

# Thinking Like a Mountain

Supplement

## The Wolf's Return to the Orobie Alps: Legal Landscapes of More-Than-Human Coexistence

Marie Petersmann

The wolf's return to the Orobie raises a question that extends far beyond wildlife management: Can we imagine legal frameworks that recognize non-human agency not as an object of protection, but as a form of normativity with legitimate claims? Until the early twentieth century, wolves were a familiar presence in Bergamo's mountains. Folklore, toponyms, and chronicles from the early modern period attest to the density of the wolf population, and to the intensity of conflict with pastoral communities.<sup>1</sup> Systematic persecution through bounties, poison, traps, and firearms culminated in the wolf's eradication from the Alpine region by the mid-twentieth century.<sup>2</sup> By the 1920s, wolves had disappeared from the Orobie, surviving only in isolated refugia of the central and southern Apennines. This extirpation results from a

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<sup>1</sup> See generally Virginie Maris, *La Part Sauvage du Monde: Penser la Nature dans l'Anthropocène* (Seuil, 2021).

<sup>2</sup> Henry Buller, "Safe from the Wolf: Biosecurity, Biodiversity, and Competing Philosophies of Nature," *Environment and Planning* 40 (2008): 1583.

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century-long project of forced exile that progressively removed wolves from “our” space through narratives of biosecurity and livestock protection. As Floris de Witte argues, such narratives perpetuate “until today the widely held assumption that nature and animals are objects that require management *by* humans.”<sup>3</sup>

The story of the wolves’ return begins in the 1970s, with strict protection measures adopted in the Abruzzo and southern Apennines, leading to wolves slowly dispersing back across the Apennines and into the Western Alps.<sup>4</sup> From these refugia, wolf populations began their *natural recolonization*.<sup>5</sup> By the 1990s, they had reached the Ligurian and Piedmontese Alps and, in the following decades, dispersing individuals colonized the western Alps and gradually spread eastward. In the 2010s, wolf packs were documented in the central and eastern Alps, including Lombardy’s Orobie.<sup>6</sup> This was not the result

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<sup>3</sup> Floris De Witte, “Where the Wild Things Are: Animal Autonomy in EU Law,” *Common Market Law Review* 60 (2023): 394.

<sup>4</sup> Elena Fabbri et al., “From the Apennines to the Alps: Colonization Genetics of the Naturally Expanding Italian Wolf (*Canis lupus*) Population,” *Molecular Ecology* 16 (2007): 1661–71.

<sup>5</sup> This is my translation from the Italian ‘ricolonizzazione’, see e.g. “Il lupo,” Progetto Pasturs accessed November 29, 2025, <https://pasturs.org/scomparsa-e-ritorno-del-lupo/> or “Lo status del lupo in Regione Lombardia 2020/2021,” LIFE WolfAlps EU, accessed November 29, 2025, [www.lifewolfalps.eu/wp-content/uploads/2022/07/Report-Lupo\\_Lombardia\\_2020\\_21.pdf](http://www.lifewolfalps.eu/wp-content/uploads/2022/07/Report-Lupo_Lombardia_2020_21.pdf).

<sup>6</sup> “The Wolf in the Italian Alps,” Life Wolf Alps EU, accessed November 23, 2025, [www.lifewolfalps.eu/en/the-wolf-in-the-alps/the-wolf-in-the-italian-alps/](http://www.lifewolfalps.eu/en/the-wolf-in-the-alps/the-wolf-in-the-italian-alps/)

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of a *planned reintroduction*, as with the Alpine ibex in the Orobie during the 1980s—a success story that today numbers hundreds of animals—but wolves asserting their own agency and autonomy.<sup>7</sup> The distinction between planned reintroduction and natural recolonization is crucial. The wolf is not a guest of human benevolence, but an agent who has reasserted its presence, demonstrating the permeability of landscapes and the resilience of species once given the chance to recover. The wolf in Bergamo thus embodies a paradox: it is simultaneously a figure of ecological continuity—an animal returning to territories from which it was first eradicated by human violence and control—and of ecological disruption, unsettling established forms of land use, livestock management, and political consensus.

The case of the wolf in the Orobie is not unique. Across Europe, wolves are recolonizing regions from which they were forcibly extirpated: the Jura, the Carpathians, the German lowlands, the Iberian Peninsula.<sup>8</sup> In each case, their return generates legal

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[alps.](#)

<sup>7</sup> Other large carnivores reintroduced in Europe include the European bison, the Iberian ibex, the Eurasian beaver, the brown bear, the Eurasian lynx, and the Iberian lynx. Stefanie Deinet et al, *Wildlife Comeback in Europe: The Recovery of Selected Mammal and Bird Species* (Zoological Society of London, 2013).

<sup>8</sup> Deinet et al., *Wildlife Comeback in Europe*.

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disputes, cultural anxieties, and ecological opportunities.<sup>9</sup> Bergamo's mountains thus form part of a continental experiment of *co-existence*, but the Orobie also have distinctive features: a dense pastoral heritage and a cultural fabric attentive to mountain identity. The wolf's return here resonates with the possibility of imagining law not as a human monopoly but as a shared terrain of more-than-human negotiation.

The cultural program *Thinking Like a Mountain* asks whether we can imagine new forms of normativity that move beyond the human, and whether legal frameworks can be expanded to represent non-human subjectivities. In what follows, I treat the wolf's return as both an ecological fact and a cultural metaphor—an invitation to rethink the boundaries of law, community, and norms in Bergamo's mountain landscapes. This essay situates the wolf's recolonization in its ecological and historical context. It explores the legal and political debates it has generated, and opens toward the philosophical and normative questions: Can the wolf—or the mountain ecosystems of the Orobie—be understood as normative agents? What might a local legal framework

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<sup>9</sup> D. P. J. Kuijper et al., "Keep the Wolf from the Door: How to Conserve Wolves in Europe's Human-Dominated Landscapes?" *Biological Conservation* 104 (2019): 235.

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look like if it recognized their agency?

## **The Wolf’s Natural Recolonization as Shifting the Legal Landscape**

The wolf’s return to the Orobie in the 2010s is the result of a process of natural recolonization—in other words, it was spontaneous. No authority released wolves into Bergamo’s mountains. Rather, wolves came of their own accord, repopulating what was once their “natural habitat.” But is this habitat still “natural” to the wolves today? What does it mean for a habitat to be “natural” in the first place, and according to what or whose standards?

The wolf in Italy is strictly protected under national and European law. The EU Habitats Directive lists it in Annex IV as a species in need of strict protection, prohibiting their deliberate killing, capture, or disturbance, and the destruction of their breeding sites.<sup>10</sup> The Bern Convention on the conservation of European wildlife and natural habitats similarly prohibits their deliberate killing or disturbance.<sup>11</sup> Italy’s Law 157/1992 enshrines these obligations in national

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<sup>10</sup> Council Directive 92/43/EEC, on the conservation of natural habitats and of wild fauna and flora, O.J. 1992, L 206/7.

<sup>11</sup> Council Decision 82/72/EEC of December 3, 1981, concerning the conclusion of the Convention on the conservation of European wildlife and natural habitats, O.J. 1982, L 38/1.

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law.<sup>12</sup> Any lethal control or derogation must be justified under strict exceptions and authorized by both national and EU institutions. Despite this, regional politics in Lombardy are marked by recurring attempts to soften protection. Farmers' unions and regional politicians have called for the downgrading of the wolf's legal status, arguing that its population is now robust and that rural livelihoods are threatened, therefore requesting greater management flexibility.<sup>13</sup> The result is a patchwork of jurisprudence that reflects the broader tension between EU-level biodiversity law and local pressures for autonomy and more flexible regional management.

At one level, the wolf is *already* a legal subject—not in the sense of a “rights holder,” but as an agent capable of, albeit indirectly, participating in the directionality of law- and policy-making. EU and national law confer upon it a status that shapes *human* behavior—it is unlawful, for humans, to kill, capture, or

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<sup>12</sup> Law of February 11, 1992, n. 157, G.U. 1992, n. 46, Suppl. Ord.

<sup>13</sup> A recent motion was approved in the Lombardy Regional Council regarding wolf management. See “Lupi, Motion Approved in the Lombardy Regional Council Reports,” Caccia Passione, February 4, 2025, [www.cacciapassione.com/en/wolves-motion-approved-in-the-Lombardy-regional-council](http://www.cacciapassione.com/en/wolves-motion-approved-in-the-Lombardy-regional-council). Italy also supported the contested EU proposal to downgrade the wolf's protection status. See Leonie Cater, “EU Parliament Approves Law to Let Farmers Shoot More Wolves,” Politico, May 8, 2025, [www.politico.eu/article/european-lawmakers-vote-to-loosen-wolf-protections](http://www.politico.eu/article/european-lawmakers-vote-to-loosen-wolf-protections).

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disturb wolves. Current legal protection under the EU Habitats Directive and national law operates within what de Witte identifies as law's fundamental limitation: legal norms "are often premised on assumptions about *human agency*," struggling to make sense of how non-humans experience the world.<sup>14</sup> The wolf is protected, but as de Witte notes, "for us"—through anthropocentric rationales of biodiversity as resource or ecosystem service. By contrast, rights of nature movements—whether in Ecuador's constitutional recognition of Pachamama, in Aotearoa New Zealand's recognition of the Whanganui River as a legal person, or in local ordinances in Europe—gesture toward an expanded conception of legal subjectivity.<sup>15</sup> These initiatives do not merely protect nature as an object of human concern and under human control, but recognize it as a subject with intrinsic rights and claims. Such recognition need not be purely symbolic. In Aotearoa New Zealand, the river's legal personhood means that guardians can bring cases on its behalf, that its interests must be considered in planning decisions,

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<sup>14</sup> De Witte, "Where the Wild Things Are," 408; citing Irus Braverman, "Animal Mobilegalities: The Regulation of Animal Movement in the American City," *Humanimalia* 5 (2013): 104.

<sup>15</sup> Marie Petersmann, "The EU Charter on Rights of Nature: Colliding Cosmovisions on Non/Human Relations," in *Non-Human Rights: Critical Perspectives*, eds. Alexis Alvarez-Nakagawa and Costas Douzinas (Edward Elgar, 2024), 141–63.

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and that harm to the river is actionable in law. Applied to the Orobie, this would mean that proposed developments affecting wolf habitats—new roads, ski infrastructure, or expanded pastoral zones—would require consultation with “wolf guardians,” and that wolf packs’ territorial needs would constitute a legally recognizable interest, rather than merely a constraint on human activity.

The wolves’ return to the Orobie thus poses a series of questions to law: What if wolves, or the ecosystems of the Orobie Alps, were recognized as legal persons? What if the mountain itself could be represented in law, as the Whanganui River is in Aotearoa New Zealand? Such an approach and sensibility would not eliminate conflict, but reframe it—pastoralists and wolves would be co-claimants in a shared legal space, with institutions mediating between overlapping rights rather than privileging human interests. Beyond law in the narrow sense, the wolf embodies a form of normativity of its own. Wolves regulate ecosystems: by preying on roe deer and wild boar, they influence vegetation dynamics, forest regeneration, and biodiversity patterns. This is the ecological sense in which Aldo Leopold understood wolves as essential to the integrity of land communities. But wolves also enact non-human “social” norms within their own packs: hierarchies,

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cooperation in hunting, and care for pups. Ethologists have long observed the complexity of wolf “societies”. In his book *Wild Diplomacy: Cohabiting with Wolves on a New Ontological Map*, Baptiste Morizot explores how humans can coexist with large predators like wolves through what he terms a “wild diplomacy.”<sup>16</sup> Crucially, Morizot’s multispecies “diplomacy” does not presume mutual understanding or harmony, but rather accepts ongoing negotiation amid irreducible difference. This reframes conflict not as a problem to be solved through either wolf elimination or total human withdrawal, but as the permanent condition of coexistence—one that requires institutional forms capable of sustaining productive disagreement. This approach emphasizes negotiating with non-humans and acknowledging their agency and normativity while also reckoning with their radical alterity. These intraspecies norms, while not “legal” in a human

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<sup>16</sup> Morizot’s work examines how communication arises through relationships between humans and wolves, giving rise to what he calls a “diplomacy with living beings.” Drawing on bio-fences as an example, he argues that the essential element is not feigning genuinely species-specific “diplomatic” communication, but rather employing negotiation, mediation, and adaptation through “discussion methods” that can be understood across species boundaries. Wolf excrement, for instance, serves as a repository of data regarding pack strength and structure, territorial boundaries, and even the emotional condition of alpha males. This information could be redirected to indicate spatial limits that wolves should avoid crossing to prevent them from entering certain areas. See Baptiste Morizot, *Wild Diplomacy: Cohabiting with Wolves on a New Ontological Map*, trans. Catherine Porter (State University of New York Press, 2022).

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sense, are modes of normativity that shape behavior and sustain communities.<sup>17</sup> To acknowledge them is to challenge the monopoly of human law as the sole framework for normative order. In the Orobie, wolves' norms thus intersect with pastoral norms: the seasonal movement of flocks, the customary use of alpine pastures, and the ethics of shepherding. The conflict between wolves and pastoralists is hence a clash not only of interests but also of normative orders: lupine, pastoral, bureaucratic, ecological. Recognizing this normative plurality is a first step toward imagining law as a site of negotiation among heterogeneous human and non-human agents.

## Multispecies Normativity Through Human-Wolf Interactions

Moving beyond this impasse requires what de Witte, following Morizot, calls “diplomatic interactions across species.” As de Witte argues, the challenge is

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<sup>17</sup> As Margaret Davies argues, all non-humans produce their own values and norms, where the latter is understood as “a pattern, standard, or direction, that is also a guide for action,” i.e., that contains a “purpose-driven action or action that follows a direction.” As a result, and following Georges Canguilhem, Davies argues that every living organism “creates and lives by its own norms,” with the desire to live without pain as the common threshold. See Margaret Davies, *EcoLaw: Legality, Life and the Normativity of Nature* (Routledge 2022), 4, 59. Non-human normativity, then, intra-acts with human normativity—they are shaped and determined by one another.

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not to eliminate inevitable conflict of norms and interests, but to mediate them in ways that do not reproduce and perpetuate human violence against and domination of non-humans. Fundamentally, however, acknowledging and reckoning with wolves' agency and normativity is not a plea to recognize wolves as being more "*like us*" but, to the contrary, embrace their radical alterity by "focusing on their fundamental *otherness*," to shift "our perspective on the role of law in mediating encounters between wild animals and the human environment."<sup>18</sup> In the Orobie, this means creating legal and cultural frameworks capable of sustaining what he calls "an encounter" between equal *Umwelten*, rather than the continuous re-exiling of wolves to "elsewhere."<sup>19</sup> The very assumption that wolves belong "elsewhere"—in designated and strictly demarcated protected areas rather than cultural landscapes alongside human activities—perpetuates a sense of "boundary transgression" that becomes sufficient grounds for intervening against the wolf, regardless of actual harm. This persistently casts wolves as inherently

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<sup>18</sup> De Witte, "Where the Wild Things Are," 418.

<sup>19</sup> *Umwelten* refers to "the sensory and cognitive understanding that all species have of their own environment, which comprises smells, socialization practices, bio-physical geographies, modes of being and so on." De Witte, 407; in reference to Jakob von Uexküll, *A Foray into the Worlds of Animals and Humans: With a Theory of Meaning* (University of Minnesota Press, 2010).

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dangerous, requiring their continuous re-exiling to maintain human safety and control.

Mediating the “everyday spaces of encounter (real or imagined) between wolf and human”<sup>20</sup> otherwise would thus involve recognizing wolves’ alterity by acknowledging that they have their own normativity, their own *Umwelt*: their distinct sensory and cognitive perception of the world, which cannot be fully understood but must be respected as such. It would also involve a form of continuous and iterative spatial negotiation—rather than strict and fixed territorial divisions—by developing practices of “sharing space” that recognize overlapping but distinct species’ needs. This is what, in an article titles “(Co)producing Landscapes of Coexistence: A Historical Political Ecology of Human-Wolf Relations in Italy,” Valerio Donfrancesco refers to as “landscapes of coexistence,” namely “a heuristic tool to conceptualise the formation of human-wildlife relations through an ensemble of more-than-human forces, including wider political economies and non-human agencies.”<sup>21</sup> Besides this spatial dimension, a further temporal one would be needed. A form of

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<sup>20</sup> Sanna Ojalammi and Nicholas Blomley, “Dancing with Wolves: Making Legal Territory in a More-Than-Human World,” *Geoforum* 62 (2015): 51.

<sup>21</sup> Valerio Donfrancesco, “(Co)producing Landscapes of Coexistence: A Historical Political Ecology of Human-Wolf Relations in Italy,” *Geoforum* 140 (2024): 3.

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temporal integration could connect historical memories of coexistence with future-oriented planning for sustainable wolf populations. Most fundamentally, all these experimentations would require and inevitably lead to legal innovations, by exploring frameworks that move beyond a sense of human protection “of” wolves toward a recognition of human living and sharing their habitat “with” wolves—as co-inhabitants with legitimate claims to territory and co-producing (legal) landscapes of coexistence.

How, then, might Bergamo’s institutions and communities move toward a coexistence framed by an expanded, non-anthropocentric legality? At least three overarching avenues leading to representational innovations, territorial rearrangements, and justice-driven sensibilities can be sketched. First, citizens of Bergamo could be invited to recognize the wolf not merely as a protected species but as a co-inhabitant of a shared territory, with claims that merit active listening and representation. Educational and cultural initiatives can play an important role in shaping public opinion here. The Dutch Embassy of the North Sea might provide an example, where a non-human agent—the North Sea—is recognized and represented as an active “citizen,” part of a more-than-human

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demos.<sup>22</sup> Alternatively, and following the example of the recognition of the Whanganui River as a legal person in Aotearoa New Zealand, a guardianship model could be developed. Legal innovation could take the form of appointing human guardians for wolf packs. The Orobie Alps, or the wolf populations within them, could be given standing in legal processes through guardians—ideally ethologists or biologists specialized in the study of wolves—who would be mandated to represent their interests. In terms of territorial rearrangements, a form of spatial co-management could be envisaged between pastoralists, conservationists, local authorities, and cultural institutions, among others, to codesign frameworks for shared governance of alpine pastures, balancing livestock production with wolf presence. Here, law would function less as a fixed command than as an iterative facilitative process that serves the always changing and evolving interests of both humans and non-humans.<sup>23</sup> Rather than asserting exclusive property rights in delimited spaces where wolves are strictly forbidden from entering, how could the law be bent to accommodate their always

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<sup>22</sup> See the Embassy of the North Sea's website: [www.embassyofthenorthsea.com](http://www.embassyofthenorthsea.com).

<sup>23</sup> For an example, see Gustav Stenseke Arup, "Entangled Law: A Study of the Entanglement of Wolves, Humans, and Law in the Landscape" (PhD diss., Karlstad University, 2021).

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temporary yet essential “right of passage”? Overall, a more justice-driven and restorative sensibility could be developed. Instead of framing wolf predation solely in terms of compensation or economic reparation for damages inflicted on humans—and more precisely on private property, be it livestock as human possession or damages to physical property—one could imagine restorative frameworks that acknowledge loss but also affirm the wolf’s right to exist, where in light of what the wolf population went through since its eradication from the Orobie, ethical considerations would inform ways to reestablish a new *modus vivendi* on a shared space.<sup>24</sup> All these initiatives should be informed by participatory mechanisms that are locally driven—grounded in the recognition that better integrating local normativities could counter modernist anthropocentric frameworks—not to erase or disregard pastoral traditions, but to incorporate them into contemporary decision-making. Shepherding itself is a normative system with values of care, labor, and attachment to land. Recognizing both lupine and pastoral norms could ground a more symmetrical legal imagination that forces all actors to confront their roles and interests in this multispecies coexistence.

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<sup>24</sup> For such ethical considerations and how to integrate them into law, see Marie Petersmann, “Response-Abilities of Care in More-Than-Human Worlds,” *Journal of Human Rights and the Environment* 12, no. 1 (2021): 102–24.

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The pathways sketched here are deliberately situated within European legal traditions and the specific cultural context of the Orobie. I intentionally exclude the Ecuadorian or Bolivian models of constitutional recognition of Pachamama or “Mother Earth” as a “subject of right,” as these developments emerged in particular historical contexts of pluri-national states reckoning with Indigenous and animist cosmologies that are, inevitably, not present within the local cultural context of the Orobie. While these Andean constitutional recognitions offer profound alternatives to anthropocentric legalities, their transplantation to Bergamo would perpetuate an extractive appropriation of Indigenous cosmologies divorced from their pluri-national contexts and histories of resistance. Suggesting this model as a way forward would thus risk cultural appropriation and co-optation, and reproduce the very violence that Indigenous, Native, and Aboriginal peoples around the world have continuously faced ever since their encounters with the colonizers.<sup>25</sup> In the Orobie, the challenge is thus to develop forms of legal subjectivity that emerge from and respond to the specific situated realities of

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<sup>25</sup> See Petersmann, “The EU Charter on Rights of Nature.” See also Marie Petersmann, “In the Break (of Rights and Representation): Sociality Beyond the Non/Human Subject,” *The International Journal of Human Rights* 28, no. 8–9 (2023): 1279–1303.

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pastoral tradition, Alpine ecology, and European legal culture that characterize this landscape.

To *think like a mountain* in Bergamo today is to acknowledge that the wolf's return is not an anomaly but a restoration of ecological continuity—or what Sanna Ojalammi and Nicholas Blomley call a “more-than-human reorganization of legal territory”.<sup>26</sup> It is to see that conflict between wolves and humans is not a clash between good and evil but of overlapping normative orders. It is to accept that law, as currently conceived, is limited in its anthropocentrism, and that new frameworks are needed to represent non-human normativities otherwise. The wolf's return poses fundamental questions about legal subjectivity, territorial rights, and the possibility of non-anthropocentric law. Clashes, tensions, and conflicts will remain inevitable, but rather than being perceived across lines of enmity, a shift of perception could help foreground them as what Ojalammi and Blomley identify as the “intricate and often violent ‘dance’ between humans and wolves” that coproduces legal space.<sup>27</sup> Whether through symbolic citizenship, guardianship models, or more pragmatic forms of legal innovation and representation, the challenge is to create a space where the wolf's presence is not

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<sup>26</sup> Ojalammi and Blomley, “Dancing with Wolves,” 51.

<sup>27</sup> Ojalammi and Blomley, 59.

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merely tolerated but normatively recognized. In the Orobie, this means weaving together pastoral traditions, conservation science, European law, and artistic reflection into a social, cultural, political, economic, and legal fabric capable of sustaining genuine multispecies coexistence. In this sense, the wolf is not just a species recolonizing a mountain range. It is a question posed to law, to politics, and to culture: Can you imagine a community larger than the human? The answer remains open, but in Bergamo's mountains, the dialogue has already begun.

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## Biographical Notes

Dr. Marie Petersmann is assistant professor of law at LSE Law School in London. Her work lies at the intersection of international law, ecology, and critical theory. Her research focuses on the material, subjective, spatial, and temporal boundaries of socio-ecological harms, and explores what legal tactics and strategies can be construed to undo, disrupt, and refuse the juridical foundations of the global extractivist economy. She is the author of *When Environmental Protection and Human Rights Collide* (Cambridge University Press, 2022); co-author (with Julia Dehm, Afshin Akhtar Khavari, and Kathleen Birrell) of *Law and the Inhuman* (Cambridge University Press, 2025); and co-editor (with Dimitri Van Den Meerssche) of *Underworlds: Sites and Struggles of Global Dis/Ordering* (2026). Petersmann holds a PhD in international law from the European University Institute in Florence, and an LLM from the Graduate Institute in International and Development Studies in Geneva.