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- of the Red Cross 98 (1 (Special Issue on War in Cities): 107–45. <https://doi.org/10.1017/S1816383116000552>.
- Schillinger, Juliane, Gül Özerol, Şermin Güven-Griemert, and Michiel Heldeweg. 2020. “Water in War: Understanding the Impacts of Armed Conflict on Water Resources and Their Management.” *WIREs Water* 7 (6). <https://doi.org/10.1002/wat2.1480>.
- Shumilova, Oleksandra, Klement Tockner, Alexander Sukhodolov, et al. 2023. “Impact of the Russia–Ukraine Armed Conflict on Water Resources and Water Infrastructure.” *Nature Sustainability* 6 (5): 578–86. <https://doi.org/10.1038/s41893-023-01068-x>.
- Tabor, Ruby, Naser Almhawish, Ibrahim Aladnan, et al. 2023. “Disruption to Water Supply and Waterborne Communicable Diseases in Northeast Syria: Apatiotemporal Analysis.” *Conflict and Health* 17 (1): 4. <https://doi.org/10.1186/s13031-023-00502-3>.
- Tignino, Mara, and Öykü Irmakkesen. 2020. “The Geneva List of Principles on the Protection of Water Infrastructure: An Assessment and the Way Forward.” *International Water Law* 5 (2): 3–104.
- United States Department of Defense (US DoD). 2023. “Civilian Harm Mitigation and Response.” In *DoD Instruction 3000.17*. US DoD.
- Wille, Christina. 2016. “The Implications of the Reverberating Effects of Explosive Weapons Use in Populated Areas for Implementing the Sustainable Development Goals.” In *UNIDIR Resources*. UN Institute for Disarmament Research.
- Wille, Christina, and Alfredo Malaret Baldo. 2021. *Reference Framework: Menu of Indicators to Measure the Reverberating Effects on Civilians from the Use of Explosive Weapons in Populated Areas*. UN Institute for Disarmament Research.
- Zeitoun, Mark, and Michael Talhami. 2017. “The Impact of Explosive Weapons on Urban Services: Direct and Reverberating Effects Across Space and Time.” *International Review of the Red Cross* 98 (1 (Special Issue on War in Cities): 53–70. <https://doi.org/10.1017/S1816383117000157>.
- Talhami, Michael, and Mark Zeitoun. 2021. “The Impact of Attacks on Urban Services II: Reverberating Effects of Damage to Water and Wastewater Systems on Infectious Disease.” *International Review of the Red Cross* . 102 (915): 1293–1325. <https://doi.org/10.1017/S1816383121000667>.
- Zeitoun, Mark, and Michael Talhami. 2023. “Armed Conflicts Spread Contaminated Water and Disease: Here’s How to Better Protect Civilians.” March 17. <https://www.justsecurity.org/85514/armed-conflicts-spread-contaminated-water-and-disease-heres-how-to-better-protect-civilians/>.
- Zwijnenburg, Wim. 2023. *Uninhabitable? The Reverberating Public Health and Environmental Risks from the War in Gaza*. PAX.

Rights of Nature

Cormac Cullinan and Elena Kavanagh

Rights of Nature refers to the inherent rights of natural entities, such as ecosystems, rivers, forests, animals and plants, and of Earth as a whole, including the rights to exist, regenerate, and thrive. The recognition of these rights positions the holders as legal subjects rather than objects and creates corresponding human duties to respect and protect all inherent rights, including those of humans.

Rights of Nature is an application of the legal philosophy known as “Earth jurisprudence” which proposes that the primary purpose of legal systems should be to guide humans to contribute to the ecological integrity, health, and functioning of the Earth community, and not to legitimize and facilitate its exploitation by humans (Cullinan 2002). This perspective is reflected in the Universal Declaration of the Rights of Mother Earth, adopted in Cochabamba, Bolivia on April 22, 2010, which provides a context for species-specific articulations of rights such as the Universal Declaration of Human Rights.

This concept gained prominence in the 21st century, particularly after Ecuador incorporated Rights of Nature in its 2008 Constitution as a means of achieving the societal aspiration of “good living” (*buen vivir* in Spanish and *sumak kawsay* in Quechua). This means living a full life of dignity, plenitude, balance, in harmony with Nature and people, based on unity, solidarity, and empathy (Gudynas 2011). Indigenous Peoples have been key advocates for Rights of Nature, which they see as largely consistent with their understanding that humans are part of Earth and have responsibilities to the other beings and ecological communities that sustain all life.

Within **environmental peacebuilding**, the Rights of Nature movement offers an ecocentric perspective, i.e., that lasting **peace** requires promoting harmonious coexistence within Nature that focuses not only on relationships with other people, but also with the other beings that constitute the Earth community (Allen et al. 2019; Gladwin et al. 1995; Purser and Montuori 1996; Purser et al. 1995). The recognition that humans are members of an indivisible, living community of interrelated and interdependent beings gives rise to a relational approach and a focus on **restorative justice**, which seeks to heal dysfunctional relationships that give rise to exploitation and **conflict** (Llewellyn 2012). This approach challenges the anthropocentric legal objectification of Earth as a collection of **natural resources** available for exploitation, resists capitalist commodification of Nature, and prioritizes the flourishing of life over increasing economic growth.

In practice, this rights-based approach clarifies why it is inappropriate for decisions that have a significant impact on the vitality of Earth to be made on economic criteria by markets, property owners, and those who have acquired great wealth through exploiting Earth. It also reinforces the rights of Indigenous and local communities to protect their territories from exploitation, and positions activists as defenders of fundamental inherent rights instead of criminalizing them for infringing on property rights (e.g., trespass). The soft **power** that comes with adopting Nature’s legal standing can also serve as an “institutionalized bridge,” translating symbolism into institutionalization (Putzer et al. 2022). This can significantly promote ecological justice and pave the way for a more profound and lasting peace through the established nexus between ecosystems and **peacebuilding** (Weinthal et al. 2011; Krampe 2017). For example, the legal recognition of the Whanganui River in Aotearoa New Zealand as a living entity with rights has not only advanced environmental protection but also contributed to reconciliation processes between the Crown and the Māori, affirming Indigenous cosmologies and strengthening **Indigenous Rights** and **social cohesion** (Cribb et al. 2024). This case illustrates how Rights of Nature can operate as a transformative legal and political tool that links ecological **sustainability** with peacebuilding and justice. At the same time, important challenges remain. Translating recognition into effective enforcement is often undermined by weak institutions, political resistance, and competing development priorities. Tensions also arise when ecocentric approaches confront entrenched anthropocentric legal systems or state-driven economic agendas, creating risks of tokenism and co-optation. Yet despite these obstacles, the incorporation of Rights of Nature into peacebuilding processes broadens the horizon of possibility, reframing peace as dependent not only on human coexistence but also on the flourishing of ecosystems that sustain life.

Applications across disciplines include law and legal theory, political theory and change, **climate change**, ecology and the protection of **biodiversity**, and Indigenous rights. Recognizing the rights of Nature provides both philosophical understandings and practical tools to heal dysfunctional relationships between humans and the ecological communities that sustain us. It also contributes to the protection and flourishing of ecosystems, which is essential to long-term peace and stability.

References

- Allen, Stephen, Ann L. Cuniffe, and Mark Easterby-Smith. 2019. "Understanding Sustainability Through the Lens of Ecocentric Radical-Reflexivity: Implications for Management Education." *Journal of Business Ethics* 154 (3): 781–95. <https://doi.org/10.1007/s10551-016-3420-3>.
- Cribb, Miriama, Elizabeth Macpherson, and Axel Borchgrevink. 2024. "Beyond Legal Personhood for the Whanganui River: Collaboration and Pluralism in Implementing the Te Awa Tupua Act." *The International Journal of Human Rights* February: 1–24. <https://doi.org/10.1080/13642987.2024.2314532>.
- Cullinan, Cormac. 2002. *Wild Law*. Siberink.
- Gladwin, Thomas N., James J. Kennelly, and Tara-Shelomith Krause. 1995. "Shifting Paradigms for Sustainable Development—Implications for Management Theory and Research." *Academy of Management Review* 20 (4): 874–907. <https://doi.org/10.2307/258959>.
- Gudynas, Eduardo. 2011. "Buen Vivir: Today's Tomorrow." *Development* 54 (4): 441–47. <https://doi.org/10.1057/dev.2011.86>.
- Krampe, Florian. 2017. "Toward Sustainable Peace: A New Research Agenda for Post-Conflict Natural Resource Management." *Global Environmental Politics* 17 (4): 1–8. https://doi.org/10.1162/GLEP_a_00431.
- Llewellyn, Jennifer. 2012. "Integrating Peace, Justice and Development in a Relational Approach to Peacebuilding." *Ethics and Social Welfare* 6 (3): 290–302. <https://doi.org/10.1080/17496535.2012.704386>.
- Purser, Ronald E., and Alfonso Montuori. 1996. "Ecocentrism Is in the Eye of the Beholder." *Academy of Management Review* 21 (3): 611–13. <https://www.jstor.org/stable/258993>.
- Purser, Ronald E., Changkil Park, and Alfonso Montuori. 1995. "Limits to Anthropocentrism: Toward an Ecocentric Organization." *Academy of Management Review* 20 (4): 1053–89. <https://doi.org/10.2307/258965>.
- Putzer, Alex, Tineke Lambooy, Ignace Breemer, and Aafje Rietveld. 2022. "The Rights of Nature as a Bridge between Land-Ownership Regimes: The Potential of Institutionalized Interplay in Post-Colonial Societies." *Transnational Environmental Law* 11 (3): 501–23. <https://doi.org/10.1017/S2047102522000334>.
- Weinthal, Erika, Jessica Troell, and Mikiyasu Nakayama. 2011. "Water and Post-Conflict Peacebuilding: Introduction." *Water International* 36 (2): 143–53. <https://doi.org/10.1080/02508060.2011.561772>.