



## **Critical green criminology goes rural: Environmental crimes, harms and conflicts in rural areas and communities**

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## Introduction



Figure 1

Latuff, C., (2022). *A luta continua*. [Cartoon showing an indigenous village and four deceased environmental and human rights defenders (see text)]. Brasil247. <https://www.brasil247.com/char- ges/a-luta-continua-ana0nzki>

This special issue of *Criminological Encounters* is being launched at a peculiar moment in contemporary history, when concerns about the environment are increasing due to climate change and, paradoxically, environmental crimes and/or crimes against environmental activists are also increasing.<sup>1</sup>

The Brazilian Amazon has recently become the focus of international attention not only because of the advance of deforestation - which, as we know, can mean a risk that goes beyond the Amazon biome itself - but also because of the murder of two activists who worked on behalf of the rights of indigenous peoples: Dom Philips, a British journalist, and Bruno Pereira, a Brazilian indigenous activist, have disappeared on June 5th when they returned from a visit to indigenous territory in the Javari river valley in Amazonas state, Brazil.

International civil society continues to be stunned by the search for answers about who was behind these murders.<sup>2</sup>

We open this issue with a piece of art by the Brazilian cartoonist Carlos Latuff which shows, in the

1 See: <https://www.globalwitness.org/en/campaigns/environmental-activists/last-line-defence/>, <https://www.sei.org/perspectives/violence-environmental-activists-threatens/>, <https://www.npr.org/2021/04/12/986451622/a-rising-tide-of-violence-against-environmental-activist- s?t=1657095355067>

2 <https://news.mongabay.com/2022/06/the-war-on-journalists-and-environmental-defen- ders-in-the-amazon-continues-commentary/>

centre, an indigenous village and, at the top, four human figures merging into the forest (from left to right): Chico Mendes, Dorothy Stang, Bruno Pereira and Dom Philips. Above them, is the phrase: "The struggle continues".

Chico Mendes was a rubber extraction leader from Amazonia, who was murdered in December 1988, after receiving several death threats.

Dorothy Stang was a religious nun who worked with peasant communities in the Amazon and was murdered in 2005 at 73 years old.

Therefore, in the image, these four activists were added: all of them are environmental and human rights defenders.

Months before he died, Chico Mendes declared that his struggle for the environment was first and foremost a struggle for his people (peasants), and for the right of his people to remain on their land, preserving their way of life in the forest. The recent history of the Brazilian Amazon has been the story of tragedy that is both human and environmental.

With this special issue we want to provide our readers – through the different texts that make up this issue – with a perspective that Green criminology is a fruitful perspective when it takes as its presupposition the idea of the inseparability between environment and society. The crimes implicated in the cartoon by Latuff (see earlier) tragically highlight this inseparability.

The interview with environmental and human rights defender Claudelice dos Santos that is included in this issue, shows how land conflicts and environmental crimes are two sides of the same coin. Claudelice dos Santos became a well-recognised human rights defender through her struggle for justice following the 2011 killing of her brother José Claudio Ribeiro dos Santos and his wife, Maria do Espírito Santo. Claudelice had fought alongside her brother and sister-in-law for the right to access to land and denounced human rights violations resulting from land grabbing, logging and crimes against the environment. She was subjected to a number of threats due to her human rights activities. Claudelice was one of the nominees for the 2019 Sakharov Prize for Freedom of Thought, organised by the European Parliament.

### **An invitation to read**

At a time when climate change is a heavily discussed subject, debates in green criminology are more important than ever. Since the 1990s, with the seminal works of Lynch (1990), Benton (1998) and South (1998), criminology has increasingly extended its focus of study to include environmental harms and crimes, environmental conflicts, and environmental law, regulation and (in)justice. Grounded in critical criminology, the burgeoning perspective of green criminology has - since its inception - been opened to a variety of theoretical orientations and approaches (White, 2013). Authors such as Ruggiero and South (2013), Sollund (2015) and Lynch (2020), for example, have highlighted the insights that green criminology provides into the political economy of environmental harms. This perspective essentially considers the social roots of environmental conflicts, harms, and crimes and analyses them as deeply embedded within a neoliberal regime of global inequality. In particular, Lynch, Long and Stretesky (2019) have called attention to the exploitative and metabolic rift that exists between urban and rural settings. Noting the urban bias which has historically characterised the discipline of criminology, some critical and green-cultural criminologists have reflected on environmental harms and crimes in rural areas (Donnermeyer 2012; 2018; Donnermeyer and DeKeseredy 2014; Brisman, McClanahan & South 2014). Within green criminology, for example, Donnermeyer and DeKeseredy (2014: 93) acknowledge that 'much of what is defined as environmental crime occurs at rural localities and affects rural people'. Brisman, McClanahan and

South (2014) have also considered the intersection between green, cultural and rural criminologies and identified venues for further research in the area.

Building on this scholarship, this issue aims to advance the green-critical criminology of the rural by bringing together perspectives from critical green criminology, critical rural criminology, and critical perspectives from other disciplines. The articles in this issue critically analyse environmental harms, crimes and conflicts in rural and Indigenous areas both in the Global South and in the Global North, as well as rural social movements and activism. According to White (2013: 28)

‘[f]rom this perspective, the focus is on the strategic location and activities of transnational capital ... and how to counter systemic hierarchical inequalities. Such analysis opens the door to identifying the strategic sites for resistance, contestation, and struggle on the part of those fighting for social justice, ecological justice, and animal rights’.

The - inseparable - themes of the struggle for social justice and ecological justice are the basic threads of our “loom”, from which the tissue of this special issue was developed. This inseparability is made absolutely explicit in the testimony of our interviewee for this issue, Claudelice dos Santos. She continues to receive death threats as she persists in denouncing human rights violations resulting from land grabbing, logging and crimes against the environment.

This online interview was conducted by Larissa Mies Bombardi and Victor Porto Almeida in December 2021, when Claudelice was in Europe for security reasons: she adopted the strategy of “self-exile” during the end-of-year holiday period, knowing that the police and legal accompaniment were more limited during this time, and therefore, that environmental and human rights defenders like herself were more vulnerable. During her stay in Europe, she also attended the COP 26 in Glasgow as a delegate (Brazilian Forestry Advocate), but as clear from her interview, she does not believe that the decisions taken at COP 26 will change the situation in the rural areas of Brazil.

During the interview, Claudelice cried as she remembered the loss of her brother and said - forcefully - that when the perpetrator of the crime was absolved by the courts, it was as if her brother had been murdered again. Claudelice’s family is one of the examples of how the defenders of the environment are always also defenders of human rights. Environmental and human devastation go hand in hand, and Claudelice’s fight encompasses “the right to land and to [human] life”. Rural areas, peasant communities and indigenous communities are without a doubt, at the frontstage where most environmental crimes occur; together with the harmed ecosystem, they are directly and very negatively affected by these impacts.

In addition to the interview with Claudelice, this special issue includes nine full papers, two short papers, one artistic and creative piece and two commentaries. Each has responded to one or more of the interrelated themes addressed in this issue, notably: political and legislative actions that legitimise the attack on rural and indigenous people; strategies and processes of resistance on behalf of movements and communities; ordinary harms and their extraordinary consequences; and wildlife crimes, harms, and conflicts.

### **Legitimising violence on rural and indigenous people**

Five articles and one commentary in this issue address the theme of legitimised violence against Indigenous Peoples and rural communities, that have been harmed by big corporations and the state which – also exploiting the law – prey on their land and resources and undermine their livelihoods. Whilst four of the articles specifically focus on Brazil and the ways the state and corporations have

targeted rural areas harming ecosystems and rural and indigenous communities (see also the article by Garvey et al. below), one addresses the Likhubula water project in Malawi, showing how rural resources are exploited to meet the needs of the urban.

In the article *When crime becomes law: Legislative attacks on rural people's rights and nature in Brazil*, Marco Antonio Mitidiero Jr, Lucas Araújo and Brenna Conceição analyse political-legislative actions of both the legislative and executive branches of government during the period 2016-2020 which legitimate environmental and social crime for rural populations.

Similarly, Fabio Alkmin in *The Legislature and the anti-indigenous offensive in Brazil: An analysis of the proposals in the Brazilian Congress concerning Indigenous Lands (1989-2021)*, based on a survey and analysis of bills at the Brazilian Congress, emphasises the role of the legislative branch in the war against indigenous people in the last three decades, especially aggravated during Bolsonaro's government. The analysis shows that such bills have an economic purpose, enabling the opening of indigenous lands to private capital such as agribusiness and the mining sector, and a political purpose, which is the expansion of the State's authority and control over indigenous territories.

In *"Expressions of dependency: green crimes and the phantasmagoria of "development" in the extreme west of Bahia, Brazil"* José Gilberto Souza and Isabela Braichi Pôssas adopt a Marxist theoretical lens to reflect on how the international demand for products creates and perpetuates dependence in Brazil – a dependence that unfortunately relies on the exploitation of labour and natural resources to the detriment of the local rural populations, their ways of life and human rights. In particular, the authors describe the green crimes caused by the agrobusiness – with the complicit and support of the state – while expanding the soybean monoculture cultivation in the Matopiba region (a region in the far west of the Bahia state). Such expansion has been predicated on gradual land grabbing, change in labour relations and land use, the intensification of water consumption, and environmental harms and crimes through the use of pesticides. This has had repercussions on local production and social reproduction, and ignited local land and water conflicts.

Julian Durazo Herrmann comments on Souza and Pôssas' paper addressing possible weaknesses and suggesting several ways to expand their study in the future, both theoretically and empirically. Among the comments we'd like to highlight, there is one that specifically addresses green crimes. As the author suggests, Souza and Possas could have more explicitly articulated the idea of green crimes in relation to their available empirical data. For Durazo Herrmann, green crimes configure in the study at least in three instances: (1) when norms and procedures are used to favour private businesses and impair community access to natural resources; (2) when legal frameworks protecting the environment and communities are not enforced; (3) and when actual crimes – from illegal land and water grabbing to violence against land defenders – are committed with the complicity of state authorities. It is also important to study local resistance in the face of heightened privatisation of natural resources and violence against rural communities – an endeavour undertaken by Garvey et al., who focused on community resistance on three sites, including in the Matopiba region.

Dave Namusanya, Ashley Rogers and Daniel Gilmour in *"Taking from the rural to serve the urban: The Likhubula water project and the slow violence of water abstraction in Malawi"* focus on the Likhubula water project in Malawi, which is a project that abstracts water from the Likhubula river and transports it for approximately 70 kilometres to the city of Blantyre. In recent years, this city has increasingly suffered from water shortages due to climate change and increasing urbanisation – and therefore desperately needs to increase its water supply by drawing on the rural. As the authors contend, the exploitation of rural areas and their resources is rooted on historical colonial constructs of the city as a privileged human space, which is to be prioritised over the rural and its

needs. Mainly drawing on ethnographic observations and using rural green criminology as a theoretical framework, these authors conceptualise the Likhubula project as a form of slow violence (Nixon, 2011) causing social harms to rural communities and Indigenous Peoples.

### Resistance and activism

Two articles in the special issue address resistance and activism on two different continents and in totally different realities and contexts. But in both cases, resistance has been the way to face the challenges

Brian Garvey, Thays Ricarte, Maria Luisa Mendonça, Maurício Torres, Daniela Stefano, Ana Laida Barbosa, Fábio Pitta, Jerônimo Basílio São Mateus and Juliana Busnelo in the article “Green crime, territorial resistance and the metabolic rift in Brazil’s Amazon and Cerrado biomes” focus on the contestation and resistance by Indigenous Peoples affected by massive scale agro-, hydro- and mineral industries, and hence also by violent land grabs, threats, violence and human rights violations. Drawing on (among others) a political economy analysis of green crimes and harms and on the concept of ‘metabolic rift’, this article shows how capitalism – with the help of the state – disrupts the human metabolic relations with nature and ultimately commodifies nature with damaging consequences for both the environment and the health, the livelihood, the social and cultural reproduction of Indigenous people and rural communities. But the article does more than this: using data from their fieldwork and analysis of relevant legal documents, Garvey et al. document community efforts to challenge megaprojects and violent land invasions through collective organising and legal actions, which so far have proven successful; as such, they deserve our attention.

Sabrina Puddu in “I pastori non si arrestano! Herding and its spatial agency in the Sardinian penal colonies” shows how herding and wandering of the prisoner herder with goats, sheep, and cattle in search for pastures and waters, is a creative practice that simultaneously challenges and is challenged by the spatial and institutional principles of the penal colony where they take place. In other words, herding in the penal colony is certainly more sedentary, regulated and less relational than it is outside; however, it endows people and non-human animals a certain degree of freedom and autonomy to wander, therefore disrupting the strict space-time disciplinary and surveillance regime that is typical of penal institutions. Puddu concludes her work by arguing that herding in the penal colony offers a lens through which to think about the ‘pastoral (carceral) trap’ also for ‘free’ herding in the countryside – a discussion that also taps into the history of penal colonies in Italy. The paper draws on field research by the author in the penal colonies of Mamone, Isili, and Is Arenas in Sardinia, and uses drawings and photographs as key research tools.

### Human-made harms and their consequences

Two articles, one commentary and one short piece address the theme of green harms having extraordinary consequences on humans and beyond in rural areas. As Lundberg suggests, these areas also include spaces that are currently rural, but are soon to be absorbed in the urban through the gradual sprawl of our cities.

In *The fight for Fairbourne’ - A Welsh study of environmental harms and its victims*, Lowri Cunnington Wynn focuses on the impact of climate change on the Welsh seaside village of Fairbourne and its community, whose future is threatened due to the rising sea levels and the warming climate and the implications of what is deemed to be the first case of UK’s future climate refugees. Written from a green criminological perspective, the author considers whether the residents of Fairbourne can be considered environmental victims and the ways in which the experiences of coastal communities

can help shape wider social, economic and political processes relating to climate change and environmental harm.

In his commentary *The Fight for Fairbourne': Climate Change and its Impact on Sea Level Rise*, Hamilton discusses the ways in which Cunningham Wynn's article contributes to the green criminology literature through its recognition of harm that arises from both legal and illegal activity and the effect that this has on individuals and communities. At the same time, Hamilton encourages further research into Fairbourne's sea level rise predicament on non-human victims such as flora and fauna, and the future generations of humans.

In *Walking at the edges of green criminology: The edges of the city and the extraordinary consequences of ordinary harms*, Kasja Lundberg broadens the discussion to include the more-than-human. In particular, she takes up the idea of urban edges and atmospheres to discuss the ways in which these can contribute to urban and green criminological thinking around cities, the ordinary harms they produce, the extraordinary impacts of these harms and our responses to them. The article focuses on horizontal (suburbs) and vertical (skyscrapers) urban edges, which are the spaces of cities currently being expanded and where ordinary harms are (and will likely be) produced. These harms, however, as Lundberg explains, extend well beyond urban edges and affect equally humans as well as the more-than-human. Her take on atmospheres – which, in her paper, are either phenomenological (perceived by humans through the senses) or ontological (a category that captures what lies beyond human perception) – will likely spark further debate in both green and critical sensory criminology.

In the short piece 'Truth, reparation and social justice: Victims' and academic perspectives on the harms caused by asbestos companies', Marília de Nardin Budó and Marijke Van Buggenhout address the harms caused by asbestos on Eternit workers in Kapelle-op-den-Bos, a village located in the rural province of Flemish Brabant. Using personal testimonials of asbestos-related harms, the authors discuss the importance of environmental restorative justice to address the harms experienced by the victims, to meet their (so far largely unmet) justice needs, and ultimately to ensure that these harms will not happen again in the future.

### **Wildlife crimes, harms, and conflicts**

Two articles and one artistic piece address the theme of wildlife crimes, harms and conflicts in this special issue.

In *"It's just totally lawless out here": A rural green criminological exploration of foxhunting, policing and 'regulatory capture*, Lynne Graham, Nathan Stephens-Griffin, & Tanya Wyatt turn their attention to an understudied topic within criminological research: the wildlife crime of foxhunting. By conducting qualitative research with police, they explore the policing of foxhunting through a rural green criminological lens in rural England and Wales. They consider the influence of the hunting industry, offenders as informers, and police who hunt. The authors argue that the concept of 'regulatory capture' provides a compelling explanation for police reluctance to address wildlife crimes like foxhunting.

In the short article "Hunting as crime? A cautionary note concerning how ecological-biodiversity and anti-hunting arguments contribute to harms against Indigenous Peoples, the rural and the poor", Lynch and Genco critically address the anti-hunting position taken by green and conservation criminologies, which tend to conceptualise it as a crime against nature. Lynch and Genco invite green and conservation criminologists to take a more critical and nuanced look at hunting – one

that considers the negative implications of hunting and fishing bans on Indigenous Peoples and poor rural communities who require access to nature for their survival. Taking a political economy approach to the study of hunting bans, they also remind the reader that efforts to protect biodiversity largely depend on global capitalist development and the ecological destruction it often brings about, and should not deprive the poor of their subsistence.

In the poetic and creative piece *Violently meeting in the emptiness: Drafting sharing skins*, Gema Varona provides thought-provoking reflections on wildlife-human conflicts, violence, care and co-existence by threading together hints, utopic proposals, tales, laws, dreams, and ideas of different ways of living together.

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