

# REVISTA INTERNACIONAL & COMPARADA DE DERECHOS HUMANOS

La educación propia y los saberes de los  
pueblos originarios: una propuesta hacia la  
efectividad de los derechos bioculturales

*Sandra Anchondo Pavón*

Food systems and environmental sustainability.  
Slowing food demand growth and the  
role of policy and legal frameworks

*Militezegga Abduk Mustafa*

La ética de la responsabilidad de Hans Jonas  
frente al principio precautorio desarrollado por  
la Suprema Corte de Justicia de la Nación

*David Rivero Fragoso*



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— DE DERECHOS HUMANOS —

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## ARTÍCULOS DOCTRINALES

- 11 **La educación propia y los saberes de los pueblos originarios: una propuesta hacia la efectividad de los derechos bioculturales.**  
*Sandra Anchondo Pavón*
- 41 **Food systems and environmental sustainability. Slowing food demand growth and the role of policy and legal frameworks.**  
*Militezegga Abduk Mustafa*
- 69 **La ética de la responsabilidad de Hans Jonas frente al principio precautorio desarrollado por la Suprema Corte de Justicia de la Nación.**  
*David Rivero Fragoso*
- 91 **Un análisis transdisciplinario de la garantía del derecho a un medioambiente sano desde perspectivas otras.**  
*María Victoria Fernández Molina*
- 121 **Land, place and selfie: the migrant's optical unconscious.**  
*Rodney Reynolds, Teodosio Vargas*
- 141 **Widening the understanding of solastalgia through land-based violence: why we need to create new notions of harm and suffering towards the land to understand mental distress within and beyond land-dependent and indigenous communities.**  
*Ayesha Ahmad, Outi Autti, Babitha George, Samrawit Gougsa, Daniel Kobei, Sylvia Kokunda, Jenni Laiti, Victoria Pratt, Romit Raj*

## **COMENTARIOS NORMATIVOS Y JURISPRUDENCIALES**

- 165 | **Coahuila ante la pandemia de COVID 19.  
Aportes para un federalismo de emergencia.**  
*José Antonio Estrada Marún*  
*Yessica Esquivel Alonso*  
*Jaqueline A. Ruiz Reynosa*

## **RESEÑAS BIBLIOGRÁFICAS**

- 189 | **Luna Castro, José Nieves, El Delito Ecológico  
Internacionalmente Sancionable. Hacia una  
Jurisdicción Global, México, Ubijus, 2017.  
Un asunto pendiente.**  
*José Antonio Estrada Marún*
- 193 | **Martinico, Giuseppe, The Tangled Complexity  
of the EU Constitutional Process,  
United Kingdom, Routledge.**  
*Fernando Gustavo Ruz Dueñas*



# **ARTÍCULOS DOCTRINALES**



Esta sección conforma el apartado distintivo de la Revista Internacional & Comparada de Derechos Humanos. Contiene los artículos doctrinales académicamente consistentes que constituyen los temas prioritarios y específicos de la publicación y cuyo enfoque es el estudio de los derechos humanos en perspectiva internacional y comparada. Para decidir sobre su publicación los textos recibidos son sometidos a un sistema de evaluación por pares de doble ciego conforme a estrictos estándares académicos.

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## Widening the Understanding of Solastalgia through Land-Based Violence: Why we need to create new notions of harm and suffering towards the Land to understand mental distress within and beyond land-dependent and Indigenous communities

*Ampliando la comprensión de la solastalgia a través de la violencia basada en la tierra: Por qué necesitamos crear nuevas nociones de daño y sufrimiento con respecto a la Tierra para comprender la angustia mental dentro y fuera de las comunidades indígenas y dependientes de la tierra*

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SUMMARY: I. Introduction. II. Purpose of *Land body ecologies* (LBE) and Solastalgia. III. Violence towards the body and of land: the example of wartime rape. IV. A framework for Land-based violence. V. Being suffering: beyond an interconnectedness of the land and self. VI. Violence as a form of harm to health. VII. Land and (environ) mental distress. VIII. The trauma of indigenous mental health. IX. Future research. X. Conclusion.

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**ABSTRACT:** Solastalgia is an emerging concept to describe mental distress from environmental change. Our interdisciplinary network, Land Body Ecologies, has been exploring the experiences of Indigenous and land-dependent communities in Northern Finland, India, Uganda, and Kenya. In this article, we provide a conceptual analysis and framework to coin and introduce our meanings for two new terms: ‘land-based trauma’ and ‘land-based violence’. To achieve this, we expound on understandings of gender-based violence during armed conflict to explain how the body and land become entangled and the loss of connections of the land are expressed through stories of suffering of the self. We conclude with future recommendations for progressing legal and health perspectives on marginalized narratives of Solastalgia-related harms.

**RESUMEN:** La solastalgia es un concepto emergente para describir la angustia mental provocada por el cambio medioambiental. Nuestra red interdisciplinaria, Land Body Ecologies, ha estado explorando las experiencias de comunidades indígenas y dependientes de la tierra en el norte de Finlandia, India, Uganda y Kenia. En este artículo, ofrecemos un análisis conceptual y un marco para acuñar e introducir nuestros significados para dos nuevos términos: “trauma basado en la tierra” y “violencia basada en la tierra”. Para ello, exponemos el concepto de violencia de género durante los conflictos armados para explicar cómo el cuerpo y la tierra se entrelazan y cómo la pérdida de las conexiones de la tierra se expresa a través de historias de sufrimiento del yo. Concluimos con recomendaciones futuras para avanzar en las perspectivas jurídicas y en materia de salud sobre las narrativas marginadas de los daños relacionados con la Solastalgia.

**KEYWORDS:** *Solastalgia, land-based violence, land-based trauma, trauma, conflict, Land Body Ecologies.*

**PALABRAS CLAVE:** *Solastalgia, violencia basada en la tierra, trauma basado en la tierra, trauma, conflicto, Land Body Ecologies.*

## I. INTRODUCTION

The Palestinian poet, Mourid Barghouti, who wrote a novel about his experiences of exile to explain them to his son, famously exclaimed in its passages, “*I was born here, I was born there*”. (Barghouti 2011). In his words, we encounter a journey of different places, places that were traveling and places that remained landmarks in Barghouti’s memory when he was displaced from his homeland. Identity is the severance to the roots that are yearned for, connected to, and ultimately lost, through the forms of dis-placement that we have developed a project on Solastalgia to address even when dis-placement occurs amid and upon the lands of our birth because of shifts of the soil and sand and sea under the paths that are walked on. Solastalgia is a term coined by philosopher Glenn Albrecht (2005) to explore the relationship between ecosystem distress and human distress. We found Solastalgia to be foundational for our starting point in our aim to gain a wider understanding of mental distress related to changes in the environment. However, we also found that its explanatory power was not enough, and we needed to engage ourselves with a grounding that would help to explain the significant transgenerational environmental traumas that we are dealing with. In this article, we detail the context of our project on Solastalgia and the aim to explain why we need a new concept to marry the distress from the land with the self. We approach this aim by elaborating on existing theoretical perspectives about the body and land in war as a vantage point to ways we may explore *Land-based connections* (LBC), *Land-based traumas* (LBT), and *Land-based violence* (LBV).

Our research initiative is to develop our understanding of Solastalgia through participatory engagement with land-dependent and Indigenous communities who experienced the psychological traumas of environmental change. These four communities, or Hubs, as structured in our research group, *Land body ecologies* (LBE), are also systematically and structurally marginalized

through displacement, eviction, migration, and prohibitive legislation restricting access to ancestral land and territories. Our hubs are anchored in Uganda, Kenya, India, the Arctic, and the United Kingdom. Accompanying their experiences are additional silencing forces on their identities, voice, and expressions of perception about their understandings of the Land. Furthermore, apart from their voices, the languages are undermined as the people assimilate within the ‘new’ lands that they have been displaced to and their culture and spirituality are lost, or prohibited from being practiced. There are also different cases in time. Even when many decades have already passed since an environmental change, the process may still be ongoing and so its consequences are more visible than in more recent cases and the transgenerational trauma and cultural narrative continues to be threaded through and woven into new lands. We share the viewpoints of Alexander *et al.* (2004) and Autti (2022) that there is a need to build on existing trauma studies that examine psychological thought to apply more distinct analysis to the experiences that are recorded through the journeys of those who have experienced land harm and suffering. This collective psychological trauma has evolved into a finding that we discuss in this article: that there is a need to understand Solastalgia through *Land-based violence* (LBV) a concept that we have coined in our research, which we introduce in the next section. In view of the main purpose of this article, we consider that LBV is a necessary step in the collective progression for a phenomenological understanding of the lived experiences of Solastalgia, or to refer to the central Husserlian idea of a *life-world*, an idea of which “turns out to be the world of life in the sense that it is the world in which we live” (Lee 2020: 51), or to apply to our understanding of Solastalgia, the way that land is self-evident in every-day life. LBV is fundamental to the psychological harms incurred by witnesses to changes to the land. Our article discusses our justification for the claim that we need to create new notions of harm and suffering towards the Land to understand people’s mental distress concerning changes (and their threats) in the environment.

## II. PURPOSE OF *LAND BODY ECOLOGIES* (LBE) AND SOLASTALGIA

At the developmental stage of our research questions, we set out to critique the intersection between environmental change and mental health. Our initiatives were grounded in our combined reflections as researchers and artists observing global narratives of suffering from the land. We premise that mental distress stemmed from witnessing, observing, and inheriting the legacies of environmental change and thus we applied a framework of Solastalgia to accommodate our thinking. Reaching the halfway mark of our project, we encountered a striking emergence related to the nature of mental distress throughout the story-sharing of our colleagues and participants alike. Mental health is a true reflection of frustration coupled with poverty due to the loss of property, livelihoods, and economic options connected to land, which ultimately has led to pessimism and death. Solastalgia refers to spaces where there is disruption of the traditional lifestyle, and change, as well as complete cessation of acting/working/functioning in the environment.

On this basis, we continue in this article a line of argument that we published in the British Medical Journal (BMJ), namely:

“We conceptualize two major observations about mental distress from environmental change and land rights issues—land trauma and land-based violence. These concepts reflect ways that the communities we are working with (including the Ogiek in Kenya and the Batwa in Uganda) experience transgenerational and contemporary traumas and violence that have targeted their lands and the wellbeing of those who identify their self to be part of the land. Should the land be negatively affected by environmental change, the land is felt to be harmed” (Ahmad *et al.* 2022).

Whilst we are critiquing the need for recognition of *Land-based trauma* (LBT) and *Land-based violence* (LBV), we are primarily situating our discourse within western scientific paradigms that have dominated the relation of suffering to its causal function rather

than to its symbolic or phenomenological meaning and which bracket out *Land-based connections* (LBC). The advent of Planetary Health has created certain shifts in how we integrate Nature into our conceptualizations of health. Human interconnectedness with our ecological systems as a determinant of planetary health reflects the following:

“The disconnect from Nature manifests as a fragmented and dissociative identity that cannot recognize itself as part of a system, making it easier to project predatory and abusive impulses onto the environment. Thus, an ideology of independence has resulted in a sense of entitled ownership, a kind of utilitarian perception of the natural world that relates to it through transactional relationships that do not have a sense of responsibility, care, or love” (Redvers *et al.* 2022).

There are two strategies which we will present in this article to explain the bedrock of our proposal to challenge existing ways that suffering borne from modes of dying and death within the self are translated into a rhetoric of health justice. First, we create a parallel between *Land-based violence* and *Gender-based violence*, applying lessons we have learnt from the specific act of rape as a *weapon of war* during war and conflict. Second, we identify a juxtaposition between the World Health Organization’s definition of health with a Leopoldian ethic of land health that “includes the concept of ethical responsibilities towards the land” (Leopold 2004: 149).

### **III. VIOLENCE TOWARDS THE BODY AND OF LAND: THE EXAMPLE OF WARTIME RAPE**

Autti when writing on environmental trauma says that the phenomenon is “characterized by disconnections, silences, and delays” and that “altering the environment can activate trauma processes similar to war-related trauma” (2022: 267). We are interested in the analogous connection between war-torn lands and lands of other forms of war. To explore this angle, we ponder on targeted violence

towards the body during wartime and the way that lands change during the war to think specifically about war-related trauma as also being a form of environmental trauma.

War rape “can be taken as a perfect example of an asymmetric strategy. In war rape the soldier attacks a civilian (not a fellow combatant) a woman (not another male soldier) and does this only indirectly with the aim of holding or taking a territory. The primary target here is to inflict trauma and through this to destroy family ties and group solidarity within the enemy camp” (Diken and Laustsen 2005). In this sense, Diken *et al.* “understands war rape as a fundamental way of abandoning subjects: rape is the mark of sovereignty stamped directly on the body, that is, it is essentially a bio-political strategy using (or better, abusing) the distinction between the self and the body” (2016). In contested landscapes, the body of the victim, through an act of targeted sexual violence by state forces, is a “site of conquest” (Biswas and Khiangte 2022). Similarly, “Zarkov (2007) suggests women’s bodies were seen as territory to be conquered in order to humiliate the men, conquer their land, and enlarge their own nation” (Berber 2018). The symbolism of the land as a form of territory to be gained, or lost, and that such statuses, through certain contextual elements, are collectively sensed, or at least as a shared concept within a particular party during warfare or conflict, to be achieved by manipulation, or violation, of the body, namely, a woman’s body, shows the meaning of the body as a form of land, and that land is represented through the body.

On this very base-line level, the form of violence that beholds the use of sexual violence as a weapon of war, is an example of the land-based violence that we are emphasising to be evident as a trauma that ruptures both the land and the body. The body suffers because the land is suffering. The body experiences suffering because the body is used as a vessel to (be)hold the land. The body and the land are synonymous. There is a shared suffering. As Veena Das writes, “I find that the languages of pain through

which social sciences could gaze at, touch, or become textual bodies on which this pain is written often elude me” (1996: 67). The sharedness of suffering, then, is not necessarily expressed, or, rather, there are limitations on the ways that expressions of suffering are received. If we are extrapolating a replica of the traumas from the raped body to the body of the land that was also raped then we also claim that the pain of the land, to refer to Das’s notion of the body as the home of pain, as homeless. We point out that we need a new framework to view LBV to explain the manifestation of violence through and within our self and body. Violence, as a phenomenon and experience, is more complicated than what we are used to when dealing with conflict related GBV which focuses on the individual and the gaining of land. We look at violence committed towards the land, and it is notable that land does not play any role in current health-based definitions of violence, and the phenomenological navigation of a community when there is perceived loss of land identity.

#### IV. A FRAMEWORK FOR LAND-BASED VIOLENCE

To understand suffering, we must also convey ways to receive the suffering when expressions are extended beyond, or through, the body. Ultimately, the view is to understand suffering so the roots of healing may also be understood. How may we receive and respond to suffering should we remain detached from the essence of why suffering is being expressed in the stories that appear through our research? A commentary on land, health, and Indigenous knowledge(s) against the backdrop of recognising suffering born from colonial violence states that it is crucial that

“Work to ameliorate the harms of these colonial policies and practices must be rooted not only in Indigenous rights (which are constitutionally bound, legally derived, and imply entitlement), but also—crucially—in Indigenous responsibility, which is passed through the generations and acknowledges a fundamental *relatio-*

*nality* in which water is holistically recognised as sacred—a living entity interconnected with all other living entities, and deserving of respect and protection. The reciprocal nature of healing the land and healing the people is a central tenet of many different Indigenous knowledges” (Greenwood and Lindsay 2019: 83).

To honor the tenet, we invite the notion that the land suffers, and the land heals. There is (psychological) suffering because the land is suffering and there is (psychological) healing because the land is healing. Our meaning here is that the relationality is beyond the values that we may recognise the land by, and that living entity that is the land is where suffering is channeled from to the stories of those narrating their lands. The root of the suffering is immersed in the land that *is*, the land that is *being*, and the land that *is* our *being-in-the-world*.

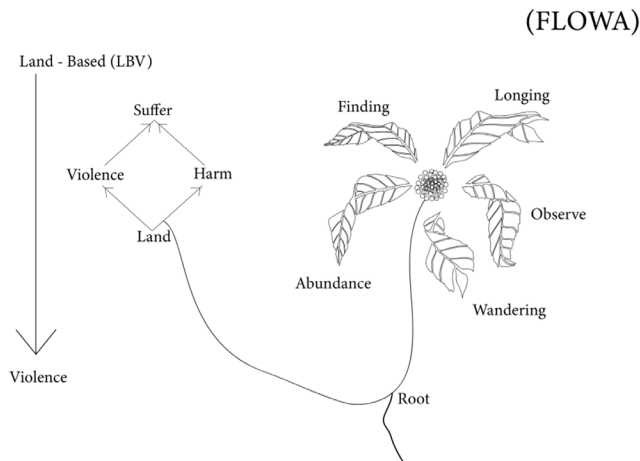
Our framework mirrors the relationship of our *life-world* to our landscape. Seamon (2020) defines place attachment to embody three forms of emotional bonds, which is useful for understanding how connection forms:

“First, environmental ensemble refers to the material and geographical qualities like topography, weather, natural landscape, human-made elements, and all other environmental features that make a place unique physically. Second, people-in-place refers to the human worlds associated with an environmental ensemble and includes individual and group actions, experiences, understandings, and events relating to the particular place. Third, common presence refers to the material and lived “togetherness” of a place sustained by both its physical and human qualities” (Seamon 2020).

The all-encompassing nature of an Actor network theory (ANT)-based network to conceive of the space where the placement of our situatedness occurs with(in) and up(on) land creates an environment that holds the movement of the following descriptives that we use to capture meanings of Solastalgia mental distress.

- 1) Finding: *the landscape that is the view of the self.*
- 2) Longing: *the land that is beyond the space of the self.*
- 3) Observe: *the grieving of the loss of solace through the perception of change.*
- 4) Wandering: *the motion of movement from the land of the self.*
- 5) Abundance: *a fulfilled life-world where the land and self are rooted in harmony.*

We then intersect LBV into the experience of FLOWA, thereby, be-coming the violence of the land. The root of the FLOWA, of our fulfilled being, touches the land, or horizon, of a particular landscape. Upon this horizon, LBV is inscribed through suffering, and harm, which relate to the individual aspects of the flow-ing of an individual. The view of the self may alter, and the land is longed for even whilst remaining in-place with-in the land that is the site of the grief of loss of solace, the wandering that ensues from movement from the land of the self, and the abundance, or absence of abundance, of a fulfilled life-world.



## **V. BEING SUFFERING: BEYOND AN INTERCONNECTEDNESS OF THE LAND AND SELF**

Weaving through the expressions of distress emerging in our research are idioms of grief and loss related to the dying of the land. The land across all the hubs is in different states of death. A methodological approach of ANT as developed by Bruno Latour would view the natural and social world as a network of relationships. Within this network, there is nothing that exists outside of it. ANT offers a tool to analyze the human-environment relationship in a more versatile and holistic way, whilst also paying attention to the material world and their significance and agency as well as the agency of animals. Through ANT, we may identify the source of distress as the sharing of harms incurred from the interconnectedness of land as a life and life as a land. However, we remain unsatisfied with this explanation. The reasons are twofold; namely, because interconnectedness denotes at least some form of separation and because there is a surplus to the harm that is described, or, rather, in other words, the harms are not merely because of individual suffering to human life.

Allen (2011) refers to ANT in the context of landscape to describe the meaning of a landscape and that our connectedness to landscape is from a shared relation of consciousness. The landscape, as with the self, inhibits space through our placement. ANT is purposeful in this sense because the network accounts for our sharedness of the qualities and essence of a landscape beyond which we may sensorily perceive. This brings the landscape into our own being. He writes:

“ANT recognizes that all objects and things exhibit consciousness, and through a consciousness, interact heterogeneously in space; the location of the interaction(s), where they are performed homogeneously, is the landscape. If, as ANT promotes, all objects and things exhibit consciousness, then the closer in space they are to one another, the more essential they are to each other. These notions have specific ties to the on-going critique

in landscape studies of focusing on rural and local scales, and the continuing debate in human (and physical) geography regarding the necessity of scale itself” (Allen 2011).

Allen uses ANT as a framework to shape the way that the “landscape-created-by-nature and the landscape-created-by-human debates into a non-dialectic whole, demonstrating, perhaps provocatively and controversially, that any landscape should be distinctly anti-dialectic and removed from secular constraints” (2011).

The movement towards an anti-dialectic lens for understanding our situatedness (with)in a landscape is challenging for the ways the communities we are reflecting on hold their relations towards the land. Barker and Pickerill (2012) refer to ideas put forward by Pandya (1990), Jojola (2004), and Coulthard (2010). They write that “Indigenous relationships to place fundamentally challenge colonial spatial concepts, from the ways that we move from place to place and through spaces to how we move through time” (Barker and Pickerill 2012). Indeed, Coulthard asserts that for Indigenous people place is central to understandings of life, whereas “most Western societies...derive meaning from the world in historical/developmental terms, thereby placing time as the narrative of central importance” (2010:79). The communities of the four hubs are all experiencing some form of displacement related to LBV.

Wylie complicates the notion of landscape with the claim that “A landscape cannot be a homeland, must not be confused with a home, a hearth, and so by extension, landscape writing must work to unsettle ideas about identifiable and unified communities, regions, nations and worlds” (2016). Ingold’s notion of landscape is where the association with homeland takes root. He says “The landscape to recall the words of Merleau-Ponty is not so much as the homeland of our thoughts” (Wylie 2016). Land becomes through the belonging we have to our homeland, yet, the disruption that we describe happening through the paradigm of Solastalgia creates a dearth of flourishing.

Ingold's insightful explanation of land and of landscape is useful at this point. Ingold writes "Let me begin by explaining what the landscape is not. It is 'land', it is not 'nature', and it is not 'space'. Consider, first of all, the distinction between land and landscape. Land is not something you can see, any more than you can see the weight of physical objects. All objects of the most diverse kinds have weight, and it is possible to express how much anything weighs relative to any other thing. Likewise, land is a kind of lowest common denominator of the phenomenal world, inherent in every portion of the earth's surface yet directly visible in none, and in terms of which any portion may be rendered quantitatively equivalent to any other (Ingold, 1993: 153).

The becoming of the land through belonging and the phenomenology of belonging by being-in-the-land are as inseparable as they are distinct. In both of these states, the land exists as life and we exist through the life that the land is. We therefore cannot be satisfied that a perception of interconnectedness in ANT and that a relation to landscape explains the meaning of a homeland speaks to the suffering that we are receiving in the Solastalgia-sensed stories of the hub's communities.

## **VI. VIOLENCE AS A FORM OF HARM TO HEALTH**

Our understanding of health has evolved into a dominant framework that defines the status of the body. The 1948 World Health Organization definition of health is "A state of complete physical, mental, and social well-being and not merely the absence of disease or infirmity". A wider concept of health can be drawn from Aldo Leopold's ideas on land ethic and land health, a relationship of which relies on the complexities of social-ecological systems. In Leopold's view, the land is the terrain for maintaining wild nature, and a balance or harmony is required between wild nature and human health and well-being, however, "land health was at risk due to society's preoccupation with economic health,

equated with growth” (Berkes *et al.* 2012: 279). Understanding land health is a seminal and base-line framework for promoting the significance of the ecological aspects of our human relationship with nature. However, a limitation is that whilst a defining of land health would seem to indicate that there would be a polarization of when such health is not sustained, or failed, the idea of land harm, a term we are suggesting is useful in this context, remains unrecognized. Rather, the harms are towards the health of humans, which are ultimately affected when the health of the land falters. It is in this gap that we situate the need to qualify the land as a form of being that suffers harm. A response to this harm is the suffering we are describing as mental distress from environmental change. We would therefore say that health definitions and a social determinants of health model only offer a partial depiction of the landscape of harms to health within land-dependent and Indigenous communities because of the chasm existing between the nuance of harm to the land and harm to the self as a form of health and well-being.

## VII. LAND AND (ENVIRON) MENTAL DISTRESS

We can glean much of the current positions of shifting lands and the impact on mental health from the physical displacement of war-affected populations. In a study of two groups of a war-affected population from internally displaced persons (IDPs) camps in Eritrea, organized displacement and assisted relocation were found to be protective factors (Almedom 2004). Language used to describe the movements of war-affected populations can be an interesting indication of the meanings and understandings of what humanitarianism and some human rights frameworks or movements consider to be priorities on a pragmatic level rather than of an existential or phenomenological prerogative. With further exploration into the environmental changes to the home environment that Albrecht (2005) originally centered the concept of Solastalgia on, we are exposed to more intricate patterns of the land and environmental distress and how these relate to the ac-

tions behind the disruption to social ecologies of land and health. Psychological distress was reported by mine-affected communities in South Africa and aptly captioned in the statement “*Nothing green can grow without being on the land*” (Barnwell *et al.* 2020). The psychological distress was described by participants to be “related to land and environmental injustices, specifically place severing and environmental health-related distress” and that “community resistance is aimed at preventing further harm and re-establishing connection to place through land restitution” (Barnwell *et al.* 2020).

### VIII. THE TRAUMA OF INDIGENOUS MENTAL HEALTH

Much focus has been on the dispossession of lands and the resultant historical trauma from colonialist forces and actions on the traditional ways of life and identities of Indigenous persons. Putting forward the legacy of historical trauma has been purposeful for explaining the health inequities that befall Indigenous communities globally, namely that “The theory of historical trauma, which argues that a collective trauma experienced by one generation can negatively impact the wellbeing of future generations, is a potential framework to understand the adverse health outcomes seen among populations with histories of subjugation. However, the biological pathways through which historical trauma actually impacts health have been unclear” (Conching and Thayer 2019).

The concept of land conflicts is born from recognising the relationship between land and violence. In the areas where LBE are participating in the collection of expressions of mental distress from a disrupted relation to the communities’ being-in-the-world, or rather, being-on-the-land, the histories that are maintained through lived experience, activism, trauma, ancestor connectedness, and appreciation of the meaning and purpose of their (home) land, features through violent movement of persons from places. In an article on *Withdrawing from the land: social and spiritual crisis in the Indigenous Russian Arctic*, Vitebsky (2003) focuses on the

violence perpetrated on the Indigenous peoples of Siberia. He argues that the

“need to live with this violence, and even to collude with it, left many people in a state of deep moral ambiguity. But the working through of this trauma and of this moral confusion takes more than one generation. Behavior patterns and moods among the later generation are an outcome of something which was present in the original experience of the parent. This unresolved psychological condition has continued to affect subsequent generations down to the present” (Vitebsky 2003).

The transgenerational land traumas of Indigenous people and their impact on mental health have paved the way for the traumatic effects of environmental change which is an emerging and growing field yet under-researched (Autti 2022; Leese 2022). A reason why there is a chasm in the recognition and exploration of Solastalgia is symptomatic of the need to broaden our notion of environmental change as a mode of being that can affect everyone regardless of their ethnic identity. Traumas of the land inhabit and occupy traumas of the body leading to the mental distress that we describe within a Solastalgia-based framework. Relating the traumas is a shared essence of the land, the being-of-the-land that becomes the being-in-the-world. Here we claim that Solastalgia symbolizes a phenomenon that lies beyond the interconnectedness of relations that the ANT theorists posit. The separation does not occur. The land travels within the self and the self is a form of land. Trauma is the narration of the LBV we describe in this article as occurring when the land is harmed.

However, such connections are vital to the form of healing that we hope to address with the advancement of understanding Solastalgia through LBV. The same reasons why LBV is traumatic are also the foundation from which we may build on the collapsed, constrained, and covered connections to revive, release, and re-recover identities of *being-on-the-land*. Thus, “As Indigenous

communities like ours are impacted by environmental disruptions, psychosocial traumas, migration, and development, which impact our lands and being, under a peoplehood model, we are reminded that our connections are not completely lost or severed” (Sumida Huaman and Mataira 2019: 281).

## IX. FUTURE RESEARCH

Our approach to addressing Solastalgia-related harms from LBV represents a form of community resilience. Addressing traumas and the ways that continued LBT negative impacts well-being and harms notions of healing is a collective endeavor and a mode that is implemented in our hubs to address environmental justice. In this sense, our future work has value for building our understanding in the disciplines of community resilience in trauma contexts and what environmental justice means for Indigenous and land-dependent communities. One aspect in particular that we are expanding on is how could concepts of Solastalgia and LBV be applied in legal and mental health practices. The former calls for a shift in thinking from understanding land rights to be beyond ownership and belonging by conceptualizing that denial or removal of land rights is a harm to health. The latter calls for revised, robust paradigms of understanding trauma from a transcultural psychiatry perspective that symbolizes the land in meanings of psychological suffering. Loss of cultural identity and forced displacement are key components of migratory health and linkage to international human rights about protection from persecution and provision of refuge. Our work would need to see how the categories of an asylum seeker and a refugee can be applied to an individual who requires sanctuary in their homeland rather than having to flee a homeland to seek refuge elsewhere. All of these aspects of our future research require significant further detail to expand our proposals, which are beyond the scope of this article.

## X. CONCLUSION

During our research, LBE found that we need to make an initial contribution, namely, the concept of LBV. LBV helps us to explain the mental distress of environmental change. Traumas exist and emerge in the life-worlds of the self, and of the land, because land suffers and is harmed through violence. Violence is not contained within a person but connected through the relation of the land interchangeably and independently. Our FLOWA is a way to metaphorically and phenomenologically contain our relations to the land and offer spaces for healing as well as identifying harms from LBV.

## BIBLIOGRAPHY

- Ahmad, A., Pratt, V. and Gougsa, S. (2022): "Where is the land and indigenous knowledge in understanding land trauma and land based violence in climate change?", in *BMJ* *bmj*, núm. 379.
- Albrecht, G. (2005): "Solastalgia: A new concept in health and identity", in *PANAN: philosophy activism nature*, núm. (3), pp. 41-55.
- Alexander, J.C., Eyerman, R., Giesen, B., Smelser, N.J. and Sztompka, P., (2004): "*Cultural trauma and collective identity*". University of California Press.
- Allen, C.D. (2011): "On actor-network theory and landscape", in *Area*, vol. 43, núm. (3), pp. 274-280.
- Almedom, A.M., (2004): "Factors that mitigate war-induced anxiety and mental distress", in *Journal of Biosocial Science*, vol. 36, núm.(4), pp. 445-461.1.

- Autti, O. (2022): “Environmental Trauma in the Narratives of Postwar Reconstruction: The Loss of Place and Identity in Northern Finland After World War II”, in Kivimaki, Ville and Leese Peter (Eds.), *Trauma, Experience and Narrative in Europe after World War II*, Palgrave Macmillan, pp. 267-297.
- Barghouti, M. (, 2011): “*I was born there, I was born here*”, Bloomsbury Publishing.
- Barker, A.J. and Pickerill, J. (2012): “Radicalizing relationships to and through shared geographies: Why anarchists need to understand indigenous connections to land and place” in *Antipode*, vol. 44, núm. (5), pp. 1705-1725.
- Barnwell, G.C., Stroud, L. and Watson, M. (2020): “ Nothing green can grow without being on the land”: Mine-affected communities” psychological experiences of ecological degradation and resistance in Rustenburg, South Africa”. *Community Psychology in Global Perspective*, vol. 6, núm. (2/22), pp. 87-109.
- Berber, N. (2018): “Writing the Rape in Post-Conflict Societies of the 1990s: John M. Coetzee and Slavenka Drakulić” in *Critique: Studies in Contemporary Fiction*, vol. 59, (núm.1), pp. 103-114.
- Berkes, F., Doubleday, N.C. and Cumming, G.S. ( 2012): “Aldo Leopold’s land health from a resilience point of view: self-renewal capacity of social–ecological systems”, in *EcoHealth*, vol. 9, núm. 3, pp. 278-287.
- Biswas, D. and Khiangte, Z. (, 2022): “Of Contested Landscapes and Women’s Bodies: Rape as an Invasive Weapon in Mal-sawmi Jacob’s Zorami”, in *Journal of International Women’s Studies*, vol. 24, núm. 6(6)., p. 3.

- Conching, A.K.S. and Thayer, Z. (2019): “Biological pathways for historical trauma to affect health: A conceptual model focusing on epigenetic modifications”, in. *Social Science & Medicine*, vol. 230, pp. 74-82.
- Coulthard, G. (2010): “Place against empire: Understanding Indigenous anti-colonialism. Affinities: A Journal of Radical Theory”, in *Culture, and Action*, vol. 4, núm. 2, 79-83.
- Das, V. (, 1996): “Language and body: transactions in the construction of pain”, in. *Daedalus*, vol. 125, núm. 5(1), pp. 67-91.
- Diken, B. and Laustsen, C.B., (2005): “ Becoming object: Rape as a weapon of war”, in. *Body & Society*, vol. 11, núm. (1), pp. 111-128.
- Greenwood, M. and Lindsay, N.M. (2019): “A commentary on land, health, and Indigenous knowledge (s)”, in. *Global Health Promotion*, vol. 26, núm. (3\_suppl), pp. 82-86.
- Ingold, T. (1993): “The temporality of the landscape”, in. *World archaeology*, vol. 25, núm. (2), pp. 152-174.
- Lee, N.I. (2020): “. The pluralistic concept of the life-world and the various fields of the phenomenology of the life-world in Husserl”, in. *Husserl Studies*, vol. 36, núm. (1), pp. 47-68.
- Leese, P. (2022): “The Limits of Trauma: Experience and Narrative in Europe c. 1945”,. Trauma, in Kivimaki, Ville and Leese, Peter (Eds.), *Trauma, Experience and Narrative in Europe after World War II*, Palgrave Macmillan Experience and Narrative in Europe after World War II, pp. 3-26.
- Leopold, A.C. (2004): “Living with the land ethic”, in. *BioScience*, vol. 54, núm.4 (2), pp. 149-154.

- Redvers, N., Celidwen, Y., Schultz, C., Horn, O., Githaiga, C., Vera, M., Perdrisat, M., Plume, L.M., Kobei, D., Kain, M.C. and Poelina, A. (, 2022): “The determinants of planetary health: an Indigenous consensus perspective”, in. *The Lancet Planetary Health*, vol. 6, núm. (2), pp. e156-e163.
- Seamoon, D. (2020): “Place attachment and phenomenology: The dynamic complexity of place”. iIn Manzo, Lynne C. and Devine-Wright, Patrick (Eds.), *Place Attachment*. Advances in theory, methods and applications, Routledge, (pp. 29-44.).
- Sumida Huaman, E. and Mataira, P. (2019): “Beyond community engagement: Centering research through Indigenous epistemologies and peoplehood”, in. *AlterNative: An International Journal of Indigenous Peoples*, vol. 15, núm. (3), pp. 281-286.
- Wylie, J. (2016): “A landscape cannot be a homeland”, in. *Landscape Research*, vol. 41, núm. (4), pp. 408-416.
- Vitebsky, P. (2003): “Withdrawing from the land: social and spiritual crisis in the indigenous Russian Arctic”, in Hann, C.M (Ed.) *Postsocialism. Ideals, ideologies and practices in Eurasia*, , 192-207.
- Žarkov, Dubravka (2007): “*The Body of War. Media, Ethnicity, and Gender in the Break-up of Yugoslavia*”, Duke University Press.



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