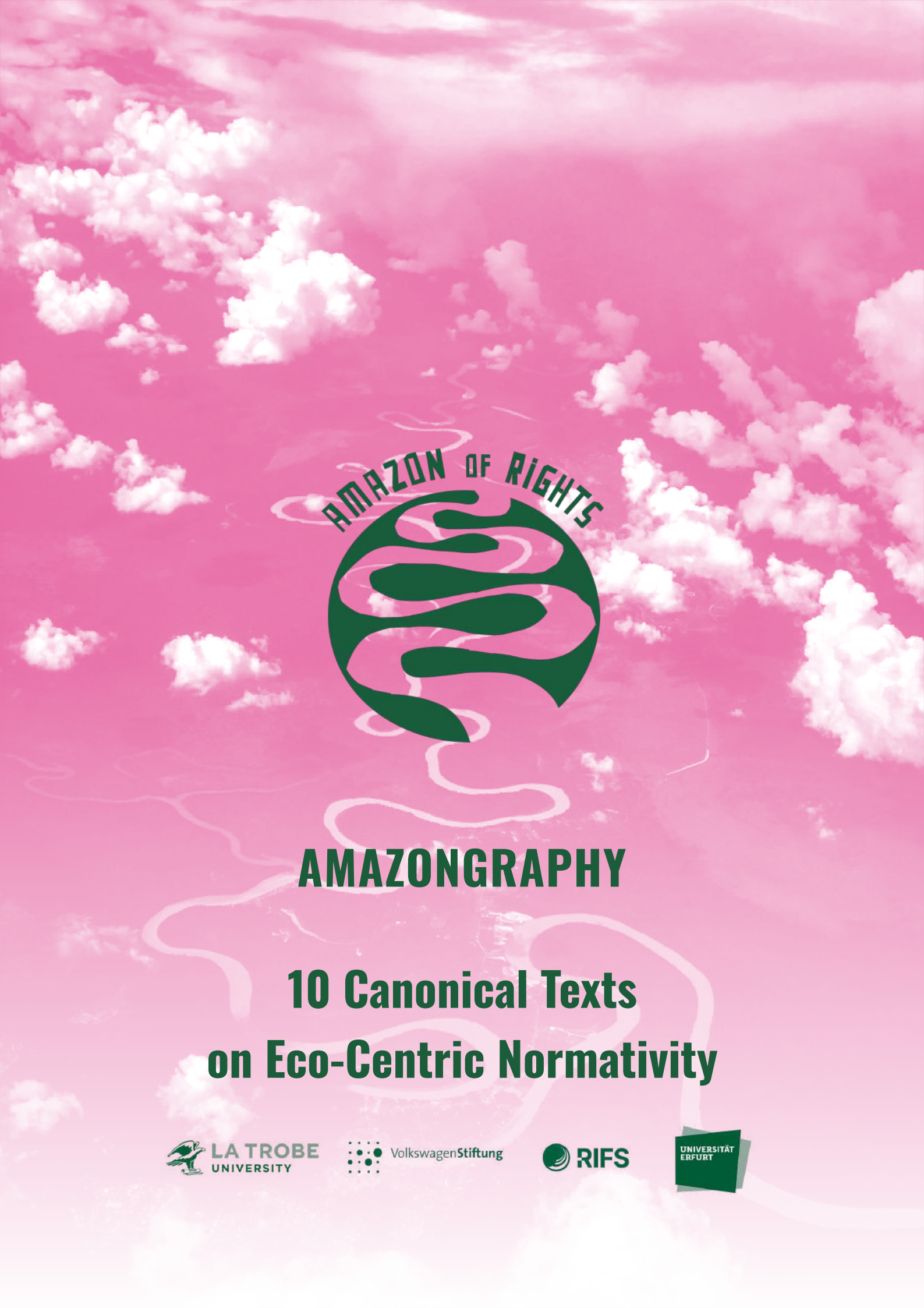

AMAZONGRAPHY

10 Canonical Texts on Eco-Centric Normativity

LA TROBE UNIVERSITY
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AMAZON OF RIGHTS PROJECT SUMMARY

The Amazon of Rights project explores how eco-centric normativity interacts with social realities in the Amazon River system, a critical ecosystem of global importance. Using comparative law and visual ethnographic methods, particularly documentary film, as socio-legal research tools, the project examines the legal status of the Amazon River as a subject and object of rights across different jurisdictions. It investigates how eco-centric norms shape and are shaped by the social practices and legal imaginations of local communities, Indigenous Peoples, activists, and legal practitioners. While Rights of Nature have been celebrated as a new eco-centric legal paradigm rooted in Indigenous cosmologies, local variations in normative understandings and practices remain underexplored. The project aims to capture this plurality of eco-centric normative orders, both within state-recognized frameworks like constitutions and case law, and in non-state, community-based practices that involve more-than-human entities.

For more on the project: amazonofrights.com

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1
INTRODUCTION

Life on Earth is changing rapidly due to the climate crisis, increasing biodiversity loss, and extreme pollution. Human action is one of the main drivers of these radical phenomena affecting the planet and life on it. In this scenario, there is a field at the intersection between law, humanities and the social sciences aiming to explore the relationships humans have with more-than-humans. Rather than maintaining a radical hierarchy between humans and more-than-humans, scholarship coming out of this field has been identifying a set of principles, norms, and political insights that are remapping this encounter. Eco-centric normativity, or the call for an attention to the planet and its multiple changing ecologies as the center of legal enquiry, has surfaced in these conversations as an important step forward to recalibrate humans and more-than-humans' interactions. This Amazongraphy[1] presents a selection of 10 canonical texts that explore the idea of eco-centric normativity. Before explaining the selection of texts, two important explanatory notes about this collection are required.

1. Within the context of the *Amazon of Rights* project, reports are termed 'Amazongraphies' in order to highlight the centrality of the Amazon, as constellation of relations between human and more-than-human entities in a territory that supersedes a limited and static geographical entity.

Although the traditional definition of 'canonical' relates to the function of a 'canon' – as the precepts that materialize perfect characteristics of a subset of norms – in this Amazongraphy this concept is used to refer to a selection of texts that are *influencing* the way of thinking within academia about the relationships between humans and more-than-humans. It presents 10 texts that have shaped and are shaping the way scholars in law, humanities and the social sciences are thinking about life in the planet.

The second explanatory point is about the term 'eco-centric normativity'. This Amazongraphy approaches this concept from the point of view of formal law and related norms as well as a varied range of power distributions among human and more-than-humans. In that sense, it explores texts that directly relate to the legal field—in a more traditional sense, as the norms created to regulate relationships—and others that explore broader definitions of agreements and arrangements used to govern a territory, a group of (humans and more-than-humans) subjects within it and the relationships within such space.

SELECTION CRITERIA

Three criteria are used to select and organize the pieces presented in this Amazongraphy. The first criterion is notoriety. There are a couple of texts included that are well-known by scholars and activists and have been used as inspiration for their work. The second criterion relates to the different approaches that are part of the idea of eco-centricity. Although the movement of Rights of Nature (RoN) is a fundamental piece of contemporary eco-centric normative debates, it is not the only approach to think about the relationships between humans and more-than-humans. For example, philosophical proposals created by Indigenous thinkers[2] or eco-systemic approaches to biodiversity are also important ways of thinking about the uses of the law that, although not framed under the RoN debates, offer critical ways to approach these relationships.

2. See, for example, Kopenawa (2015) and Krenake (2019, 2020, and 2022).

The third criterion relates to the geopolitical significance of texts. The eco-centric approach to law and regulations, based on a fluid relationship between humans and the more-than-human world, finds an important source in debates that have taken place in Ecuador. The Ecuadorian academia, social movements and civil society, being the first country in the world to recognize the right of nature in the country's constitution, have played a pivotal role in shaping the legal and political discourse on this subject. Hence, this Amazongraphy includes some of the most influential texts that have shaped the debate in Ecuador specifically, and in the Global South more broadly.

Concerning geographical considerations, the Amazongraphy also incorporated texts relating to the use of eco-centric ways of thinking in the Amazon region. However, despite the Amazon is a crucial ecosystem when thinking about the world and the relationships between humans and more-than-humans, there is little attention to eco-normativity and the RoN discourse about the Amazon region in socio-legal literature. Although certain areas of the Amazonforest[3] (such as in Colombia) and some Amazonian rivers (like in Peru) have been granted rights, scholarly production on these topics remains limited.

3. See, for example, Corte Suprema de Justicia en Colombia, STC 4360/2018 and Corte Superior de Justicia de Loreto, Notificación N° 157-2024-JM-CI.

This preliminary research finding suggests a potential for expanding socio-legal understanding regarding the implementation and translation of eco-centric normativity in an heterogenous territory

where many Indigenous and local communities, along with the more-than-human world, have developed interactive methods rooted in ecological thinking. Additionally, it underscores the importance of protecting the Amazon from the impacts of climate change to prevent the planetary ecological collapse.

OVERALL LESSONS

From the selection of texts presented in this Amazongraphy of Canonic Texts on Eco-Centric Normativity, two overarching lessons emerge for future research projects. Firstly, the concept of 'property' serves as the backdrop for debates about RoN and eco-centric normativity. While humans are significant actors with rights (including property rights), who should be considered in decision-making regarding the relationships between humans and the more-than-human world, RoN, Indigenous Peoples, and eco-centric movements challenge the absolute and universal interpretation of property. Property, and its associated rights and obligations, are fundamental drivers for the expansion of capitalism and the domination by the human world over the more-than-human.

There is an ongoing research imperative to explore in more detail the interactions between property, humans, and the more-than-human worlds. Particularly, contemporary property regimes need to be scrutinized and examined thoroughly to understand their impact on the recognition of rights and the inclusion of the more-than-human in an expanded juridical and ethical framework. Under this consideration, eco-centric approaches to normativity and property rights are deeply intertwined and should be studied together to advance the recognition and development of robust critical thinking.

The second lesson pertains to the philosophical and ethical domains and the pivotal role of individuals who must be central to eco-normativity. As evidenced in the following selection, Indigenous Peoples have played a fundamental role in shaping the field. However, the insufficient representation of these communities in existing sources does not adequately reflect their significance in providing concepts and frameworks that inform ways of thinking crucial for the implementation of RoN and beyond.

The importance of Indigenous Peoples in this process extends beyond mere representation; it encompasses their essential role in translating the eco-jurisprudence field into tangible reality. As exemplified by the case of the Sarayaku Indigenous Peoples in the Ecuadorian Amazon, one of the cases I will present in the following section, Indigenous involvement is essential for realizing eco-normativity justice and

projects that establish interconnectedness between humans and the more-than-human world through non-anthropocentric approaches. Many Indigenous Peoples possess knowledge on how to interact with nature in ways that acknowledge interconnections among beings and offer normative and ethical frameworks rooted in horizontal understanding. In some instances, legal claims for recognizing rights of the more-than-human world are based on these frameworks.

Moreover, as discussed further below, the question of political representation and agency regarding the more-than-human world can be addressed if Indigenous Peoples lead this process. Through strengthened rights frameworks and political representation, their voices can be safeguarded and granted prominence in the field.

2
CANONICAL TEXTS

1. NASH, RODERICK. *THE RIGHTS OF NATURE: A HISTORY OF ENVIRONMENTAL ETHICS*. MADISON, WIS: UNIVERSITY OF WISCONSIN PRESS, 1989.

Field: Legal philosophy, philosophical history.

While this book primarily focuses on the United States, it serves as a valuable resource for contemplating how researchers elsewhere can trace the evolution of a concept within religious and political contexts. The author delves into how the notion of rights of nature has been perceived and utilized within the U.S., examining its implications on political, ethical, and religious perspectives regarding humanity's relationship with nature. Although, currently, the primary discourse on this topic does not revolve around the United States, it's intriguing to consider how various regions have historically engaged in dialogues regarding human relationships with the more-than-human world, diverging from a solely anthropocentric perspective where humans reign supreme.

Two highlights from this text that are that are absent in the other pieces discussed. Firstly, the methodological approach and historical evaluation of philosophical thought are noteworthy. This text offers insight into how anthropocentrism evolved as a core value in Western societies, coexisting with alternative perspectives where humans are not the focal point of existence. Additionally, it explores how hierarchical interpretations within certain religious traditions contrast with other notions regarding these dialogues.

Moreover, the author raises an ongoing ethical dilemma: how to incorporate the significance of other more-than-human beings into the ethical discourse. According to Nash, this issue sparked a transformation within the U.S. legal and environmental movements,

transitioning from anthropocentrism towards a recognition of rights for more-than-humans. Notably, the author refrains from asserting ownership over the Rights of Nature movement as solely from the United States; rather, he suggests that while the U.S. may play a role, it does not monopolize the transformation of anthropocentric approaches within legal frameworks.

Secondly, the book also advances on demystifying the anthropocentric approach. This involves questioning the philosophical construct underlying anthropocentrism and revealing its narrative origins, particularly tracing back from Descartes. The text elucidates how the more-than-human world was objectified and depersonalized, ultimately becoming a mere object of study in scientific inquiry. This process, with political ramifications, instrumentalized nature, relegating it to a status of a thing that can be owned and exploited.

2. ACOSTA, ALBERTO, AND ESPERANZA MARTÍNEZ (COMP.) DERECHOS DE LA NATURALEZA. EL FUTURO ES AHORA. QUITO: EDICIONES ABYA-YALA, 2009.

Field: Political science, anthropology.

In this compilation, crafted amidst the discourse surrounding the Montecristi[4] constitutional process in Ecuador, the authors delve into the recognition of rights of nature. This book holds immense significance as one of the pioneering publications contemplating the endeavor of granting rights to nature. This report focuses on three chapters that propose significant advancements in the conceptualization of eco-centric normativity.

4. This is the name of the city in which the Ecuadorian Constitutional assembly took place.

Acosta presents an analysis of the process to include rights of nature within the Ecuadorian Constitution and the endeavors to address the tensions arising from individuals adhering to traditional legal conceptions while advocating for the inclusion of rights for the more-than-human world. Acosta posits that in Ecuador's case, nature already fulfills its obligations by sustaining life. Therefore, following the classic formula of legal schemes, recognizing its rights becomes imperative. This conception also acknowledges the intrinsic value of biodiversity and nature, expanding moral recognition akin to previous assertions made for humans. The author argues that part of this recognition process involves acknowledging that life and more-than-humans possess intrinsic value that warrants protection, independent of their positive effects on humans.

Nina Pacari's chapter is pivotal as it represents, unlike other publications, the perspectives of an Kichwa Indigenous leader and former judge of the Constitutional Court articulating her firsthand experiences. This chapter provides a direct presentation of Indigenous

proposals, devoid of translations by others. Pacari emphasizes the value of interconnection, drawn from Indigenous philosophical traditions, highlighting the relations between humans and the more-than-human world. This absence of separation among actors ultimately defines any intervention seeking to broaden legal conceptions to include other more-than-human beings.

Lastly, Esperanza Martínez's chapter delves into the relationship of RoN in Amazonian countries. Two elements are worth discussing here. Firstly, the notion of localizing this conversation within Amazon countries is intriguing, as it establishes connections among these regimes by intertwining two key elements. Martínez recognizes Indigenous communities across all Amazonian countries that do not organize their societies under the assumption of human supremacy over the more-than-human world. Secondly, she explores the constitutional reforms, in countries like Bolivia, Brazil, Colombia, and Ecuador, that included collective rights and environmental considerations. While not fully recognizing the more-than-human world, these reforms open avenues for legal and political imagination regarding diverse human interactions with other beings.

Additionally, Martínez employs legal historiography to explore the origins and tensions surrounding the movement for the recognition of the more-than-human world. She delves into Indigenous philosophical roots, in places like Colombia and Ecuador, while also examining ruptures within Western legal culture that traditionally perceives the more-than-human world as mere objects. Martínez explores the concepts created by the U'wa Indigenous peoples, a community that believes that the more-than-human world is also alive and each being is worthy of special protection and recognition of their rights.

3. CHRISTOPHER STONE, *SHOULD TREES HAVE STANDING? LAW, MORALITY, AND THE ENVIRONMENT.* NEW YORK: OXFORD UNIVERSITY PRESS, 2010.

Field: Legal philosophy, legal theory.

In this historical and renowned book, Stone proposes an approach to understanding the rights of nature based on the recognition of rights to trees. The author delves into the history of rights concepts and aims to address implementation dilemmas associated with recognizing rights to the more-than-human world.

At the core of Stone's book lies the fundamental question of how and why trees should be granted standing rights before courts, akin to humans. Emerging from the environmental law trajectory, Stone challenges the lack of recognition of rights to the more-than-human world by exploring the historical evolution of rights and how their expansion within Western legal culture has been a dynamic process. Stone illustrates that the recognition of rights to various subjects—such as Women and Black communities—has not followed a linear trajectory; rather, it has resulted from political mobilization and the acknowledgment that law is a social construct influenced by people's decisions regarding what they deem morally valuable and warrant protection through legal norms.

Stone presents compelling examples to elucidate historical expansions of rights recognition, including the struggles of black communities and women for equal rights compared to white, cisgender men. Moreover, he highlights the rights granted to non-humans, such as corporations, within Western legal cultures, illustrating that humans are not the sole entities with rights, but also legal constructs like companies.

Additionally, Stone explores the legal implications of recognizing legal personhood, or standing, to trees and the ensuing consequences of such a transformation. He employs the concept of a guardian, akin to its usage in other legal contexts, to illustrate how the more-than-human world can be represented within legal frameworks by humans advocating for their interests.

Stone's work has been foundational in the field for two primary reasons. Firstly, it represents the first theoretical construct within Western philosophy to explore the notion of granting rights and legal personhood to the more-than-human world. His endeavor is crucial as it allows scholars to recognize that legal personhood is part of a broader historical continuum of expanding moral norms. Secondly, it provides specific answers to procedural questions regarding granting legal personhood to trees—and from that process to other more-than-human beings.

The book significantly shapes the field's understanding of utilizing traditional legal approaches to expand the moral circle of interest and action to protect trees. Indeed, many legal decisions concerning the rights of nature have drawn from Stone's arguments and his framing of the expansion of legal rights to include humans. While Stone's approach may lack a thorough critique of anthropocentrism and the unequal human-more-than-human world relationships, his work initiates discussions on the importance of protecting the more-than-human world and the moral value of recognizing trees as subjects of the law. Hence, the text stands as a milestone in scholarly conversations on granting rights to the more-than-human world while acknowledging that the law, as an instrument of intervention, has not always been equally protective of all beings.

4. CULLINAN, CORMAC. *WILD LAW: A MANIFESTO FOR EARTH JUSTICE.* CAMBRIDGE: UIT CAMBRIDGE, 2011.

Field: Legal philosophy.

Although not directly related to the idea of the "rights of nature," this text has influence ways in. which parts of the movement work such as the Global Alliance for the Rights of Nature (GARN).[5] In this text, Cullinan argues that legal regulations should first understand the earth, its rules, and governance system before imposing a preconceived understanding of how environmental issues should be addressed. In this sense, this piece provides a similar umbrella to the one opened by Stone when considering the legal representation of trees as subjects within legal cases. From this text, two main issues stand out that are directly related to the project of eco-centrism and collective understandings of the relationship between humans and more-than-humans.

5. To learn more about GARN see: https://www.garn.org/

The first issue pertains to how to use it to think about the Amazon region. The Amazon region, within many national and international jurisdictions, is often represented misunderstood. One of the most prevalent misconceptions is the idea of conceiving the Amazon region and its regulations solely based on nation-state frontiers. However, many regulations require an eco-systemic approach, necessitating that regulations for the Amazon Forest reflect the flows, connections, and desires inherent to the forest itself, rather than strict nation-state boundaries. In this project, by placing the Amazon at the center and reflecting from within, researchers, for example, need to consider how rivers are interconnected and the socio-environmental connections that sustain life within it. Essentially, the concept of *wild law* and its implementation in the Amazon must consider that legal regulations must be crafted while considering the specificities of the more-than-human beings being regulated, rather than solely the political and legal impacts of humans who do not represent the more-than-human world.

The second issue relates to how to contemplate eco-centric approaches and their consequences for regulations. Embedded within the eco-centrism approach is the idea that the law and regulations governing the relationships between humans and more-than-humans should prioritize the environment they aim to regulate.[6] Echoing Cullinam's idea, approaches to legal thinking must satisfy the needs and desires of the more-than-human environment being regulated.

This proposal presents a new paradigm for human action, inviting humans to inhabit a different space. Instead of being the arbiters who dictate how to regulate the more-than-human world, under this approach, the more-than-human world becomes the source of regulation. By shifting the epistemological power dynamics, this text allows researchers to contemplate from a different perspective, one where the human experience must be set aside to think with and from the more-than-human beings. The methodologies and their consequences of this regulation principle are part of a broader research and activism endeavor that recognizes the power and necessity of involving the more-than-human world in the legal and political frameworks that arise from this approach.

6. Part of this debate is also explored on his concept of *earth jurisprudence* as a category that creates a legal and governance philosophy based on the idea that humans are an important part but, only one part of the earth community. To learn more about this proposal, read Cullinan, Cormac (2023). *Earth Jurisprudence*. In Nathanaël Wallenhorst & Christoph Wulf (eds.), Handbook of the Anthropocene. Springer. pp. 563-568.

5. BOYD, DAVID R. *RIGHTS OF NATURE: A LEGAL REVOLUTION THAT COULD SAVE THE WORLD*. TORONTO: ECW PRESS, 2017.

Field: Legal philosophy, law doctrine.

Boyd's text was a significant contribution to legal doctrine. His book was specifically crafted to intervene in legal scenarios where discussions about granting rights to the more-than-human world are often met with resistance. However, the author's aim was not to propose recognition but to showcase that legal representation of more-than-human beings was already a movement underway in various jurisdictions. Rather than making a proposal for recognition, the book sought to compile existing cases and norms from different countries and illustrate how they echoed the more-than-human movement.

From this book, there are several noteworthy contributions that shed light on the academic and political questions within the sphere of RoN and eco-centric normativity. Boyd explores the use of law as a tool to address the various catastrophes facing the planet and the more-than-human world. Following a longstanding tradition of scholars, Boyd critiques the moral duties that underpin our understanding of the world. Thus, employing legal tools in this context becomes crucial as a valid mechanism to promote a different perspective on the relationships between humans and more-than-human beings. Through legal transformation, concepts like anthropocentrism and property are challenged, signifying a symbolic shift even if the instrumental impacts of norms on the ground are not immediately evident.

Like other authors in the field, Boyd acknowledges that many communities exist within political scenarios where property and anthropocentrism are not the defining values of their legal and political systems. By presenting the perspectives of Indigenous thinkers, Boyd argues that many Indigenous societies do not adhere to an

anthropocentric organization of the world; instead, they view themselves as interconnected with the more-than-human world. In this sense, the Western divide between humanity and other beings is far more porous, sometimes nonexistent.

Another aspect related to eco-centric normativity is authority and the connections between different fields. Boyd asserts that an eco-centric approach to law is necessary due to shifts in Western sciences' understanding of the more-than-human world. Scientific advancements, such as those explaining interconnections between animals, and the reduction of human exceptionalism challenge the law to reflect these changes. Boyd contends that legal recognition of the more-than-human world lags scientific advancements, necessitating an update in legal sciences to align with empirical realities.

Like Kauffman and Martin, two authors that published another book commented in this text, Boyd's book aims to gather various legal case studies across three fields: rights of animals, rights of species, and rights of nature, three different subfields in the general field of the more-than-human law. By encompassing these cases under the umbrella of Rights of Nature, the author strengthens the field, demonstrating that at different junctures, there is a questioning of human supremacy over other beings and the notion of the more-than-human world as mere property.

6. KAWSAK SACHA PROJECT. SARAYAKU INDIGENOUS PEOPLES. *THE LIVING FOREST DECLARATION.*

Field: Indigenous studies, legal philosophy.

The Kichwa Indigenous Peoples of Sarayaku are pivotal figures in the global expansion of the discourse on rights to the more-than-human world. In this declaration, the Sarayaku present their project of recognizing their territory as a living entity and the implications this holds for fundamental issues like governance and decision-making processes. Due to its significance within the socio-environmental field, the declaration serves as a cornerstone in current deliberations on classifying nature as a living entity.

The declaration is commented in this selection for three main reasons. Firstly, it serves a political purpose in acknowledging that Sarayaku Indigenous thinking has been and continues to be a cornerstone in the exploration of non-Western conceptions of law. Rather than solely an academic endeavor, many Indigenous peoples have been formulating ways to reduce the anthropocentric approaches embedded in Western regulations governing relationships between humans and more-than-humans. In this regard, academia should adapt to engage directly with and pay greater attention to the proposals already in existence, aiming to create alternative ways of interaction among humans and the more-than-human worlds.

Secondly, this declaration originates from an Amazonian community, and the Sarayaku aim to extend this project beyond the territory legally recognized as theirs. The way the declaration conceptualizes relationships between humans and more-than-humans represents an ancestral project in which the frontier between human and more-than-human is more porous or not based on a hierarchical interpretation where humans wield more power than non-humans. As exemplified by the Sarayaku people, constant communication and interaction with the more-than-human world form the primary considerations in defining

the regulation of this process. Western law, enforced by the colonial powers over territories like the Amazon region, disregarded existing methods of regulating relationships among multiple beings. However, colonial powers imposed and enforced one way of thinking about law, power, and human centrism to define the status of more-than-human beings.

Lastly, this declaration transcends the realm of merely defining the rights of nature. The Sarayaku philosophy, as depicted in this text, surpasses the Rights of Nature and paves the way for systemic understandings of the world in which the more-than-human world has direct interactions with humans. When considering the human component of the declaration, the next step after recognizing the aliveness of the more-than-human world is the process of empowering the Sarayaku to participate in more-than-human decision-making processes. The Sarayaku conception of the forest and their relationship with it entails a different approach to decision-making, where the more-than-human and human worlds co-participate.

However, as a decision-making technique not recognized beyond their territory, questions remain regarding how to achieve this goal and what specific transformations are necessary. This process can be facilitated by radically considering the power of Indigenous People. Being the Sarayaku the humans who have inhabited their territory the longest, who have developed regulatory mechanisms shaped by interactions with the forest, and who have inspired much of the socio-environmental movement in Ecuador, this declaration is a significant body of work that warrants systematic exploration and integration into other branches of the law.

7. LACERA, LUIZ (ORG.) *DIREITOS DA NATUREZA. MARCOS PARA A CONSTRUÇÃO DE UMA TEORIA GERAL.* SÃO LEPOLDO: OBSERVATÓRIO NACIONAL DE JUSTIÇA SOCIOAMBIENTAL LUCIANO MENDES DE ALMEIDA – OLMA, 2020.

Field: Political science, socio-legal studies.

This book compiles a series of articles by Brazilian scholars, public bureaucrats, and activists reflecting on the implementation and uses of the field of rights of nature in Brazil. It presents a series of questions and dilemmas regarding granting rights to nature and the environment within the Brazilian jurisdiction. Besides being a valuable piece for reflecting on how the field is evolving in the legal discourse in Brazil, this book is important for this debate for two reasons.

Firstly, it aims to address the question of how and what constitutes the field of rights of nature in Brazil. Given that Brazil holds the largest portion of the Amazon Forest, the country plays a pivotal role in making decisions that will impact the forest's future. While other Amazonian countries are also significant, it is essential to recognize that discussions on the future of the Amazon must engage directly with Brazil, which defines the normativity surrounding the forest.

Secondly, like some pieces from the Global Alliance for Rights of Nature, this book is presented as a compendium of reflections by individuals, that come from social sciences and the law, interested in exploring the

effects of rights of nature in Brazil. The scholarship provided in the book is directly linked to a group of people working towards the recognition of the field within the country.

This collective element presented in the book is tied to a methodological decision used in the book and, more generally, in many pieces within the field. The book comprises a series of case studies[7] exploring decisions and sites where the process of recognizing the rights of nature can be observed. While this detailed exploration unveils elements only visible through direct investigation, it struggles to offer a broader view of the field's trends and conversations, hindering the ability to envision an eco-centric approach where more-than-human beings are centered.

7. Some of the case studies mentioned in the book are the legal case of the Xingu River, the Whanganui River, the Xukura Indigenous Peoples and the Bonito case.

In addressing this, one chapter aims to provide a general theory of rights of nature. Following the Western cultural tradition of defining the principles of a field, this chapter presents five main principles constituting the field: harmony with nature, interdependence, reciprocity, complementarity, and common good.

Finally, the role of the Ecuadorian constitution and the legal constructs that transpired in the country are also reflected in this book. It acknowledges Ecuador's central role in the field and the dissemination of its ideas, which have influenced how and why the law and the recognition of rights of nature—originating from non-Western traditions—are being incorporated into Western regimes. According to the book, this legal transformation follows the historical trend in Latin America, starting in the 1980s with constitutions (such as Brazil's) recognizing multiculturalism, leading to a phase where individual and collective rights are acknowledged from a multicultural perspective. The recognition of rights of nature, initiated in Ecuador, represents the next step in this legal evolution.

8. KAUFFMAN, CRAIG M., AND PAMELA MARTIN. *THE POLITICS OF RIGHTS OF NATURE: STRATEGIES FOR BUILDING A MORE SUSTAINABLE FUTURE.* CAMBRIDGE, MASSACHUSETTS: THE MIT PRESS, 2021.

Field: Political Science.

One of the central inquiries in the field of eco-centric norms revolves around the impact of recognizing rights for the more-than-human world. This book, penned by two political scientists, maps the global recognition of the rights of nature,[8] signifying the process aimed at acknowledging rights for more-than-human beings—encompassing nature as a whole or specific ecosystems. Published in 2021, their research identifies at least 178 legal norms that have incorporated rights of nature in their texts. This comprehensive analysis is significant for the field as it not only gathers global data but also explores case studies in Bolivia, Ecuador, New Zealand, and the United States, offering various hypotheses on how and why the idea of RoN has expanded worldwide.

Furthermore, the book addresses an intriguing aspect of the RoN subject. As a burgeoning field, the authors delineate the distinction between movements recognizing rights for nature and those advocating for rights to specific ecosystems, such as rivers and forests. This theoretical and practical divergence is crucial for distinguishing the

8. To learn more about the jurisprudence related to rights of nature, see: https://ecojurisprudence.org/

myriad actions formulated to broaden the moral circle of care and respect for the more-than-human world, as these concepts often overlap, leading to theoretical and practical complexities.

Regarding definitions, the book proposes significant contributions to the understanding and concretization of RoN. The authors delineate two distinct processes classified under the same terminology. Firstly, RoN pertains to a philosophical proposition associated with the earth jurisprudence movement. Within this framework, nature is not considered property but a subject with moral value akin to humans. This philosophy, rooted in Indigenous theories, seeks to diminish anthropocentrism by asserting the equal importance of the more-than-human world, consequently reducing commodification and human ownership. As posited by Cormac Cullinan, legal norms should not merely reflect human conceptions but be co-created with the more-than-human world, considering their inherent existence before formulating exclusive human-created legal norms.

Secondly, RoN embodies a concept used to denote legal provisions translating RoN philosophy into practice. This sphere encompasses the norms that grant rights to the more-than-human world, including constitutional recognition of nature as a subject of rights (e.g., Ecuador and Bolivia), legal decisions granting rights to specific ecosystems (e.g., Colombia and India), and national acts recognizing rights to the more-than-human world (e.g., New Zealand).

This book is included in this selection for two primary reasons. Firstly, it strives to explore the RoN movement from a multifaceted perspective. Rather than solely delving into theoretical discourse, it offers fieldwork-based insights into the cases and contexts where these debates have transpired. Secondly, the book endeavors to present a broader view of the field by showcasing the diverse forces converging under the RoN umbrella. It demonstrates how Indigenous perspectives, environmentalist law, and other stakeholders are collaboratively working to expand RoN philosophy and norms across different scenarios. Ultimately, as posited by the authors, this juridical and philosophical movement serves as a response to the urgent climate crisis faced by humanity and the more-than-human world.

9. GRIJALVA, AGUSTÍN. DERECHOS DE LA NATURALEZA Y DERECHOS HUMANOS. QUITO, ECUADOR: *ECUADOR DEBATE N. 116*, 2022. PP- 43-58.

Field: Political science, legal philosophy, jurisprudence.

There are two prominent questions in the field of eco-normative concerning the role humans occupy in this context and the relationship of this legal framework and inquiry with existing frameworks that could positively impact the protection of the more-than-human world.

Addressing the first question, Grijalva's scholarship delves into the debate on humans as one among many beings that coexist in the world. He emphasizes the crucial need to challenge the notion of human centrality, advocating instead for an understanding of humans as interconnected with the more-than-human world. By breaking away from the belief in human superiority, legal thinking can expand to recognize the importance of other beings at a similar level of significance.

The second question is more strategic. Throughout the 20th century, the most significant legal constructs and advancements have revolved around human rights. Grijalva questions what aspects of this discourse could be beneficial for implementing RoN. Rather than viewing human rights and RoN as conflicting domains, he suggests they are interdependent fields that can achieve greater goals if seen as such: humans require the more-than-human world to thrive, and conversely, the more-than-human world relies on humans for protection.[9]

9. Agustín Grijalva is a former Judge at the Ecuadorian Constitutional Court. During his period, Grijalva draft the ruling about Los Cedros Clouded Forest. To learn more about the legal decision, see: https://ecojurisprudence.org/initiatives/los-cedros/

To develop this thesis, Grijalva examines the universal recognition of the more-than-human world and analyzes jurisprudence from the Ecuadorian Constitutional Court. It is important to note Ecuador's geographical significance in the realm of eco-normativity. As noted by other authors in this selection, Ecuador was the first country to constitutionalize rights for the more-than-human world—specifically, the rights of *Pachamama* or nature. Alongside constitutional recognition, the Constitutional Court has played a pivotal role in interpreting the RoN constitutional clause and delineating its implications for human rights.

Grijalva argues that the RoN offers a systemic vision for the relationship between human and more-than-human rights. Protecting the more-than-human world is integral to safeguarding human rights, and vice versa. He explores how clauses commonly used in the human rights field, such as sustainability, can be interpreted systematically when viewed alongside the more-than-human world.

However, there is a crucial aspect of these discussions that requires deeper interpretation: the intercultural dimension of RoN interpretation. While the concept of the more-than-human world originates from cultural contexts where anthropocentrism is not the defining factor, there is a need for a more comprehensive understanding of the intercultural interpretation. This entails exploring how philosophical interpretations from non-majoritarian societies influence the law and its elements. As part of the field, it is fundamental to follow, and expand, the ethnographic approaches[10] and the actions towards the understanding of how these relationships are established and the networks of communication and translation involved in intertwining human and more-than-human worlds.[11]

10. See, for example, Vargas-Roncancio, I. D. (2024). *Law, humans and plants in the Andes-Amazon: the lawness of life*. Routledge. https://doi.org/10.4324/9781003349426 and García Ruales, J. (2024). Forest moralities, kindred knowledge and Sacha Runakuna: Kawsak Sacha as law. *The International Journal of Human Rights*, 1–25. https://doi.org/10.1080/13642987.2024.2362837

11. See for example: Ecuadorian Constitutional Court (2022). Ruling No. 273-19-JP/22

10. TÃNÃSESCU, MIHNEA. *UNDERSTANDING THE RIGHTS OF NATURE: A CRITICAL INTRODUCTION*. BIELEFELD: TRANSCRIPT VERLAG, 2022.

Field: Legal philosophy.

In this book, the author presents a critical perspective on the use of the legal system for more-than-humans, or as he calls them non-human entities. Two main critiques emerge: questioning the effectiveness of employing legal language for environmental protection and challenging the utilization of legal mechanisms in the proliferation of capitalist modes of production. The author contends that RoN are better contextualized within the framework of capitalist expansion and the resultant pressure on environmental areas, rather than as a movement for rights expansion.

The text aims to offer a critical assessment of the movement. Indeed, the author's objective is to illustrate that under the banner of RoN, various types of cases and interventions have been amalgamated, leading to conceptual difficulties because not all cases are identical, and the protection of rights varies from case to case. While acknowledging the importance of terminology, it is unclear how this approach overlooks the possibility of consolidating all these legal transformations into a unified political process.

Simultaneously, the book puts forth two overarching critiques. Firstly, it criticizes the use of legal language to instigate a revolution. According to the author, leveraging the law is an ineffective tool for achieving the political transformations necessary to address the contemporary crisis stemming from the expansion of liberalism and the climate crisis. Thus, the efficacy of the legal transformation initiated under the banner of RoN is called into question and dismissed as a useful mechanism to tackle the global crisis.

The second critique pertains to the tendency to lump together disparate approaches and legal changes under the same category. Instead of viewing these legal changes as a monolithic entity, researchers and practitioners should undertake more specific evaluations of the types of cases and actions facilitated by different political and legal actors across distinct jurisdictions.

Consequently, Tãnãsescu advocate for a departure from the use of legal tools and a shift towards focusing conservation efforts on political mobilization that challenges human supremacy within the ethical and political framework. At the core of this political mobilization lies the question of who will represent nature. This issue of representation is central to the distribution of power because the entity representing nature will dictate the permissible interactions and interventions between humans and non-human entities. Thus, the process becomes more nuanced as the debate extends beyond legal configurations aimed at transforming the law to encompass broader political questions surrounding representation and agency within the more-than-human world. As discussed in other texts included in this collection, the debate transcends legal transformation and emphasizes reshaping relationships between different actors in a less hierarchical manner.

CREDITS

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