



# FROM PROPERTY TO PERSONHOOD

## Animal Rights, Nature's Rights, and the Law

**Note:** This is a short summary prepared for COP16 in Cali of a comprehensive publication for which Brighter Green is currently soliciting feedback. Publication is planned for early 2025. Access the current draft (in English only) [here](#).

Through *From Property to Personhood*, Brighter Green seeks to offer a resource that expands dialogue and cooperation between the theory and praxis of the rights of Nature and the rights of animals. Scholars and advocates envision that by providing Nature and nonhuman animals with a “voice” in a court of law, in legislation, or a policy provision, Nature and animals’ interests would (at the least) be acknowledged and, ultimately, harm to them would be reduced or stopped altogether.

We explore how animal rights and rights of Nature theories and practice complement and differ from one another, and explore how legal advocacy on behalf of animals and Nature have affected courts, constitutions, and municipalities around the world. The paper also includes many case examples from a variety of nations, jurisdictions, and institutions to highlight convergent and divergent theoretical and legal foundations (e.g., Ecuador, Colombia, India, New Zealand, and U.S.).

As radical as some of the shifts that could stem from a rights-based approach may appear, it is Brighter Green’s contention that biodiversity loss, a recent

and possible future pandemic, the intensifying climate crisis, growing disruption to human and nonhuman societies due to an extractivist model of economic development, require just such a radical rethinking of our exploitation of animals and Nature, as much as for the continuation of civilization as for the survival of life on Earth.

The paper centers five key issue areas where the rights of Nature and the rights of animals intersect and that could—and should—be the subject of joint legal, policy, and constitutional advocacy now and into the future. These are:

- Land-based industrial animal agriculture
- Industrial fishing and aquaculture
- Preventing pandemics and zoonoses, and protecting human-nonhuman habitat boundaries
- The trade in wildlife (illegal and legal)
- Establishing personhood for wild individuals and ecosystems while ending the captivity of keystone species



At the heart of all these issues are also human communities with their own struggles for their rights to be acknowledged.

Indigenous worldviews, beliefs, and activism are central to many contemporary rights of Nature struggles and ideas about our responsibilities toward other animals. This is the case even though Indigenous visions of humans' relationship of mutuality or kinship with animals and Nature predate the movements for Nature's rights and animal rights by centuries. Some Indigenous cosmologies may not be fully compatible with a Western rights-based legal approach.

In our view, however, Indigenous cosmologies and contemporary environmental and animal rights theories are more aligned than not. This acknowledgement should encourage additional scholarly, jurisprudential, and political cooperation for securing the rights of Indigenous communities and nonhumans, wherever common objectives are shared. This cooperation could include campaigns to protect critical species, habitats, and natural resources like water; and end destructive practices such as industrial animal farming (on land and in marine environments) and the wildlife trade.

Of course, efforts to further the rights of Nature and the rights of animals are subject to political pressures, current and future economic anxieties, fear of loss of access to resources, and the

demands of those who worry that extending legal protections for animals and Nature will further limit their human or property rights.

At the same time, all human legal, economic, and governance structures are subject to the immutable laws of Nature. The ongoing climate catastrophe, the waves of zoonoses, and instability and inequality are straining these structures to breaking point. Unless we cease our heedless exploitation of animals and Nature, those legal, economic and governance structures will collapse. Ironically, over the long term, the only beneficiaries of the mass suffering that would occur may be Nature and the animals themselves. But that is not a pathway most of us would choose.

**Brighter Green** is a public policy action tank dedicated to raising awareness and driving policy change on critical issues at the intersection of the environment, animal welfare, and sustainability. Headquartered in New York, we operate in the U.S. and globally, with a particular focus on the countries of the global South. We are committed to promoting equity and expanding rights across all our efforts.

*Photo of river by [kazuend](#) on [Unsplash](#)*