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Granting Legal Personhood to entities of nature in an attempt to promote biodiversity?

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ABSTRACT

With the world being preoccupied with the pandemic, other pressing issues such as global warming and the thinning of the ozone layer seem to have faded in the backdrop. However, it is worth noting that there might be a common natural remedy to these issues, and proponents of change have suggested awarding legal personhood to nature's entities. This essentially means entitling nature to the ability to hold rights and therefore vesting nature and its features with their legal personality. The practice of entitling nature to its legal personhood has been adopted by Western countries, namely Australia and America.

If nature and its entities were construed as legal subjects rather than legal objects, this might have a deferential impact on how humans interact with them. Everyday objects which could be endowed with legal subjectivity could be rivers, forests and even animal species and entitling these elements of nature with their rights would enable them to have the right to their ecological wellbeing and biodiversity. This will allow them to defend or be represented in a court of law against harms such as environmental degradation, contributing to the paradigm of preserving and protecting our biodiversity for future generations to come.

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