of the A2A or exercise the relevant kind of jurisdictional power to protect it. And yet its integrity as a region is crucial to innumerable animal communities. If the Canadian state proceeds with its current plan to build a high speed east-west train system bisecting A2A, there is no countervailing political power that can insist that such a project only be undertaken in a way that doesn’t block the north-south corridor or undermine rather than enhance the lifeworlds of the animals for whom the A2A region is home.

As we noted earlier, Western political theory has begun to address this challenge. Some ecological theorists have suggested replacing entirely the existing society-based polities with place-based polities, and have argued that politics needs to be re-centred around ecological citizenship within bioregions rather than social citizenship within nation-states or other society-based political

communities.¹⁸ Others, however, have argued that both kinds of polities are needed, and the task is to figure out how they relate to each other in terms of their boundaries and jurisdictions, and how to ensure that each can play its distinctive role.¹⁹

We are of the latter view: all social animals—human and nonhuman—need societal politics grounded in solidaristic forms of belonging. As noted above, there is ample evidence that many animal groups have—and need—mechanisms of collective self-government of their social lives, and humans too benefit from a politics of social citizenship.²⁰ But equally there is a need for place-based politics. Another resource for thinking through this challenge of place-based politics comes from traditional practices of “commoning”. Historically, where people from different communities needed access to the same resource base to meet their needs, a variety of commoning practices arose so everyone could get what they needed, on fair terms, in a way that protected resources for all.²¹ More recent work recognizes the significance of “uncommoning”, where participants may have very different ideas of the meanings of a place and its purposes.²² One possibility, then, is to think of place-based politics as interspecies commons (or uncommons) in which all the local residents, human and nonhuman, are recognized as commoners with special rights, and responsibilities, concerning decisions about the commons.

18 One influential version of this is to replace nation-states with “bioregions” (e.g., Potulski, “Bioregionalism”; Crist, “Cosmopolitan Bioregionalism”).

19 Ochoa, *On Borders*; Nine, *Sharing Territories*.

20 Donaldson and Kymlicka, *Animals and the Right to Politics*. As Hannah Arendt noted, citizenship, with its attendant forms of solidarity, is crucial for protecting ‘human’ rights. Individuals are protected, not, or not primarily, by abstract declarations concerning human or sentient rights, but by being part of a solidaristic community whether that is their wolf pack, mule deer herd, or country.

21 Ostrom, *Governing the Commons*. In most traditional practices and theories of the Commons, animals are viewed as one of the resources to be shared amongst commoners, not as commoners themselves. We should also clarify that we are looking here to theories of specific local commons, not theories of a “global commons” or “terrestrial cosmopolitanism” or other potentially colonizing ideas that reject the idea that particular peoples have territorial claims to the places they belong to.

22 Blaser and de la Cadena, “The Uncommons”.

All of these different sources—contemporary Western political theories of place-based rights; traditional commoning practices; Indigenous ideas of treaty and interdependence—suggest ways of conceiving the idea of self-determination of social groups without requiring unitary and absolute jurisdiction over land or ownership of resources. No one group can “enclose” the land as the basis for their communal self-determination, but must share the land (and live in a right relationship with the land) in ways that allow all resident groups and peoples to be self-determining within the context of their larger place-based relationship.

How might these place-based polities, sensitive to the political rights of animal groups as well as human ones, come into being? In the case of traditional commoning, or of Indigenous treaties, these relationships emerged from the ground up over centuries of practice before modern states had consolidated power over both society and place-based relations. Today, the self-determination rights of more localized peoples, groups, and communities (including animal communities) need to be wrested back from these behemoths. We realize that this is a daunting political task, and one that will be resisted by those who benefit from current consolidations of political and economic power. Nevertheless, it is worthwhile developing alternative theories as a guide (and inspiration) to political action. How might place-based polities emerge and their boundaries be drawn? We do not think there is any single or top-down formula for drawing boundaries of political community, and undoubtedly much experimentation and learning (with animal groups) will be required. We imagine, rather, a process like “interstitial federalism,”²³ in which smaller scale human–animal communities reassert their authority to govern key dimensions of their lives, finding cracks, spaces, and opportunities within, alongside, and in the interstices of existing state formations, and gradually transforming them in the process.

23 Hamilton, “Indigenous Peoples and Interstitial Federalism”.

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