

# POTENTIALITIES OF THE SOCIETY OF HUMAN AND NATURE'S RIGHTS PROJECT

## POTENCIALIDADES DO PROJETO DE SOCIEDADE DOS DIREITOS HUMANOS E DA NATUREZA

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### Abstract

This work sought to highlight two theoretical-political and cultural constructions, Human Rights and the Rights of Nature, in the face of the challenges and contradictions of modernity based on anthropocentrism and an instrumental economic rationality. Considering them as projects of society, the objective was to rescue their characterizing elements, their tensions and their emancipatory potential in the face of social, cultural and socio-environmental contradictions arising from the hegemonic development model. The authors' hypothesis is that these two projects can be worked

### Resumo

*Este trabalho busca evidenciar duas construções teórico-políticas e culturais, os direitos humanos e os direitos da natureza, diante dos desafios e contradições da modernidade alicerçada no antropocentrismo e em uma racionalidade econômica instrumental. Considerando-os projetos de sociedade, buscou-se resgatar seus elementos caracterizadores, suas tensões e seu potencial emancipatório ante as contradições sociais, culturais e socioambientais decorrentes do modelo hegemônico de desenvolvimento. A hipótese dos autores é que esses dois projetos possam ser trabalhados de maneira integrada, buscando agregar e articular suas*



on in an integrated manner, seeking to aggregate and articulate their emancipatory potential, in view of a society based on the interrelationship between human rights and the rights of nature. The methodology used was bibliographical research, linked to the empirical observation of the dialectical process of social praxis around human rights and the rights of nature. In view of the analyzes and reflections developed, we concluded that our hypothesis was confirmed, with the affirmation of the Human Rights and Nature project, with its guiding potential in the face of the contemporary challenges of realizing human rights and nature.

**Keywords:** human rights; human and nature rights; rights of nature; society project.

*potencialidades emancipatórias, em vista de uma sociedade pautada na inter-relação entre os direitos humanos e os direitos da natureza. A metodologia utilizada foi a pesquisa bibliográfica, vinculada à observação empírica do processo dialético da práxis social em torno dos direitos humanos e dos direitos da natureza. Diante das análises e reflexões desenvolvidas, concluiu-se pela confirmação da hipótese, com a afirmação do projeto dos direitos humanos e da natureza, com sua potencialidade norteadora diante dos desafios contemporâneos de efetivação dos direitos humanos e da natureza.*

**Palavras-chave:** direitos humanos; direitos humanos e da natureza; direitos da natureza; projeto de sociedade.

## Introduction

Observing the world reality and, more closely, that of Latin America and Brazil, there is evidence of the growing social inequality, the predominance of the economic over other fundamental aspects of life, and the unprecedented environmental crisis. This panorama demonstrates the action of anthropocentrism and the hegemonic economic and development model, which point out, among their main characteristics, the link to an economic and instrumental rationality with development that does not consider human rights and the disregard for nature.

All these aspects lead to what has been pointed out as a crisis of modernity or of the paradigm of modernity, indicating the need for constituting a new model, which is postmodern for some and, for others, an ecocentric paradigm.

In this context, it seems reasonable to also point out the possible crisis of the traditional political projects of society: liberalism and socialism leading to a probable emergence of new political projects of society, which bring in themselves some utopian or guiding element, which can face these contradictions and social, political and environmental challenges of today's global reality.

From this perspective, two processes have been shown to have the potential to conduct fundamental elements of response to this demand (the search and need for an emancipatory project of society): the human rights process and, more recently, the process of what, in Latin America, was named rights of nature, based

on the idea of rapprochement between humanity and nature, whose sustaining experience is the *teoría del buen vivir* (theory of good living).

This text aims to recover some of the elements that characterize these two processes or projects of society, analyzing their emancipatory potential, in the process of a necessary transformation, in the face of the contradictions pointed out. The authors believe in the hypothesis that these are two projects that dialogue with each other in their emancipatory realities and alternatives, in view of a society based on the interdependence between human rights and the rights of nature. The methodology used was bibliographical research, linked to the empirical observation of the dialectic process of social praxis in favor of human and nature's rights.

Firstly, the process of constitution of human rights, its collective perspective, the tensions and disputes around these rights and their effectiveness were highlighted, as well as their potential as an emancipatory project of society. Next, the text deals with the rights of nature that have been built through the experience of traditional peoples, under the gaze of a new rationality, the socio-environmental rationality, whose centrality is in the universe, which cries out for care, because it no longer bears to be exploited by the capitalist model of extractive production. Finally, elements are analyzed for the convergence and articulation of these two fields, pointing out some guidelines for a policy of human and nature's rights.

## 1 The process and constitution of human rights as a project of society

We start here with the finding of a dispute around the epistemological understanding of human rights, which highlights a quest to reduce the political and transformative potential of these rights, which allows inferring their relevance for a possible transformation of power relations in contemporary societies.

### 1.1 Human rights as a collective construction of society

A starting point to be highlighted is that human rights are the result of a social-historical process (CASTORIADIS, 1982) and that their foundations, from modernity, can be considered a result of the structuring and advancement of capitalism, with its intrinsic social contradictions.

Thus, on the one hand, since the 17th century in Europe, John Locke has affirmed the individual before the power of the State, something which has developed as a basis for liberal values, in the defense of property, life and freedom (MELLO, 1991). In another direction, and through the contradictions that advanced with capitalism, evidenced in the strong social inequality, at least since the

mid-18th century, popular and social struggles have taken shape, led by workers and supported by other social actors, in favor of social justice and equality in the face of inequalities (ROUSSEAU, 1985).

These struggles continued, and until the early 20th century there were moments of progress, including revolutionary processes, such as the Paris Commune in 1871, but also of setbacks, with counter-offensives by the established powers. The fact is that, throughout that period, workers' organization and struggles were observed, which were no longer limited to Europe, but which were spreading throughout the world, until the Russian Revolution of 1917 led to the creation of the International Labor Organization (ILO), as a result of the articulation of liberal countries to avoid a more radical mobilization of workers' movements, which finally recognized as rights the secular claims of movements and struggles.

Now, other articulations and movements around groups or parts of society, also resulting from historical situations of oppression, discrimination and vulnerabilities, led to specific struggles that, even starting in some local, regional or national reality, soon found resonance in other parts of the world, due to the similarity of the processes of oppression and the quest to maintain power throughout the world. Among these, the struggles of women stand out as an example, seeking recognition and gender equality in a world dominated by men through a machismo culture.

Another field of struggle opposed racial discrimination against blacks and, later, against other peoples, in various parts of the world, something that led to the recognition of the racial equality of peoples and their cultures. Likewise, it would be possible to point out other fields of struggles and rights claims, such as the one established around the environmental issue, as well as sectors of society – children, the elderly and others – that would be recognized in the context of human rights, whether in the Universal Declaration of 1948, in later UN documents and/or in national states.

However, what can be reaffirmed from these indications is that the process of constitution of human rights is socio-historical and collective, not limited to the moment of legal-institutional recognition, which is only part of this process, which remains open and depending on collective mobilization for its implementation and effectiveness.

## 1.2 The dispute around the understanding of human rights

Previously, liberal and socialist origins were highlighted in the very constitution of human rights, something pointed out by Bobbio (1992) as incompatible

rights, despite the consensus reached in the 1948 text. However, despite the political unfeasibility, which was evident in the UN, of approving a single pact after the Universal Declaration of Human Rights, the affirmation of the indivisibility and interdependence between civil and political rights and economic, social and cultural rights, that is, between the rights reaffirmed in the two international pacts, was highlighted in the Tehran Proclamation (1968) and the Vienna Declaration (1993).

Thus, a political division is perceived in the form of understanding human rights that manifests itself in the UN and its Member States, to the point of speaking of hegemonic and counter-hegemonic views of human rights (SANTOS, 2013), leading to different epistemological constructions that will base these disputes.

In the hegemonic view, there is the maintenance of separation, with prioritization of civil and political rights, that is, of their liberal view, leading to an abstraction of the set of these rights, already criticized by Marx (2010). On the other hand, in the counter-hegemonic view, the perspective of a collective and socio-historical construction of human rights is approached, considering them in their fundamental articulation, integration, indivisibility and interdependence, which also refers to an open and plural process, as already pointed out.

Added to these two views are others, such as the legalistic view, which reduces human rights to the legal field, and a strategically mistaken view, linking human rights to the “defense of criminals”, the latter, unfortunately, still very present in Brazil, even if it has been disseminated since the beginning of the 1964 military regime, serving the interests of the dictatorship. These last understandings, added to the hegemonic view, seek to reduce the transformative and emancipatory potential of human rights, when considered in a broad and counter-hegemonic way.

However, this counter-hegemonic view, also presented as emancipatory, can be associated and articulated with a political project of society, which emphasizes the political dimension of human rights and allows understanding the disputes around its implementation or not.

### **1.3 The disputes and articulations around the effectiveness (or not) of human rights**

It can be seen that access to all rights by everyone would cause a significant change in the social structure or in the organization of social relations, especially in societies marked by inequality. It will be precisely because of the understanding

of this potential that disputes will be established in society around the effectiveness or not of these rights and to what extent.

Thus, the dispute already evidenced in the epistemological field is more broadly a power struggle in the field of knowledge, which indicates that it is associated with other dimensions of power in society: political, economic, legal, cultural, etc. The resulting different understandings of human rights lead to the defense of more restricted or broader processes for the realization of these rights.

It must be considered that the search for expanding or restricting the process of constitution and enforcement of human rights occurs in an articulated manner in all these spaces of power struggle in society. Thus, a restricted or limited understanding of human rights, for example, prioritizing civil and political rights, will try to justify itself in the theoretical field, with consequences on the political, legal, cultural, economic and social fields. On the other hand, a broad understanding of these rights, considering their integrality and their social construction, will seek to confront the most restrictive ones equally in all these spaces.

Thus, in societies with great inequality, an elite will have access to human rights, while the majority of the population will have their rights restricted or denied, evidencing the predominance of the hegemonic view, essentially restrictive and liberal.

However, the predominance of the hegemonic view of human rights does not mean that counter-hegemonic perceptions and practices are not present in a given society. These views and practices clash in all areas of power, with the struggle around human rights being essentially political.

This is how it becomes possible to understand actions, understandings and practices in favor of affirming and strengthening some guidelines or dimensions of human rights, such as those related to the affirmation of gender or cultural differences or those associated with racial or environmental issues. All of these are realities in which a dialectical process is evident, with confrontations involving different actors, but which can generate advances and setbacks.

#### **1.4 Human rights as a project of society: reaffirming potentialities**

It is in this context of disputes around human rights that it seems even more fundamental to affirm the political perspective of these rights and the potentiality of their understanding as a project of society.

Since the end of the 20th century, it has been analyzed and discussed whether human rights would be a guiding project for societies, but, despite the positive

indication of this issue in Marcel Gauchet (2002) and Gustav Massiah (2011), and with certain conditioning factors in Boaventura de Sousa Santos (2006), the fact is that not much theoretical and political progress has been made in the face of this possibility, as recorded in Pinto (2014; 2015; 2018).

That human rights are the result of a socio-historical and collective process, open to new realities involving the human, such as the environmental one, evidenced in recent decades due to the crisis that pointed to new contradictions in the hegemonic economic and development model, would already be something to be highlighted in terms of potentiality.

However, due to their political correlation already mentioned, and due to the social practices and struggles for access to these rights, experienced in different ways in concrete realities around the world, it is possible to highlight the potential of this human rights project, understood in its broad dimension, to face the tensions and contradictions resulting from the hegemonic economic and development model, enabling, in the very dialectical process, the advancement of social and political emancipation and effective access to these rights by all.

The human rights project, having constituted itself in the social-historical level and conquered institutional recognition, without being limited to this, and dialectically encompassing values of different projects of society, brings in itself the potentiality and conditions to be a broad guide in the face of the adversarial perspective of politics (MOUFFE, 2011), as evidenced in the explanation of its characteristics by Pinto (2015, p. 27):

First, it is a project that articulates and integrates the bases of different projects of society that preceded it, being, therefore, plural. Second, human rights, as a societal project, are not limited to their institutional and international structure, but are linked to global socio-historical productions, thus involving local, national and international constructions of social powers and national states. Third, it is an ethical and political project and, as such, a project for the organization of society, involving all the fundamental dimensions of human beings and their relationships in the world. Fourth, despite its directional and utopian aspect, it is a multidimensional and open project, which develops as a process. Fifth, the human rights project is a dialectical synthesis, which integrates and goes beyond previous projects for society. Sixth, like any broad societal project, the human rights project supports an ideological dimension, while at the same time being linked to a process of implantation and effectiveness in society. Seventh, it has a strong emancipatory potential that requires, for its effectiveness, adequate methodologies and understandings of human rights. Eighth, its adequacy to fundamental questions and to the social movements of its time. And ninth, the involvement and identification of the vast majority of emancipatory groups and social movements around the world, as well as a large

number of people, individually and in institutions of all kinds, with the struggle for human rights.

These characteristics highlight the potential of human rights as a political project of society, at the same time that they demonstrate its openness to joint construction with other equally emancipatory and counter-hegemonic projects that may come to strengthen the possibilities of effective advancement in access to all rights for everyone around the world.

## **2 Rights of nature – a socio-environmental project under construction**

At this point, the authors dedicate themselves to visiting, in an ecocentric reading, the process of construction of the rights of nature through the dialogue of knowledge that has been reconfiguring a new rationality, the environmental rationality, whose field of debate permeates a critique of the model of rationality which, without a shadow of a doubt, since its origin, relies on the resistance of traditional peoples to the crystallized idea of separation between humanity and nature, which, consequently, has discarded the plurality of knowledge that forms the substance of environmental rationality.

### **2.1 Environment and rights of nature**

Enrique Leff, in the field of environmental epistemology, seeks to reconstruct the idea of environment from the hypothesis that it was exterminated by what he called the circle of rationality in the sciences. Thus, for the author, when one speaks of the environment, one is in the field of the complexity of the world and, therefore, it is about “a knowledge of the forms of appropriation of the world and nature, through the power relations inscribed in the dominant forms of knowledge” (LEFF, 2012, p. 16). Following the course of the complexity of knowledge, the author arrives at what he called “environmental knowledge” in this process of complexity.

The 1960s, known as the milestone of the environmental crisis, from the perspective of science, transformed the environment into an object of knowledge disputed by at least two different understandings. The first is the anthropocentric idea that the environment is made up of environmental assets that need to be protected. However, we are talking about assets, things that need care for the benefit of human requirements and, therefore, the unprecedented extractive economic growth is justified.



The second idea is that, as nature is the bearer of life, the protection of its existence gains importance, which is very far from the first idea, because here the understanding is enshrined that all living beings are carriers of dignity and therefore bearers of the fundamental right to life. It is in this context that socio-environmental rationality has been constituted as a space that justifies the right to life of humanity and nature. Here, it is worth remembering Rios (2020) to understand that the resistance of the traditional peoples' radicalism is centered on the idea that everything is interconnected: the land, the community and nature, and there is an understanding that moves away from the idea of separation between culture and nature.

The author defends the idea that traditional peoples announce and believe that “we can love nature to the point of changing the direction of the heart towards the care of the Common Home” (RIOS, 2020, p. 114), that is, the universe.

Leff (2012, p. 17) understands that, thinking from this perspective, there is a change in the reading point, until then imprisoned, with the intention of “subscribing it, codifying it and managing it within the standards of the scientific and economic rationality of modernity”.

In the same direction, Santos (2002) presents the sociology of absences and emergencies, against the grain of modernity, and recognizes that the absences of modernity and of traditional and cultural knowledge – here extended by the authors –, for the coexistence of these populations with nature in a harmonious way, resisted the modern absence pointed out nowadays as an epistemological condition for recognizing the rights of nature. In this sense, it can be concluded, according to Santos (2002), that the work of translating this resistance is fundamental for the construction of alternatives to the environmental ecological crisis that we are going through.

The author states that “the social experience around the world is much broader and more varied than the Western scientific or philosophical tradition recognizes and considers important” (SANTOS, 2002, p. 237). In this context, he proposes “combating the waste that feed the ideas that proclaim that there are no alternatives” (SANTOS, 2002, p. 238). Thus, these are two struggles, human rights and nature's rights, which share the same process of exclusion recognized by the author as fields of theoretical and practical disputes, but, at the same time, as resistance to the same model of anthropocentric rationality that strengthens the environmental crisis at every minute.

In this context, Leff (2012) proposes to rethink the concept of environment, which, according to him, requires articulation between the sciences to generate a

general principle, an integrative method of disciplinary knowledge with a view to knowledge that goes beyond the field of science and questions modern rationality. Such thinking leads to the idea that it is a space – the environment – treated by science as a bearer of assets to be protected, as recognized by Environmental Law, whose identity is absent from modern knowledge and, therefore, is in need of revision from the thesis that it is a space that is outside the sciences, it is in the field of scientific interdisciplinarity, it is not the object of a science, but rather, a space for encounter, for dialogue between them.

In this sense, according to Leff (2012), the concept of environment is built from the exteriority of knowledge, it is built ignoring the real, its other way of knowing and, thus, it will have to move away from the positivity of its knowledge. And, here, the path to be followed involves a strategy of power in the process of appropriating nature. Environmental knowledge, in this perspective, “prevents the conversion of criticism into dogma and allows one to continue to question knowledge from all fronts and project it to all horizons” (LEFF, 2012, p. 19). And so, says the author, environmental epistemology is “a policy of knowledge whose ‘purpose’ is to give sustainability to life” (LEFF, 2012, p. 20). This is how one has the opportunity to recognize the absent that is brought into presence, redirecting the idea that a sustainable future is born from a new knowledge that lives in scientific externality, a new rationality is built, and that is how history opens to a sustainable future.

The rights of nature, in this context, are becoming a space of emergence due to the recognition of three main ideas: (a) that they were thought of as absent; (b) that they are now brought into the space of emergence because resistance is always a mark of traditionality; and (c) the deficit of the environmental crisis recognized by modernity itself brought the debate to the fore. In this way, Acosta (2016) builds an alternative to anthropocentrism in the theory of good living that seeks to recognize in traditional populations the potentialities to bring a new opportunity for an ecologically sustainable world, whose driving force is the sustainability of life, of all lives, of humanity and of nature.

For the author, good living is “a task of (re)construction that involves dismantling the universal goal of progress in a positivist version and development as the only direction of knowledge in its mechanistic vision of economic growth” (ACOSTA, 2016, p. 77). Thus, modernity’s bet on a model of rationality that believes that the world with a single direction gives strength to an extractive economic model, is defeated and, therefore, seeking new alternatives, such as good living, in addition to being possible, ends up for redirecting modern principles,

recognizing the centrality of life, in the first place, and based on this centrality, new alternatives for caring for nature and humanity will be possible. Finally, in good living “a great revolutionary step is implied that leads us to move from anthropocentric visions to socio-biocentric visions, assuming the political, economic, cultural and social consequences of this transition” (ACOSTA, 2016, p. 107).

In summary, while Leff is dedicated to dismantling the unique meanings, the modern, of concepts, for example, of the environment, to arrive at the alternative of a new environmental knowledge, Acosta starts from the same core – social exclusion of traditional populations and, therefore, of knowledge that end up making a divorce between humanity and nature, for an economic, social and ecological alternative of another possibility of the world.

These are open contexts, therefore, to the construction of economic and socio-environmental alternatives that, even considering the innumerable difficulties of construction and implementation, have, both in the field of human rights and in the field of nature’s rights, emancipatory experiences, according to the understanding of Santos, that inscribe, against the grain of western history, alternatives that give substance to the inclusive socio-environmentalism of different cultures and knowledge.

## **2.2 Socio-environmental experiences conforming the logic of knowing and protecting nature**

The logic of knowing and protecting nature is based on a model of knowledge that is far removed from the knowledge that sustains modern logic. Modern knowledge has as its core the idea that the world has a single direction, a single vision, which characterizes the sustainability of its existence, namely: the marketing direction. Ecological knowledge, on the other hand, has as its core the complementarity between nature and humanity.

The ecological logic, recognized by Santos, Leff and Acosta, has its young history of affirmation through environmental rationality, whose pillar is the ecology of knowledge in permanent, plural dialogue, and, in this context, for Leff (2012), science has a challenge the articulation of knowledge, cultures and experiences that are being built in the fields of the Legislative and Judiciary and in the interdisciplinary dialogue between the different areas of knowledge. It is in this landscape that Acosta presents the theory of good living. Leff, in turn, presents environmental knowledge and, finally, Santos discusses the sociology of emergencies and the translation work through what he called the ecology of knowledge.

This theoretical construction, arising from the recognition of the ecology of knowledge, has greatly strengthened several emancipatory experiences in at least three directions: legislative, procedural legal, and theoretical, marked by the protagonism of citizens from traditional communities, researchers, constitutional courts and parliaments.

In the legislative field, there is recognition of the rights of nature by the constitutions of Ecuador (2008), Bolivia (2009), the municipalities of Bonito (2018) and Paudalho (2019) – both in the state of Pernambuco –, Florianópolis (SC) (2019) and Serro (MG) (2022). In this sense, the differential of the Constitution of Ecuador (2008) ended up strengthening the democratic rule of law in that country. In the interpretation of Maldonado-Torres (2019, p. 104), it is the recognition that “for the Andean peoples, nature, far from being an unconditionally available and appropriable natural resource, is the mother land [Pachamama, in Quechua], origin and foundation of life”. Bolivia, in turn, follows the same direction, recognizing the Pachamama in reference to the historical experience of the indigenous peoples of that territory, in their social organization Suma Qamana (living well). These experiences began to encourage the local Brazilian struggle, such as the municipalities of Bonito, Paudalho, Florianópolis and Serro under the mantle of the principles of harmonization and interdependence between humanity and nature.

In the legal-procedural field, we highlight, among others, the historic decision of the Colombian Constitutional Court, in 2018, recognizing the Colombian Amazon as a bearer of intrinsic rights, and the New Zealand Parliament, in 2017, which recognized the Whanganui River as a subject of rights, whose foundation was formed with the experience of the Maori people in their relationship with the river, a sacred space and, therefore, worthy of intrinsic rights. Finally, the decision of Spain, which recognizes the status of a person to the Mar Menor (2022), constitutes an important precedent in the European scenario, because its centrality is the protection of the ecosystem. Finally, in the academic-scientific field, there are several researches towards the recognition of the rights of nature.

Thus, it can be said that there is a new history under construction about the survival of the world, strongly threatened by instrumental rationality and by modern science, according to which nature is an object of economic exploitation, which has been strongly questioned from this counter-hegemonic perspective in defense of nature.

### 3 The human and nature's rights project: a strengthened political project

The aforementioned aspects show the potential of human and nature's rights to constitute new ways of understanding and acting in the world, with greater appreciation of the lives of human beings and nature in general.

However, it could be seen that the defense of every human being and nature is also the object of conflicts, tensions and contestations by those who seek to maintain the hegemonic economic and development model, which has led to contradictions arising exactly – and in the opposite direction – from the exploitation of human beings and nature, with strong social inequality and exclusion of a large part of the world's population from access to minimum rights, and with an environmental crisis that, if not effectively confronted, will lead to the gradual destruction of life, nature and human beings.

In this process of confrontations, the human rights project, despite its emancipatory potential, encounters resistance and can only advance in its counter-hegemonic potential if it is more clearly assumed as a broad political project, with the possibility of radical transformation of political, social, and work and other relations in different societies. The struggle for life, nature and humanity presents itself, in this landscape, with important potential in the construction of a new project for society.

On the other hand, being a project that can capture new demands and emancipatory claims from society, and considering the advances in struggles, especially from Latin America, for recognition and guarantee of the rights of nature and of intra and interculturality, currently the project of human rights can be strengthened if worked in conjunction with the project, which is also political, of good living, which implies the intransigent defense of the rights of nature.

Thus, it is possible and more appropriate to speak now of a project of human rights and the rights of nature, or simply a project of human and nature's rights. This articulation of purposes, of life concepts, in a single project, may lead to the strengthening of both, with greater recognition of the limits of the anthropocentric perspective, to achieve a socio-environmental or ecocentric society, but also with the recognition that it is up to the human being and its institutions, including those of the State, to guarantee the promotion, defense and protection of the life of all living beings, of which the human being is a fundamental part, along with others, for present and future generations.

In this sense, there is a strengthened project, which brings together other actors and other values, with political perspectives, but also ethically and culturally

expanded, leading to a revaluation of the economic factor, not in confrontation, but in correlation with life. Therefore, these are challenges and possibilities for humanity and societies in the current context.

### 3.1 Initial guidelines for a human and nature's rights policy

As indicated, the project of human and nature's rights has a strong potential for facing the contradictions and tensions currently experienced due to the hegemonic economic and development model. However, specific societies, at the local, regional and national levels, have the challenge of advancing in the understanding of the meaning of implementing a policy of human and nature's rights, for each society and for the planet, and in an inverse perspective, in the understanding, also, of the risks of non-implementation of these changes.

Not without conflicts, some countries have advanced in their human rights policies, as well as in their policies to guarantee the rights of nature. However, the challenge lies in thinking and implementing the integration of these public policies, which requires advances in a more adequate understanding of human rights, but also in the perception of the relevance of nature in societies, so that this epistemological and cultural advance – which will normally take place by making explicit and confronting contradictions by groups and organized movements in society – may also translate into political, legal and institutional advances.

In turn, being a dialectical process, it will be the advancement of the political perception of the emancipatory potential of the project of society that may lead to the expansion of the potentialities of confronting the divergent models that have disregarded the life of human beings and nature.

Only the advance of this political perception in favor of life will be able to avoid setbacks in terms of human rights and environmental protection. Take the example of the Brazilian population and the Bolsonaro government, which, since the electoral process, already gave clear signs of a posture that associated right-wing populism strategies (MOUFFE, 2018) with the dissemination of false information. However, the population that elected him was not able to perceive the scope of the consequences of what they supported or, simply, placed instrumental rationality and economic interest above other values, such as those defended by the project of human and nature's rights.

Thus, in the face of public policies and governments acting in strong dissociation with human rights and nature, the relevance of another project of society attentive to the preservation of life, human beings and nature is more

clearly evidenced, which is defended, that can be more effectively realized with the project of human and nature's rights.

In this way, like in post-Bolsonaro Brazil, governments in general, throughout Latin America and the world, have the challenge and the possibility of implementing an integrated political project of human and nature's rights, which should allow, in the medium and long term, public policies that guarantee the transversality of human rights and the environmental issue, making this policy in favor of life strengthen in society, leading to the maintenance of public policies that become State policies, that is, ones that are integrated by the set of public institutions, expanding their observance and access by all.

### **Final considerations**

Starting from some contradictions of the development process proposed by modernity, which fundamentally led to social inequality around the world and to the environmental crisis, resulting from the economic model and instrumental rationality as guides, an attempt was made to rescue elements that characterize two processes, also considered as society projects: the human rights and the rights of nature, considering their emancipatory potential, especially when analyzed as interdependent.

In a first moment, the process of constitution of human rights and some of its tensions and social disputes were analyzed, until it became a normative reference for contemporary society, based on the international documents of the UN and the assimilation of these values in the great majority of legal systems around the world.

Disputes surrounding the understanding of these rights were also pointed out, closely related to the search for limiting or expanding their effectiveness, to finally highlight the advances in terms of the potential of human rights, when viewed from the perspective of an emancipatory project for society, assuming and dialectically overcoming the potential of previous political projects.

In a second moment, it dealt with the rights of nature also as a project of society, which has been establishing itself mainly from the constructions arising from the traditional peoples of Latin America, seeking the establishment of care for nature, from an ecocentric perspective, guided by a socio-environmental rationality and care for the Earth, our Common Home, integrating and valuing the cultures and knowledge that promote this new understanding, especially in the context of an environmental crisis. This will also be a project in confrontation

with anthropocentrism and its instrumental economic rationality, which will indicate tensions, disputes and the need for articulation and integration with other counter-hegemonic and emancipatory perspectives.

It concludes by highlighting the relevance and potential of considering the articulation between the process of struggle for human rights and the process of the rights of nature, based on the philosophy of good living, for the constitution and articulation of a broader and strengthened project: the project for a society of human and nature's rights.

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