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Echoes of the Anthropocene, Through the Keyhole of Law Consciousness

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Abstract

The concept of the "Anthropocene", that is, the interconnection between human activity and what was once called the natural environment, becomes a direct response to the radical changes in climate and ecosystems that have transformed the ecology of our planet and may have led us to the pandemic crisis. Human agency, which is always regulated through legal instruments, becomes the focal point of everything in the planet. Law is a great reservoir of emotionally important social symbols as well as a powerful instrument. Thus, *crucial* is the understanding of the ways by which our legal environmental rules have come to be formed. This understanding of the law, society, environment and citizen's place within, is described by the term "*legal consciousness*". Furthermore, law is a set of conceptual categories and schemes that help construct, communicate, and interpret social and cultural relations. Taking under consideration that the Anthropocene is also a state of consciousness and environmental awareness goes hand in hand with legal consciousness, now is the time that we can create a new legal culture. How legal schemes were and are present in the words, actions, and interpretations of ordinary citizens until now? What is the role, if any, of educational system and media? Do we need to rewrite legal terminology, redefine our legal values and frameworks to depict the interconnection between nature and human activity? What are the best ways for the communication of the contemporary legal rules (e.g., the rights of nature, etc.)? Should they be

produced through open participatory processes? What do we learn from environmental history examples?

Keywords: Antropocene, legal consciousness, nature, law, environmental awareness

Introduction

The exponential enlargement of capitalism and rapidly increasing consumption of primary resources and energy has, as a result, led to an exponentially increasing global environmental problem. The contemporary model of sustainable growth cannot respond to the chain-reaction consequences in the international environment in which the economy develops presently. The Earth, as a global ecosystem, is directly affected along with all the institutional infrastructures that are developed, and its cultural perceptions, that underpin them. In a world that is changing so rapidly through constant interactions, it is necessary to understand the mechanisms that lead to these transformations in order to describe the functioning of Law and the legal culture of any society. It is quite crucial to outline the interaction of the values contained in legal regulation with those of the citizens it is directed towards, and how societies perceive the environment and the politics of its conservation.

In order to do this, the terms "legal consciousness" and "legal culture", must be decoded. Law regulates Technoscience, a sociological activity which intensifies environmental risk. The passing of the "natural catastrophes' age" to man-made catastrophes is connected with Technoscience 's explosion and the respective derivative endangerments. The danger's management, which outflows from Technoscience, interweaves with the allocation of social trust between Technoscience and Law, to the degree that they are legalized with mutual reference. The boundaries between the categories of the natural and the cultural have been displaced and blurred in the face of technological and science advantages.

We are living in an era in which "the ruin has become our collective home" (Tsing, 2015, p. 10). Precarity – the feeling of constant uncertainty, the failure of the promise of modern progress of capitalism – is always there; there is a sense and reality of unregulated risk all around our daily lives. Human rights to a safe and healthy environment seem to be a hollow shell. The duty towards ecosystems to keep them in the same condition that were delivered to us has been continually breached.

The preservation and protection of the environment as a regulatory and ethical issue, via social theory and paradigms of new legal thought (e.g. environmental rights) is more relevant than ever. A shift in theory and legal

thought attempts to democratize environmental risk management and mobilize citizens into participation towards its solution.

The issue this research investigates is that if a radical change (e.g. recognizing rights in Nature) can and should be made, in order to address the inadequacy of the present status quo and inhibit the planet's environmental risk and dangers. The cultural narrative, which began from the articulation of a scientific hypothesis that proves the arrival of the Anthropocene era, ushers us towards the overturning of the anthropocentric perspective of relations between humans and nature, and has led almost to the construct of a new planetary legal consciousness. The example of New Zealand is examined, where the river Whanganui was recognized as subject of rights and obligations under the intense influence of history, traditions, and legal claims of indigenous populations of the region, the Maori tribe.

Approaching the term of "Legal Consciousness"

The approach and the conceptual definition of the terms "legal culture" and "legal consciousness" is quite difficult and sometimes complicated (Nelken, 1997, p. 1-2). Lawrence Friedman describes it as an "abstract" and indefinite term and admits that the term "legal culture" is "a difficult concept to understand and there is a serious problem in defining it" (Cotterrel, 1997, p. 13-32). Does this term ultimately emphasize the living "mosaic" of society?

Friedman argues that the legal culture of a society can be indirectly reflected through questions addressed to citizens about what they think about legal rules, delivery of justice or by observing their daily lives (Friedman, 1997, p. 33-40). The notions of "thought" and "understanding" are quite important (Friedman, 1969, p. 29-44), they refer to what people of a particular society think about Law and justice. Legal culture is considered a set of values and attitudes as they are incorporated into everyday practices (Blankerbourg, 1997, p. 64-65), a subcategory of culture.

Moreover, legal consciousness is interpreted as "the ways in which people understand and make use of laws" (Sally, 1990, p. 5), as well as "participate in the process of creating the concept of legality" (Ewick, Silbey, 1998, p. 35). Legal consciousness includes perceptions regarding the legislation, the functioning of the Judiciary, the law enforcement, as well as for other "concepts, sources of power and cultural practices often recognized as legal" (Ewick, Silbey, 1998, p. 35).

As it is understood, the approach to legal culture is of great importance for the transformation of society. So, in order to approach and understand the legal culture of every society and attempt to change it in the future, the main ally can be none other than to study it with the methodological tools of theoretical analysis, comparative method and

empirical research. (Silbey, 2001. p.474-477). Therefore, the key to understanding the concept of legal culture and legal consciousness, in order to change it, is to understand how ordinary citizens ultimately perceive Law (Cotterrel, 2009, p. 376).

Benda Beckmann(Benda-Beckmann,2019,p.269)argues that only through research in every society the ways we in which legal rules are integrated into larger forms or social structures, in everyday life itself, and thus reveal the place of legal rules in society, can be discovered. Research in this field has been described as "research on the forms of participation and interpretation through which the active subjects build, maintain, reproduce or correct the current (disputed or hegemonic) conceptual structures regarding justice and Laws".(Friedmann,1997, p.38).

The subject of investigation is people's views on Law and justice (e.g. sources of law, legislation, vague legal concepts, legal arguments, etc.), the role of experts in the legal process, working in effective ways of resolving disputes or ways of discouraging justice, citizens' perception and understanding of legal schemas and how this understanding can ultimately affect the production of legal rules and the delivery of justice. How does the consolidation of a legal rule work bottom-up? How legal rules law and justice in general function within different contexts and how people understand and perceive "Law" within a specific social context? (Nelken, 2004, p. 84).

In any case, the culture (Nelken, 2004, p. 29) of a society, of which legal culture is a part, until now cannot be separated from the status of "the human", since it has dealt primarily with human relations. UNESCO in the World Declaration on Cultural Diversity includes, inter alia, that culture must be seen as a set of distinct spiritual, material, mental and emotional characteristics of a society or a social group that includes and articulates, in addition to art, lifestyles, ways of co-existence, value systems, traditions, beliefs (Declaration of the Principles of International Cultural Co-operation, 1966)

The system itself consists of the *continuum* and succession of practices that reproduces and transforms. Together, the system and these practices constitute a concrete entity which is also co-formed by the everyday citizens – by creating understandable and reasonable new legal schemes and legal claims through the semantic redefinition of ideas, such as work, property, community consent, etc. – to enrich legal armoury.

Legal culture seems to eventually incorporate a variety of images, assemblies, and narratives of justice and about the environment, as well as interpretive schemes and sources that not only semantically reflect thought and action, but also enable individuals to construct a self-sustaining holistic

view of the legal and moral world through law and justice, as well as their claims, protection, obligations imposed by law (Saguy, Stuart 2008, p. 619).

Individuals participate in the construction of legitimacy through the expression of their own conception of Law and justice (legal consciousness). Social forces are set in motion by groups and individuals who are carriers and actors of change. It is common ground that international cooperation, especially in the critical field of the environment, can only be developed on the basis of common values and in particular democracy – as a principle of governance – law and respect for man, rights and the environment.

This co-operation presupposes, to a certain extent, the harmonization of legal cultures, as well as legislation, and pre-supposes the prior mapping of the legal culture of each cosmo-society separately. Friedman notes: "We have for each individual society, a little valuable data on its legal culture, because we never bothered to collect them." (Friedman, 1997,p. 38)

In an attempt to investigate how the dimension of the environment works in this complex "mosaic" of "legal civilization", in the present study we attempted to illustrate the term of "legal culture" and the current evolution of legal rules. The study of legal culture reveals tensions, disputes, and negotiations. New rules of law and legal frameworks are being created to meet needs that continuously arise. Needs that, in the field of environment and in combination with technological developments, seem inevitable. An emerging legal setting appears both as cause and product of social evolution (Friedman, 2011).

The concept of Anthropocene

The term "Anthropocene", for the time being , seems to be not only a geological term, but also a continuation of the development and consolidation of the ecological movement. In recent years, the debate over geological time and the age of the Earth has become more relevant than ever. Although in pure geological terms the era we are going through today is known as the Holocene, Anthropocene is a new term that has decisively established itself. It has long been argued that "the universe is a communion of subjects rather than a collection of objects" […] existence itself is derived from and sustained by this intimacy of each being with every other being of the universe. (Swimmes, Berry, 1994, p.243)

This new term seems to connect humans with geological time, it describes a new geological era, dominated by human activities at all levels and mainly – but not only – the transformation of the Earth's atmosphere due to the burning of fossil fuels. It has been argued that "the greatness of modern liberties is based on the over-exploitation of fossil fuels" (Chakrabarty, 2009, p. 197-222). Human action on Earth itself brings about irreversible changes of geological proportions, such as the depletion of fossil

fuels that took millions if not hundreds of millions of years to be formed; in this age, the human being, through his ability to act intentionally, becomes another condition of nature (Chakrabarty, 2009,p.197-222).

In 2009, the historian Dipesh Chakrabarty in his essay "History of Climate. Four Arguments", purport that the anthropogenic effect on climate change has marked a fundamental shift in human history and human perception. (Chakrabarty, 2009). If we accept the scientific evidence, that human activities reshape the Earth's atmospheric conditions and geological cycles, we are forced to recognize that the human species collectively transforms into a geophysical force, capable of determining the course of the climate for millions of years to come.

The power of such a transformation is similar to that of cyanobacteria, through which oxygen was produced on the planet perhaps as long ago as 3.5 billion years ago, and certainly by 2.7 billion years ago, or meteorites that led to the extinction of the dinosaurs. On such a scale, the argument that climate change can be reversed through technology and transition from fossil fuels to the age of renewable energy looks futile and seems rather impossible. Chakrabarty (2009) argues that this era "interrupted" human continuity collective experience through time, undermining the understanding of history, which resulted that people could not, in any way, determine the future through their past collective experiences.

The question on when did the Anthropocene era begin was addressed by many (Zalasiewicz et al, 2015) Anthropocene is associated with the culmination of modernity. In this sense, its origins can be found even in the 17th century (Edgeworth et al., 2015, p. 33-58). One of the fundamental distinctions of modernity is the human/nature distinction. Nature is not a timeless, non-human reality, but a cultural construction introduced by the scientific revolution. The human/nature distinction is based on a fundamental metaphysical assumption: matter is passive. Physical reality, made of matter, does not have the capacity for intentional action, but obeys the blind necessity of natural laws (Chakrabarty , 2009).

The human is considered the only living being on the planet that has the capacity for intentional action and that holds desires and will. The human/nature distinction is consolidated with the emergence, a century later, of *Homo economicus*. Humans are the only being capable of intentional action on the planet, we are also the only being who can use non-human nature as a set of resources to achieve goals. Therefore, the human/nature distinction is, above all, politics and power. It defines a division of powers between human and non-human entities, which is intertwined with the consolidation of a system of social and economic organization. Through colonialism, this system imposed its logic on the entire planet.

Technology and machines are perhaps the only field in which human and non-human entities can collaborate in the age of modernity. *Homo economicus*, however, is confronted with another reality. The objects/tools that have been constructed through division and delimitation no longer guarantee the continuation of human existence.

The advent of the Anthropocene era does not only mean an anthropogenic acceleration of geological evolution but, above all, the realization of the fact that human time continues to be part of the geological. Human time is intertwined with the geological and the geological time is accelerating. This acceleration poses a threat to the survival of the human species, even if at first its effects appear to be related to other natural species or ecosystems. The implications of "environmental humanities", of climate change research for the discipline of history, are irreversible.

Climate crisis is the biggest indicator of the Anthropocene era, but there are other biophysical subsystems and processes called threatened planetary "boundaries"/thresholds (STEFFEN et al., 2015). One of these thresholds is defined in terms of rapidly changing biodiversity and by the extinction of certain species. The set of "these planetary boundaries/thresholds characterizes the time of sixth extinction" (Barnosky et al., 2011, p. 470), a period during which there is a rapid decrease in biodiversity of all species on the planet. This is of great importance if considering that during the entire geological time of Earth there have been five distinct cases of the extinction of species.

The role of biodiversity – in particular species, the function and the integrity of ecosystems – is fundamental. Ecosystems are dynamic systems and, at the same time, need a natural variability in order to maintain their flexibility. Both seasonal and biennial variability in energy flow and nutrients are essential to support the reproduction and conservation of species, as well as their living in communities (Grime, Pierce, 2012 p.185-197). Indicators of biodiversity loss in the Anthropocene era are quite alarming. There is a large reduction in species richness and changes in species abundance, which, in turn, affect the ecosystem.

The approach of the legal culture of a society and the analysis of the legal regulations help to compare and understand how in the Western world a culture of political participation develops and dominates in environmental issues and, at the same time, how in the rest of the world indigenous peoples with their collective participation reshape and recreate the concept of environmental law. To shed sufficient light on how it is produced and how it is applied, the study of the application of environmental law and how it is applied in different cultures demonstrates the direct correlation with the values of human subjects, the application of the adopted dispute resolution system, their economic choices, public participation, etc. It demonstrates

how social, political and technological transformations have determined what people expect from law and legal rules.

The approach to the environment and its very meaning in the value system of modern generations in the last fifty years has gradually changed (Inglehart, 1977), and followed a post-materialistic value era (Schlosberg , Craven, 2019).

Through this prism, the environment is perceived as: a rare commodity priced within the framework of the dominant model of development, as a threatening – for humanity itself – catastrophic risk, which requires us to take action to curb its negative consequences and to address the actions that may conflict with the existing development model. We should try to face the environment democratically, as well as a moral value cultivated philosophically and socially claimed by the ecological movement, constantly evolving between human communities and nature, reconstructing daily interactions with the environment, as well as dominant legal schemas (Sclosberg, Coles, 2005).

A case study: The paradigm of the Whanganui river

There are traces of the legal capacity of other entities, apart from humans, such as animals, in our legal history (Papachristou, 2006). These traces are located both in the European area but also throughout the Mediterranean world, as well as in the rights of indigenous (who have completely different legal cultures), where the distinction between human and animal, religiously and culturally, is much more relaxed and much less clear than that in the corresponding European systems (Nash, 1989).

Additionally, in ancient Greece (Hansman, 1976, p. 23-25), but even in Roman times (Hughes,1980, p. 47-50), forests gained respect as sacred groves and were set aside for protection in both popular mythology and under the law (Meiggs,1982 p. 49-53). During that period in Greece certain tree species were directly associated with certain gods, such as oak to Zeus. In order to preserve them, some Greek communities passed local ordinances with severe penalties. Greek culture also contributed the Orphic and Pythagorean schools of Philosophy, which held that all living creatures, plants included, possessed souls that were perpetually reincarnated within a cyclical universe. A notion close to the co-existence of all species as parts of an integrated biological system (Aberth, 2013).

The approach to the recognition of rights in nature was strongly supported by Cristopher Stone. Aldo Leopold argued that, environmental ethics represents one set of self-imposed restrictions on human freedom, derived from the recognition that “the individual is a member of a community of inter-dependent members”. Additionally, Berry’s ideas inspired the growing movement in legal science called Wildlife Law or Land

Rights. At its epicentre therein, is the understanding that the inter-dependence of all things justifies recognition of moral value and legal rights throughout nature (Berry, 2006, p. 149-150).

Nowadays, New Zealand offers one of the most interesting examples of how indigenous peoples' perceptions of the correlation between human well-being and nature can influence the alteration of legal systems. In the culture of Indigenous peoples of New Zealand, perceptions of property differ. The natives are characterized by systems of collective rights and seizing rights rather than full freehold rights, possession, and occupation.

Ecosystems are elements of their culture, which cannot be expropriated, delivered, or sold (Patterson 2001, p. 195). The emphasis on the collective dimension of their existence reflects their cultural rights in the nature of their relationship with the land, which is the heart of their culture. In particular, the natives do not recognize and do not understand models of individual ownership of land and its natural resources as a rule. The model of private property seems to be completely foreign to their culture and everyday life. Instead, they are characterized by their customary, collective systems, management, and occupation. This is a fundamental differentiation from the atom-centric Western model.

This differentiating element has always made and continues to make the modern grid of individual human rights present in international texts. These texts have been proving insufficient in order to effectively cover and protect their land rights and extension of their cultural rights. After all, we must not forget that all indigenous rights and their way of life derive from their relationship with the land or are in close and direct dependency on it. The emphasis on the collective prefecture is a structural result including their oral history, philosophy, way of life, and their worldview. These are reflected in other elements of their tangible and intangible cultural heritage, groups' individual elements (works of art and other cultural objects – goods, dances, stories, fairy tales, ideas, innovations, etc.) are not owned by specific individuals, but belong to in the community as a whole.

This community as a single structure manages and receives decisions to entrust natural resources to certain members so as to preserve them as custodians, to be passed on unchanged to future generations. There is a huge difference between indigenous societies and the Western example: not only the organization of society and their lives based on communitarianism, but there is moreover, full respect for the Earth and all living beings (also considered elements of nature), and all are treated as sacred rather than as receptive objects for exploitation and consumption.

In the case of New Zealand, "The River" was recognised via legislation as a multi-faceted Subject of Rights and Obligations through its history and traditions, but also through the long history of claims for the

protection of nature. In New Zealand, members of the Maori tribe disagreed with the British Commonwealth over many years in terms of Whanganui River management (New Zealand National Party, 2019, accessed: 19 Feb. 2019).

The dominant issue was the Interpretation of the treaty of 1840 – considered the fundamental text of the founding New Zealand as a nation – concerning English hegemony and designating the Maori landowners. Many Maori believed that the Crown violated its obligations derived from the Treaty and legally claimed their rights before the Waitangi Tribunal. It is important to refer to the prehistory of this case and to cultural background of the Maori tribe in order to understand the factors that lead to the final recognition of the rights of the Whanganui River. At first, it is very important to understand how the tribe of Maori is connected to the Whanganui River. It is a connection that has its roots in traditions and in specific cosmological and cosmogenic myths that define their identity (Levi-Strauss, 1986).

Since the domination of science, in the 17th century onwards, we have rejected mythology as a creation of a superstitious and primitive mind. But we are approaching now in a more complete assessment of the nature and the role of myth in human history. The Maori, through their myth of the first creation of the world, consider that they relate equally to all other elements of nature through a related kinship both from their genealogical ties with Father Uranus (*Rangi*) and Mother Earth (*Papatuanuku*) but, above all, and by the fact that their world was inherited not by their ancestors but "by their children" (Mead, 2016).

In the cultural origins of the Maori, which are directly influenced by myths and their traditions, every living or inanimate object has its own spirit, its own soul as well as its own life (Patterson, 1992, p. 13). The differences between subjects (animate things) and objects (inanimate things) for this reason are less distinct than in European culture. The Maori tribe refers to the Whanganui River as one living organism. (The Whanganui River report | Waitangi Tribunal report, 1999, accessed 19 Feb. 2019). The spirit and life of each individual element of nature must be fully respected, otherwise these elements will not bloom and the balance of the environment will be upset. Since everything is interconnected, eventually the essence of the Maori's physical and mental health is intertwined with the "physical and mental" health of the river. Everyone's behaviour and attitude are largely determined from the consciousness they have of the spirit of the Earth. (Patterson, 1992).

Maori also have a long legacy of experience and knowledge that has passed from generation to generation on fisheries management of river stocks. The deep understanding of fisheries management approaches is directly linked to the Maori culture. The continued use of the river and its

resources in this way ensured conservation and the transfer of access and use rights (Acheson, 1981, p. 275-316), whereby their responsibility was to maintain fish populations as well as management-related ones by retaining so-called chapters of knowledge (TE AWEKOTUKU, 1991), and passing them on to the next generations. The river and all his or her bodies were sacred to the Maori, and that is why swimming in the river was considered a relaxing experience, to temper, to soothe, to alleviate oneself: both for soul and body. The river existed and indeed exists whereby it is directly connected with their rituals and prayers.

At this point it is important to refer to the legal procedure that followed in the proceedings before the Commission Alternative Dispute Resolution (Tribunal). Members of the Maori tribe were heard sitting and speaking in a ritualistic way, following in the traditions of the tribe, and of course allowing their examination by the other party. Many testimonies were given in the Maori language and one also used local dialect used by European settlers (STOREY, 1979, p. 898). After all, society is not a text that communicates itself to the skilled judge, it is constituted people who speak; "the ultimate meaning of what people say does not reside in society, since society is the cultural condition in which speakers act and are acted upon" (Asad, 1995 p.155).

The intercultural, approach helped to substantiate the allegations on both sides. The plaintiffs argued that the history of New Zealand was transformed into a history through documentary evidence, where Western tradition prevails. They also pointed out that Maori culture was based on the transmission of knowledge through the oral Maori narratives, orality, customary law, and traditions, focusing on and expressing the relationship of the people of the tribe and their relationship with the environment.

They also argued that Westerners' practices underestimated the spiritual and cultural importance of the river to the tribe of the Maori. The evidence presented by the Maori was about their claim that they were treated as being completely out of context and logic by a purely Western process. Based on the above, we understand how in 2014, the New Zealand government, in cooperation with the people of the tribe on the river Whanganui, jointly signed a treaty by which they recognized the Whanganui River as subject of Law. This final outcome was the result of a continuous claim over many years. It was agreed that the river acquired its original legal personality, with rights and obligations.

"The river became a legal entity with equal rights (Te Awa Tupua)." In 2017 this agreement took the form of law (Finlayson, 2016). The Whanganui River is recognized as an indivisible and living whole, from the mountains to the sea, with its tributaries integrated and all its natural and

metaphysical properties. The legal dispute over the Whanganui River never stopped.

The Anglo-Saxon law, as we have seen, provides that a title, such as a title deed, is attributed within solely from the procedures in force and through the customary law of the respective place where Anglo-Saxon law applies, and not according to the conceptual schemes they have developed in England and the Western world. The key to the answer, ultimately, lays both in the quality of the Maori relationship with the descendants of Europeans and the moral relationship of the people with the river.

The resolution of the cultural conflict came through the delivery of justice and awareness of legal cultures: the judge called upon to apply foreign legal institutions, which seriously deviate from Western values and principles, studied the broader legal and cultural environment of these institutions, and discovered elements that allowed him to reconcile with Western legal schemas, considering the interaction and interdependence of legal cultures.

Let us not forget that both national and broader transnational legal traditions are sources of ongoing information, particularly in an interconnected world. They constantly transmit and receive information. They are engaged in uninterrupted communication. Information and the exchange of information is the key to the proper functioning of law. Information and familiarity with the legal Maori culture through the Tribunals was fundamental for both cultures to overcome their asymmetries. These traditions are therefore external, open, and internally coherent. They preserve their diversity and characterise both for the information they emit and for the options they provide which are the product of deeper knowledge.

Part of the Maori' s legal culture was also a continual struggle in order to maintain the rights of access and use of water resources, fisheries, the right in progress and, finally, the right to their identity. Finally, the different approach to the river is directly related to the way each group sees it itself, its origins, and its creation. While Maori history has to do with the birth of the river as a cure for the rift created by anger and rage of God, for Europeans at first was just a geographical feature. The story about creation of the river, which to the Maori has to do with equality among all elements of nature and the primary role of the children of god, in Western culture it had to do with scientific terminology, with displacement of tectonic plates, volcanic eruption, etc. However, this "European" notion gradually changed.

It is worth mentioning that the Tribunals ultimately ruled that alternative knowledge must considered as an absolutely equivalent argument to the scientific evidence in the court system. Recognition of this knowledge ultimately constitutes a cultural right of natives. The evaluation process for environmental design, in environmentally sensitive areas such as the

Whanganui River, takes time and participatory consultation. Maori in New Zealand express the relationship of equality between people and nature, with their expression "*Ko au te awa, ko te awa ko au*", which translates: "I am the river, and the river is me" (Rudge, 1993, p. 28).

There are many examples of indigenous peoples who have a deep respect for nature and have a strong sense of belonging to it. As examples of court decisions that apply and recognize this legislation, the rights of nature have begun to appear in recent years. The success of coexistence in balance with nature of these populations is a useful empirical paradigm for the future. Their knowledge and experiences on how to promote the rights of nature are transmitted in international fora and must be perceived as part of a new international "legal reading" of nature. Several legal systems are gradually introducing the possibility of recognizing nature as a subject of Law, in order to apply for protection before a court and to appear for the legal claim of her rights.

Discussion

The human beings reperceive and reinvent ourselves as a species, becoming aware of the fragile nature of our existence in the context of the heterogeneous assemblies we have formed with our hegemonic practices, but where all factors, and not only ourselves, have abilities of intentional action (Chakrabarty, 2009). At this time of multi-faceted crises (Barnes; Dove, 2015), no division between human and non-human should be accepted (Mitchell, 2011).

The concept of Anthropocene gave us a powerful tool to discuss the role of humans in a changing world (Crutzen, 2002, p. 415). One of the main features of this era is the transition from the perception of globality to the planetary perception. There is also a need for an interdisciplinary combination of geological and socio-economic history that focuses both on the planetary or Earth factors, and on the cultural changes that have jointly created humanity over hundreds of thousands of years. A post-anthropocentric configuration of knowledge that grants the Earth the same status and abilities and agency as the human subjects in it (Braidotti, 2020, p. 160).

The approach to the environment and its meaning in the value system of modern generations in the last fifty years is gradually changing (Inglehart, 1977). Besides, the pertinent question is: how, considering a post-materialistic value era (Sclosberg; Craven, 2019, p.161-175), can we preserve the integrity of ecosystems in our time?

The legal culture of a society is a key concept of its protection. While the legal term "ecological integrity" is eminent and found many decades before in most legal texts, it was never implemented nor enforced. One of the

main legal documents(Adede, 1995,p.35) that includes this principle is the Rio Convention (RIO DECLARATION ON ENVIRONMENT AND DEVELOPMENT, 1972) and particularly Article 7, which states that States "must safeguard, protect and restore […] the integrity of ecosystems". We also come across this principle in a number of other legal documents (e.g. World Commission Environment and Development, 1987). This concept is also reflected in the RAMSAR Convention on Biodiversity, which mentions the "conservation of ecological character" of ecosystems as well as the "wise use", in the sense that wetlands will continue to exist and operate in a way that ensures the overall efficiency and functionality of the biosphere. The term "ecological integrity" should be evaluated and understood locally, regionally, and globally, through a holistic logic and approach. However, this never happened. Were people aware of this key legal concept? (Bosselman; Kim, 2015, p. 194).

Understanding the Anthropocene era requires the automatic recognition of the urgent need to transform the world and the limits of human action (Castree, 2014, p. 233-260). The intentional actions of the individual, in this new age, are themselves a geological force. The new position of the human being dissolves the separate categories of nature and society. Bruno Latour argues that just like the adjectives "natural" and "social" denote representations of communities that are neither natural nor social themselves, so the terms "local" and "global" offer perspectives to the existing networks that are, by nature, neither local nor global, but are more or less extensive, more or less connected (Latour, 2000).

On the other hand, one can retreat to posthuman theory, which also challenges "the traditional equation of subjectivity with rational consciousness resisting the reduction of both to objectivity and linearity" (Braidotti, 2020, p. 169). To be post-human does not mean to be dehumanized or indifferent to humans, it rather implies a new way of combining ethical values with the wellbeing of an enlarged sense of community, which includes multiple networks of one's territorial or environmental interconnections. Post-human theory has to do with joint projects and activities based on positive grounds of collaboration.

Under the long legal conflict, Maori traditional and practical knowledge of the river was merited next to the scientific tools and proofs in the scope of alternative resolution of differences which followed. Additionally, the inclusive consultation of all the interested parties and stakeholders reinforced the legalization of the relative process. They propose an alternative, a robust type of environmentalism, based on non-Western values. The cultivation of alternative forms of ecological legal entities.

What matters, is the re-assertion of the need for new planetary values in the sense of the interconnections amongst humans and the ecosystem of

the river. The needs, spiritual or otherwise, of the Maori became universal rights of nature and they cover simultaneously basic necessities, such as food, shelter, health, etc., and higher cultural needs – identity, knowledge, dignity, etc. A tangible paradigm of a new ecological post-humanism that calls for self-reflection from the subjects that occupied the former human-centric nexus. A holistic, ethical, rather than economic, approach to environmental protection is favoured. The conception of the Anthropocene goes one step further. The ecological sciences proposed a new basis for the ethical community: respect for the environment, as a matter of ethics and not economics.

Even if we are living in a post Anthropocene era, in the *Chthulucene* era (the word is combined by the ancient Greek words "*chthon*" or "*chthonic*" that means entities or beings that live in the Earth, and "*kainos*" that means now, the time of being, new, present), which represents the essence of uncertainty, but also of promise: a time and place where the only thing we can do is to stay with the trouble of living and dying in response to a damaged Earth. Perhaps, legal consciousness is the only way that could and may help us reconstruct ourselves in order to be able to "exist within the constant crisis" (Haraway, 2017, p. 3).

This era of the ongoing *Chthulucene* is symbiotic in the sense of consisting of "collectively producing systems that do not have self-defined spatial or temporal boundaries". Information and control are distributed among the components of the systems that are evolutionary and are having the ability to change (HARAWAY, 2016, p.33). After all, neither Biology nor Philosophy supports the notion of independent organisms in the environment. What matters is what ideas we use to think of other ideas (Haraway, 2016, p. 35).

Afterword-Suggestions

In a game of chance it is worth noting that the common root of the economy and ecology is the word "eco", which in ancient Greek means "home". The "home of the *chthonian*" creatures of *Chthulucene* era is the Earth. We must build a "*kainos*", new home and a new "science". On the one hand, a vibrant community and its content and, on the other, a science that studies how the community manages time, labour, and material resources

We are led to the assumption that not only humans depend on nature, nor that nature is central to humans but, above all, that there is a *continuum* between humans and the planet, between the human and non-human beings of the planet (Coole, Frost, 2010, p. 127) which directly and simultaneously creates a new collectivity.

The displacement of the anthropocentrism leads us to reconstruct humans' relation to other living entities. Critical theory can help us face up

to this challenge by building up to the multiple imaginary and affective ties that have consolidated human – animal, or even human-nature interactions.

The post–anthropocentric shift towards a planetary, geo-centred perspective. It can be our guide while it is also a conceptual revolution. After all, one way to change the world is by changing the way people think and the way they experience the world around them. The concepts of respect for the integrity of ecosystems, ecological citizenship and planetary consciousness are of paramount importance in this endeavour. To reach an environmental consciousness sometimes we must combine the radically new with some origins of the past. Individuals learn how to become responsible residents of a place by respecting that place and its other entities rather than transforming it to serve their own needs.

This kind of "planetary ship" presupposes the coverage of basic needs, both material and psychological of each individual, from sources that will be available locally. The concept of the "planetary ship" is a form of moral commitment and responsibility, as well as a commitment to future generations and other species and entities, regardless of where they live. After all, a sustainable society can only be built by ecologically conscious citizens that presupposes legal consciousness

If Anthropocene means the end of Modernity, the *Chthulucene* era symbolizes the continual struggle of all living entities for survival. For such an ecological revolution to succeed, we must transcend the current capitalist model of the biosphere with its ultimate immorality, replacing it with a world of ecological and cultural diversity – a world of total and responsible freedom, rooted in ethical and legal values compatible with nature.

The material reality of our time helps us to develop new ideas, attitudes, and cultures. As it is argued by Duncan (Dunkan, 2019, p. 2), and in order to understand the ways in which policies and laws were formed and influenced the environment, it is necessary to reflect and rewrite the codes and concepts they use, to highlight the interrelationships between the nature and the artificial world of Politics. Following this, it is necessary to critique the conventional way of thinking in relation to political values, economic growth, environmental inequalities, and justice. This challenge has been raised since the Anthropocene.: "The Anthropocene changes the way we perceive the connection between the human species and the rest of the planet." (Bennet, 2010, p. 117).

Every being can be an actor with the ability to create his own relationship with the environment. Human entities until now ultimately create the direction of life. Changing the way human beings experience the world – a change in legal consciousness – is critical. In doing so, an exchange of arguments may not be enough, we may need to use our instincts and passion. Poetry, art, and other spiritual rituals, the narration and retelling

of myths and tales, as well as the creation of stories contribute to this change. Cultural change can also affect understanding and decision making. The access and understanding of the information management is important, so that it can be transformed into environmental knowledge.

Each entity from the beginning shares a certain position within the western economic model that may change if the specific economic interests change. Furthermore each entity every human body is a singularity with a certain footprint but at the same time dynamically intertwined with other bodies, other human and no human actors," As it was argued "We extend into our environments and yet paradoxically are required to live this extension as interiority," (Blackman,2012, p. 151). If we managed to see humans as another collective entity, as an in-between that is connected to a variety of possible sources and forces, as an environmentally bound and territorially based subject (Legrand, 1997) which incorporates and transforms its natural, social, human, and technological environment constantly, we would understand the urgent need for change.

Our era, an era of tremendous dilemmas and changes, calls for more complex schemes of understanding the multi-layered form of inter-dependence we are all living in. The awareness and consciousness of the instability and lack in coherence of the narratives that compose the social structures and relations are the first steps towards changing them. Legal consciousness has everything to do with how knowledge is produced by networks of human and non-human actors and how that knowledge is being transformed in legal rules. Keeping the equilibrium of the Earth is the final goal. We have to reintroduce legal consciousness to legal practices by showing various ways in which legal schemas can be created and implemented.

Our era, as Latour(Latour,2011), Le Guin, and many others argue, calls for a new narrative, to create another story, to think again from the beginning by reconstructing our story not with humans in the middle but Earth itself as the focal point. Legislation must change. History must give away to geo-stories, to gaia stories, to symphonic stories (Haraway, 2016, p. 49).

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