

INTERNATIONAL JOURNAL OF LAW  
MANAGEMENT & HUMANITIES  
[ISSN 2581-5369]

---

Volume 8 | Issue 3  
2025

---

© 2025 International Journal of Law Management & Humanities

Follow this and additional works at: <https://www.ijlmh.com/>

Under the aegis of VidhiAagaz – Inking Your Brain (<https://www.vidhiaagaz.com/>)

---

This article is brought to you for “free” and “open access” by the International Journal of Law Management & Humanities at VidhiAagaz. It has been accepted for inclusion in the International Journal of Law Management & Humanities after due review.

In case of any suggestions or complaints, kindly contact [support@vidhiaagaz.com](mailto:support@vidhiaagaz.com).

---

To submit your Manuscript for Publication in the International Journal of Law Management & Humanities, kindly email your Manuscript to [submission@ijlmh.com](mailto:submission@ijlmh.com).

---

# Sacred Waters, Legal Rights: Reconceptualizing Personhood for Indian Rivers in the Anthropocene

---

SUJI CHERIYAN<sup>1</sup>

## ABSTRACT

*This article examines the emerging jurisprudential concept of granting legal personhood to rivers in India, a nation where waterways hold profound religious and cultural significance while simultaneously suffering severe environmental degradation. The analysis contextualizes India's judicial experiments with river rights within the broader global movement toward rights of nature. Through critical examination of landmark cases, particularly the short-lived recognition of the Ganges and Yamuna rivers as legal persons by the Uttarakhand High Court, this article identifies both the revolutionary potential and practical limitations of applying legal personhood to natural entities. The study interrogates theoretical justifications for river rights through multiple lenses: Hindu cosmology and religious traditions that venerate rivers as divine; indigenous ontologies that conceptualize non-human entities as relational beings rather than resources; and Western legal frameworks that have historically limited personhood to humans and corporations. The article argues that while legal personhood for rivers represents a paradigm shift in human-nature relationships, significant doctrinal and implementation challenges persist. These include questions of standing, representation, liability, jurisdictional fragmentation, and enforcement mechanisms. Nevertheless, this jurisprudential innovation offers promising pathways for reimagining environmental governance in ways that might better protect vital ecosystems. The article concludes that granting legal personhood to rivers requires reconceptualizing fundamental legal categories while simultaneously developing robust institutional frameworks capable of giving practical effect to these novel rights.*

**Keywords:** *Environmental law, legal personhood, rights of nature, river rights, comparative law, Indian environmental jurisprudence, Ganges River, Yamuna River, Hindu environmental ethics, ecological governance*

## I. INTRODUCTION

On March 20, 2017, the High Court of Uttarakhand rendered a groundbreaking judgment

---

<sup>1</sup> Author is an Assistant Professor at Bharata Mata School of Legal Studies, Aluva, Ernakulam, India.

declaring the Ganges and Yamuna rivers as "legal persons/living persons."<sup>2</sup> This unprecedented judicial pronouncement briefly placed India at the vanguard of a global environmental movement seeking to reconceptualize natural entities within legal frameworks. Though subsequently overturned by India's Supreme Court, the Uttarakhand judgment sparked intense scholarly and public debate about the viability and desirability of granting legal personhood to rivers and other natural entities in a nation where waterways simultaneously serve as spiritual lifelines, economic resources, and ecological systems in crisis.<sup>3</sup>

The concept of legal personhood for natural entities represents a profound departure from conventional Western legal paradigms that have historically drawn sharp distinctions between subjects of rights (humans and juridical persons like corporations) and objects of rights (property, including natural resources).<sup>4</sup> This binary has enabled and legitimized widespread environmental exploitation by rendering nature legally mute—incapable of holding rights or seeking redress for harms inflicted upon it.<sup>5</sup> Conversely, many indigenous legal traditions, including those that have influenced Indian jurisprudence, have long recognized non-human entities as relational beings deserving moral consideration rather than mere resources for human consumption.<sup>6</sup>

India provides a particularly fertile context for examining this emerging legal frontier due to several intersecting factors. First, Hindu cosmology and religious traditions explicitly venerate rivers—particularly the Ganges (Ganga)—as divine entities, suggesting cultural receptivity to reconceptualizing rivers beyond mere property.<sup>7</sup> Second, India faces acute water crises, with many major rivers suffering severe pollution and depletion, creating urgent practical imperatives for innovative governance approaches.<sup>8</sup> Third, India's legal system combines British colonial legal structures with indigenous traditions and progressive constitutional

---

<sup>2</sup> *Mohd. Salim v. State of Uttarakhand*, Writ Petition (PIL) No. 126 of 2014, decided on March 20, 2017 (Uttarakhand HC) at para 19.

<sup>3</sup> Michael Safi, "Ganges and Yamuna Rivers Granted Same Legal Rights as Human Beings," *The Guardian*, March 21, 2017.

<sup>4</sup> Anna Grear, "Deconstructing Anthropos: A Critical Legal Reflection on 'Anthropocentric' Law and Anthropocene 'Humanity,'" *Law and Critique* 26, no. 3 (2015): 229.

<sup>5</sup> Christopher D. Stone, *Should Trees Have Standing? Law, Morality, and the Environment*, 3rd ed. (New York: Oxford University Press, 2010), 24.

<sup>6</sup> Ashish Kothari and Shrishtee Bajpai, "We Are the River, the River is Us," *Economic & Political Weekly* 52, no. 37 (2017): 103-105.

<sup>7</sup> David L. Haberman, *River of Love in an Age of Pollution: The Yamuna River of Northern India* (Berkeley: University of California Press, 2006), 46-71.

<sup>8</sup> Veronica Williams, "The Sociopolitical Aspects of the Water Crisis in India," *Georgetown Journal of International Affairs* 21 (2020): 110-114.

values, creating unique jurisprudential spaces where novel legal concepts might take root.<sup>9</sup>

This article examines whether Indian rivers should have legal rights through multidisciplinary analysis of theoretical foundations, practical implementation challenges, and alternative governance frameworks. Section II traces the evolution of the legal personhood concept from its traditional application to humans and corporations to its emerging extension to natural entities in various jurisdictions globally. Section III provides a detailed analysis of India's judicial experiments with river rights, focusing on the Uttarakhand High Court's reasoning and the Supreme Court's subsequent stay. Section IV examines religious, philosophical, and indigenous knowledge frameworks that might support reconceptualizing rivers as rights-bearing entities in the Indian context. Section V critically assesses practical implementation challenges, including questions of representation, enforcement, and jurisdictional complexities. Section VI explores alternative or complementary governance approaches that might achieve similar ecological protection goals without the conceptual difficulties of legal personhood. Finally, Section VII offers normative conclusions and recommendations for future development of river rights jurisprudence in India.

The central argument advanced is that while legal personhood for rivers represents a potentially transformative paradigm shift in environmental governance, its successful implementation requires addressing substantial doctrinal and institutional challenges. The article contends that India's unique cultural, religious, and legal traditions offer distinctive resources for developing a jurisprudence of river rights that avoids merely transplanting Western legal concepts onto complex ecological systems. Through critical analysis of both the promise and limitations of river personhood, this article contributes to the emerging scholarly conversation about reimagining legal relationships between humans and the natural world in an era of unprecedented ecological crisis.

## **II. THE EVOLUTION OF LEGAL PERSONHOOD: FROM CORPORATIONS TO NATURE**

### **A. Theoretical Foundations of Legal Personhood**

Legal personhood fundamentally concerns who or what counts as a subject rather than an object in law—who can hold rights, bear duties, and access legal remedies.<sup>10</sup> The concept has never been static or limited solely to human beings. Rather, it has evolved dramatically across different legal systems and historical periods, reflecting changing social values and practical

---

<sup>9</sup> Videh Upadhyay, *Public Interest Litigation in India: Concepts, Cases, Concerns* (New Delhi: LexisNexis Butterworths, 2017), 129-145.

<sup>10</sup> Ngaire Naffine, "Who are Law's Persons? From Cheshire Cats to Responsible Subjects," *Modern Law Review* 66, no. 3 (2003): 346-367.

needs.<sup>11</sup> Roman law recognized various forms of non-human legal persons, while medieval European law extended personhood to ecclesiastical entities and municipalities.<sup>12</sup> The modern corporation represents perhaps the most significant extension of legal personhood beyond natural persons, creating what Maitland famously described as "bodies without souls."<sup>13</sup>

The theoretical justifications for extending personhood to non-human entities have generally followed two distinct pathways: interest theories and will theories of rights.<sup>14</sup> Interest theories posit that rights exist to protect important interests, suggesting that any entity with interests capable of being harmed might qualify for rights protection.<sup>15</sup> Will theories, conversely, emphasize capacity for autonomous choice and agency as prerequisites for rights-holding, potentially limiting personhood to rational agents.<sup>16</sup> These competing theories have significant implications for extending personhood to natural entities like rivers, which clearly have interests that can be harmed but lack conventional forms of autonomous agency.

Christopher D. Stone's seminal 1972 article "Should Trees Have Standing?" marked a watershed moment in reconceptualizing natural entities as potential legal persons.<sup>17</sup> Stone argued that the seeming "unthinkability" of natural objects holding legal rights merely reflected historical conventions rather than logical impossibilities, noting that similar objections had been raised against extending legal personhood to women, enslaved people, and corporations—all of which eventually gained varying degrees of legal recognition.<sup>18</sup> Stone proposed that natural objects could hold legal rights through human representatives, just as corporations act through directors and officers, and incompetent persons through guardians.<sup>19</sup>

## **B. Global Developments in Rights of Nature**

The theoretical groundwork laid by Stone and others found concrete expression beginning in the early 21st century through constitutional provisions, legislation, and judicial decisions recognizing various forms of legal personhood or rights for natural entities.<sup>20</sup> Ecuador's 2008

---

<sup>11</sup> Frederic William Maitland, "Moral Personality and Legal Personality," *Journal of the Society of Comparative Legislation* 6, no. 2 (1905): 192-193.

<sup>12</sup> John Dewey, "The Historic Background of Corporate Legal Personality," *Yale Law Journal* 35, no. 6 (1926): 655-673.

<sup>13</sup> Maitland, "Moral Personality and Legal Personality," 195.

<sup>14</sup> Ronald Dworkin, *Taking Rights Seriously* (Cambridge: Harvard University Press, 1978), 184-205.

<sup>15</sup> Joseph Raz, "On the Nature of Rights," *Mind* 93, no. 370 (1984): 194-214.

<sup>16</sup> H. L. A. Hart, "Are There Any Natural Rights?" *The Philosophical Review* 64, no. 2 (1955): 175-191.

<sup>17</sup> Christopher D. Stone, "Should Trees Have Standing? Toward Legal Rights for Natural Objects," *Southern California Law Review* 45 (1972): 450-501.

<sup>18</sup> Stone, "Should Trees Have Standing?," 455.

<sup>19</sup> Stone, "Should Trees Have Standing?," 464.

<sup>20</sup> David R. Boyd, *The Rights of Nature: A Legal Revolution That Could Save the World* (Toronto: ECW Press, 2017), 137-164.

Constitution represented a landmark development, declaring that "Nature or Pachamama, where life is reproduced and exists, has the right to exist, persist, maintain and regenerate its vital cycles, structure, functions and its processes in evolution."<sup>21</sup> Bolivia followed in 2010 with the Law of the Rights of Mother Earth, which recognized nature as a legal person with specific rights to life, diversity, water, clean air, balance, restoration, and pollution-free living.<sup>22</sup>

These Latin American developments emerged from distinctive philosophical foundations blending indigenous cosmovision—particularly the Andean concept of "Pachamama" (Mother Earth)—with modern environmental concerns.<sup>23</sup> Rather than merely transplanting Western legal concepts, these jurisdictions drew upon indigenous ontologies that conceptualize humans as embedded within rather than separate from natural systems.<sup>24</sup>

New Zealand provided another significant precedent with the Te Urewera Act 2014 and Te Awa Tupua (Whanganui River Claims Settlement) Act 2017, which recognized a national park and river respectively as legal persons with "all the rights, powers, duties, and liabilities of a legal person."<sup>25</sup> Significantly, these developments emerged from treaty settlements with Māori iwi (tribes) and explicitly incorporated indigenous legal concepts into statutory frameworks.<sup>26</sup> The Whanganui River model created a complex representative structure including both indigenous and government appointees to act as "human face" for the river.<sup>27</sup>

Colombia's Constitutional Court extended legal personhood to the Atrato River in 2016, citing both constitutional environmental provisions and the rights of indigenous communities dependent upon the river.<sup>28</sup> The Court ordered creation of a guardianship arrangement with representatives from government and riverine communities, while emphasizing the river's importance as an "entity subject to rights of protection, conservation, maintenance and restoration."<sup>29</sup>

---

<sup>21</sup> Constitution of the Republic of Ecuador, Art. 71.

<sup>22</sup> Law of the Rights of Mother Earth, Law 071 of the Plurinational State of Bolivia (2010).

<sup>23</sup> Louis J. Kotzé and Paola Villavicencio Calzadilla, "Somewhere between Rhetoric and Reality: Environmental Constitutionalism and the Rights of Nature in Ecuador," *Transnational Environmental Law* 6, no. 3 (2017): 401-433.

<sup>24</sup> Michelle Maloney, "Building an Alternative Jurisprudence for the Earth: The International Rights of Nature Tribunal," *Vermont Law Review* 41, no. 1 (2016): 129-142.

<sup>25</sup> Te Awa Tupua (Whanganui River Claims Settlement) Act 2017 (NZ), s 14.

<sup>26</sup> Julia Morris and Jacinta Ruru, "Giving Voice to Rivers: Legal Personality as a Vehicle for Recognising Indigenous Peoples' Relationships to Water," *Australian Indigenous Law Review* 14, no. 2 (2010): 49-62.

<sup>27</sup> Te Awa Tupua (Whanganui River Claims Settlement) Act 2017 (NZ), s 18.

<sup>28</sup> Corte Constitucional [C.C.] [Constitutional Court], noviembre 10, 2016, Sentencia T-622/16 (Colom.).

<sup>29</sup> Elizabeth Macpherson, Julia Torres Ventura, and Erin O'Donnell, "Constitutional Law, Ecosystems, and Indigenous Peoples in Colombia: Biocultural Rights and Legal Subjects," *Transnational Environmental Law* 9, no. 3 (2020): 521-540.

These diverse approaches to recognizing natural entities as legal persons demonstrate that the concept can be adapted to different legal systems, cultural contexts, and practical needs. However, they also reveal significant variations in justificatory frameworks, institutional arrangements, and practical implementations that must inform any assessment of river rights in the Indian context.

### C. Personhood for Non-Human Entities in Indian Legal Tradition

The concept of legal personhood for non-human entities is not entirely foreign to Indian jurisprudence. Hindu deities (murtis) have long been recognized as juristic persons capable of owning property and being parties to litigation through designated human representatives (shebais).<sup>30</sup> In *Pramatha Nath Mullick v. Pradyumna Kumar Mullick* (1925), the Privy Council affirmed that "a Hindu idol is, according to long-established authority founded upon the religious customs of the Hindus and the recognition thereof by Courts of law, a juristic entity. It has a juridical status with the power of suing and being sued."<sup>31</sup>

This juristic personhood for deities originally served practical purposes of managing temple properties and religious endowments, but its underlying logic reflects broader Hindu cosmological views regarding the divine presence in consecrated images.<sup>32</sup> Importantly, this form of legal personhood does not require human-like consciousness or autonomous agency. Rather, it functions through a system of representation where human trustees act on behalf of the deity's interests.<sup>33</sup>

More recently, Indian courts have occasionally extended aspects of personhood to animals, particularly in cases involving cruelty or religious practices. In *Animal Welfare Board of India v. A. Nagaraja* (2014), the Supreme Court recognized that animals have inherent dignity and certain fundamental rights under Article 21 of the Constitution.<sup>34</sup> While stopping short of declaring animals legal persons, the Court emphasized that "life" in Article 21 encompasses "animal life" and not merely human existence.<sup>35</sup>

These precedents regarding deities and animals suggest that Indian jurisprudence possesses indigenous legal resources for conceptualizing non-human personhood that need not rely exclusively on Western models. The extension of legal personhood to rivers would represent a novel but not entirely unprecedented development within this tradition. However, rivers

---

<sup>30</sup> Kathy Kaufman, "The Indian Temple: A Juristic Person," *Proceedings and Addresses of the American Philosophical Association* 69, no. 2 (1995): 147-148.

<sup>31</sup> *Pramatha Nath Mullick v. Pradyumna Kumar Mullick* (1925) 27 BOMLR 1064.

<sup>32</sup> Richard Davis, *Lives of Indian Images* (Princeton: Princeton University Press, 1997), 56-72.

<sup>33</sup> *Ratilal Panachand Gandhi v. State of Bombay*, AIR 1954 SC 388.

<sup>34</sup> *Animal Welfare Board of India v. A. Nagaraja*, (2014) 7 SCC 547.

<sup>35</sup> *Animal Welfare Board of India v. A. Nagaraja*, (2014) 7 SCC 547, para 62.

present distinct challenges given their geographical scale, ecological complexity, and the multiple competing human interests they implicate.

### III. INDIA'S JUDICIAL EXPERIMENTS WITH RIVER RIGHTS

#### A. The Uttarakhand High Court Decisions

The most significant Indian judicial engagement with river personhood occurred in two 2017 decisions by the High Court of Uttarakhand. In *Mohd. Salim v. State of Uttarakhand*, Justice Rajiv Sharma and Justice Alok Singh declared: "the Rivers Ganga and Yamuna, all their tributaries, streams, every natural water flowing with flow continuously or intermittently of these rivers, are declared as juristic/legal persons/living entities having the status of a legal person with all corresponding rights, duties and liabilities of a living person."<sup>36</sup>

The Court's reasoning combined various justificatory frameworks. First, it cited the rivers' religious and cultural significance, noting that "Hindus have deep Astha [faith] in rivers Ganga and Yamuna and they collectively connect with them."<sup>37</sup> Second, it drew analogies to Hindu deities' juristic personhood, suggesting a logical extension to rivers venerated in Hindu tradition.<sup>38</sup> Third, it invoked Article 48-A of the Indian Constitution, which directs the state to "protect and improve the environment" and Article 51A(g), which imposes a fundamental duty on citizens to "protect and improve the natural environment."<sup>39</sup> Fourth, it referenced the New Zealand legislation recognizing the Whanganui River as a legal person, suggesting alignment with emerging global norms.<sup>40</sup>

The Court designated three officials—the Director of Namami Gange (Clean Ganga Mission), the Chief Secretary of Uttarakhand, and the Advocate General of Uttarakhand—as "persons in loco parentis" to act as the human face of the rivers.<sup>41</sup> This guardianship model mirrored approaches in other jurisdictions while utilizing familiar legal concepts from Indian jurisprudence. The Court explained this representation framework was necessary because "the rivers cannot speak themselves."<sup>42</sup>

Just ten days later, in *Lalit Miglani v. State of Uttarakhand*, the same division bench extended legal personhood to "Glaciers including Gangotri & Yamunotri, rivers, streams, rivulets,

---

<sup>36</sup> *Mohd. Salim v. State of Uttarakhand*, Writ Petition (PIL) No. 126 of 2014, decided on March 20, 2017 (Uttarakhand HC) at para 19.

<sup>37</sup> *Mohd. Salim v. State of Uttarakhand*, Para 17

<sup>38</sup> *Mohd. Salim v. State of Uttarakhand*, para 14

<sup>39</sup> *Mohd. Salim v. State of Uttarakhand*, para 19.

<sup>40</sup> *Mohd. Salim v. State of Uttarakhand*, para 16.

<sup>41</sup> *Mohd. Salim v. State of Uttarakhand*, para 19.

<sup>42</sup> *Mohd. Salim v. State of Uttarakhand*, para 19.



lakes, air, meadows, dales, jungles, forests wetlands, grasslands, springs and waterfalls."<sup>43</sup> This dramatic expansion reflected the Court's holistic ecological perspective, recognizing the interconnectedness of natural systems. The judgment emphasized both environmental concerns and religious-cultural values, noting that "Hindus worship rivers, lakes, trees, and wildlife" and that natural entities "support life and the entire ecosystem depends on them."<sup>44</sup>

Together, these decisions represented a radical reconceptualization of rivers within Indian law—transforming them from property subject to state regulation into legal persons with independent standing. The Court explicitly aimed to "protect the recognition and the faith of society" while creating stronger legal protections for increasingly polluted waterways.<sup>45</sup>

### **B. The Supreme Court Stay and Its Implications**

The Uttarakhand government promptly appealed to the Supreme Court, which stayed the High Court orders in July 2017.<sup>46</sup> The state government raised several practical concerns about the implementation of the High Court's orders, including

- The designation of state officials as guardians created potential conflicts of interest, as the state itself might be implicated in activities harmful to the rivers;
- Jurisdictional questions arose because the rivers flow beyond Uttarakhand's boundaries, creating interstate complications;
- Uncertain liability consequences might arise if damage occurred to property or persons due to flooding, pollution, or other river-related events; and
- Practical enforcement mechanisms remained undefined.<sup>47</sup>

The Supreme Court has not issued a final ruling on the merits, leaving the legal status of Indian rivers in limbo.<sup>48</sup> This judicial uncertainty reflects broader conceptual and practical questions about implementing river personhood in India's complex federal system with overlapping water governance regimes.

### **C. Subsequent Developments in Indian River Jurisprudence**

Despite the Supreme Court stay, the Uttarakhand decisions have influenced subsequent

---

<sup>43</sup> Lalit Miglani v. State of Uttarakhand, Writ Petition (PIL) No. 140 of 2015, decided on March 30, 2017 (Uttarakhand HC) at para 63.

<sup>44</sup> Lalit Miglani v. State of Uttarakhand, para 61.

<sup>45</sup> Mohd. Salim v. State of Uttarakhand, para 19.

<sup>46</sup> State of Uttarakhand v. Mohd. Salim, SLP (Civil) No. 016879/2017, Supreme Court of India (July 7, 2017).

<sup>47</sup> Erin L. O'Donnell and Julia Talbot-Jones, "Creating Legal Rights for Rivers: Lessons from Australia, New Zealand, and India," *Ecology and Society* 23, no. 1 (2018): 7.

<sup>48</sup> As of the time of this writing in May 2025, no final decision has been rendered by the Supreme Court on this matter.

jurisprudence and public discourse. In *Narayan Dutt Bhatt v. Union of India* (2018), the Uttarakhand High Court declared the entire animal kingdom as legal persons with corresponding rights, again utilizing similar reasoning to the river personhood cases.<sup>49</sup> Although focused on animal protection, this decision demonstrated the court's continued engagement with expanding personhood beyond traditional boundaries.

More directly related to rivers, in *Indian Council for Enviro-Legal Action v. Union of India* (2018), the National Green Tribunal (NGT) developed a holistic "River Rejuvenation Committee" approach that, while not explicitly adopting personhood language, emphasized rivers' ecological integrity rather than merely their utility for human purposes.<sup>50</sup> Similarly, in *Manoj Misra v. Delhi Development Authority* (2019), the NGT conceptualized the Yamuna floodplain as an integrated ecological unit deserving comprehensive protection.<sup>51</sup>

These developments suggest that even without formal legal personhood, Indian courts have begun conceptualizing rivers as integrated ecological systems rather than merely water resources. This shift in judicial perspective represents a partial achievement of the river personhood movement's goals even without the formal recognition of rivers as legal persons.

#### IV. PHILOSOPHICAL AND RELIGIOUS FOUNDATIONS FOR RIVER RIGHTS IN INDIA

##### A. Hindu Cosmology and Rivers as Divine Entities

Any assessment of river personhood in India must account for the profound religious significance of rivers—particularly the Ganges—within Hindu traditions. The Ganges is not merely venerated; it is considered a goddess (Ganga Devi) descended from heaven to purify humanity.<sup>52</sup> Ancient Vedic and Puranic texts contain numerous hymns to river deities, while pilgrimage practices centered on river bathing (snan) remain vital religious observances for millions of Hindus today.<sup>53</sup>

This religious conception potentially provides cultural resonance for legal personhood in ways unique to the Indian context. As legal scholar Erin O'Donnell notes, "In India, the legal argument for river personhood was able to draw upon pre-existing legal recognition of the

---

<sup>49</sup> *Narayan Dutt Bhatt v. Union of India*, Writ Petition (PIL) No. 43 of 2014, decided on July 4, 2018 (Uttarakhand HC).

<sup>50</sup> *Indian Council for Enviro-Legal Action v. Union of India*, Original Application No. 200 of 2014, National Green Tribunal (2018).

<sup>51</sup> *Manoj Misra v. Delhi Development Authority*, Original Application No. 65 of 2016, National Green Tribunal (2019).

<sup>52</sup> Diana Eck, *Banaras: City of Light* (New York: Columbia University Press, 1999), 131-142.

<sup>53</sup> Vijaya Nagarajan, *Feeding a Thousand Souls: Women, Ritual and Ecology in India, An Exploration of the Kolam* (New York: Oxford University Press, 2018), 76-91.

personhood of idols in Hindu temples."<sup>54</sup> This religious-cultural framework differs significantly from Western philosophical traditions that have sharply separated humanity from nature and struggled to conceptualize natural entities as rights-bearers.<sup>55</sup>

However, the religious dimension presents complexities as well. First, religious veneration has not historically prevented severe pollution of sacred rivers, suggesting potential disconnects between spiritual reverence and environmental protection.<sup>56</sup> Second, emphasizing Hindu religious connections risks alienating India's substantial non-Hindu populations and potentially conflicting with constitutional secularism principles.<sup>57</sup> Third, religious frameworks might inadequately address scientific ecological concerns that extend beyond culturally significant waterways to entire watershed systems.<sup>58</sup>

Nevertheless, religious conceptions of rivers as divine entities provide distinctive resources for reimagining rivers beyond mere property. As philosopher Mary Elizabeth Hancock argues, "The Hindu tradition's sacred geography...provides alternative metaphysical ground for conceiving relationships between humanity and nonhuman nature."<sup>59</sup> These alternative metaphysics, properly integrated with contemporary ecological understanding, could potentially inform innovative legal approaches to river protection.

## **B. Ecological Perspectives and Scientific Understanding**

Contemporary ecological science emphasizes the interconnectedness of natural systems and the artificial nature of boundaries between different ecological components.<sup>60</sup> Rivers are not merely flowing water but complex ecosystems encompassing physical features (channels, floodplains, groundwater connections), biological communities (aquatic and riparian flora and fauna), and dynamic processes (sedimentation, nutrient cycling).<sup>61</sup>

This scientific understanding potentially supports reconceptualizing rivers as integrated entities deserving holistic legal protection rather than divisible resources subject to

---

<sup>54</sup> Erin L. O'Donnell, "At the Intersection of the Sacred and the Legal: Rights for Nature in Uttarakhand, India," *Journal of Environmental Law* 30, no. 1 (2018): 135-144.

<sup>55</sup> Val Plumwood, *Environmental Culture: The Ecological Crisis of Reason* (London: Routledge, 2002), 37-59.

<sup>56</sup> Kelly D. Alley, *On the Banks of the Ganga: When Wastewater Meets a Sacred River* (Ann Arbor: University of Michigan Press, 2002), 239-241.

<sup>57</sup> Constitution of India, Art. 25-28.

<sup>58</sup> Jamie Linton, *What Is Water? The History of a Modern Abstraction* (Vancouver: UBC Press, 2010), 73-92.

<sup>59</sup> Mary Elizabeth Hancock, *Womanhood in the Making: Domestic Ritual and Public Culture in Urban South India* (Boulder: Westview Press, 1999), 203.

<sup>60</sup> J. Baird Callicott, *Thinking Like a Planet: The Land Ethic and the Earth Ethic* (New York: Oxford University Press, 2014), 88-112.

<sup>61</sup> Ellen Wohl, *Disconnected Rivers: Linking Rivers to Landscapes* (New Haven: Yale University Press, 2004), 24-53.

fragmented regulation.<sup>62</sup> Environmental ethicist J. Baird Callicott argues that ecology provides scientific justification for "moral considerability" of natural systems by demonstrating their complex organization and capacity for self-maintenance—qualities traditionally associated with moral subjects.<sup>63</sup>

Ecological perspectives also highlight limitations in conventional regulatory approaches focused on specific pollutants or minimum flow requirements without addressing ecosystem integrity.<sup>64</sup> Legal scholar Anamika Basu observes that Indian water governance has historically emphasized human use-values over ecological functions, contributing to environmental degradation despite extensive regulatory frameworks.<sup>65</sup>

River personhood potentially aligns legal frameworks with ecological understandings by recognizing waterways as integrated living systems rather than divisible resources. However, determining appropriate legal representatives who can accurately interpret and advocate for rivers' ecological needs presents significant challenges. Scientific expertise must inform representation structures while avoiding technocratic approaches that marginalize local and indigenous knowledge.<sup>66</sup>

### **C. Indigenous and Local Knowledge Systems**

India's diverse Indigenous communities (Adivasis) possess distinctive traditional knowledge systems regarding rivers and water management.<sup>67</sup> These knowledge systems often conceptualize rivers as living ancestors or community members rather than resources, potentially providing alternative frameworks for understanding river personhood.<sup>68</sup> For example, the Dongria Kondh people of Odisha consider the Niyamgiri hills and associated waterways as living manifestations of their deity Niyam Raja.<sup>69</sup> Similarly, various tribal communities along the Narmada River maintain traditions viewing river as a life-giving

---

<sup>62</sup> Cormac Cullinan, *Wild Law: A Manifesto for Earth Justice*, 2nd ed. (White River Junction, VT: Chelsea Green Publishing, 2011), 129-134.

<sup>63</sup> Callicott, *Thinking Like a Planet*, 94.

<sup>64</sup> Anamika Basu, "Water Laws in India: Ancient, Medieval and Modern," in *Water and the Laws in India*, ed. Ramaswamy R. Iyer (New Delhi: Sage Publications, 2009), 37.

<sup>65</sup> Basu, "Water Laws in India," 29-58.

<sup>66</sup> Ranjan Datta, "Decolonizing both Researcher and Research and its Effectiveness in Indigenous Research," *Research Ethics* 14, no. 2 (2018): 1-24.

<sup>67</sup> M.D. Subash Chandran and J. Donald Hughes, "Sacred Groves and Conservation: The Comparative History of Traditional Reserves in the Mediterranean Area and in South India," *Environment and History* 6, no. 2 (2000): 169-186.

<sup>68</sup> Amita Baviskar, *In the Belly of the River: Tribal Conflicts over Development in the Narmada Valley* (New Delhi: Oxford University Press, 2004), 78-96.

<sup>69</sup> Felix Padel and Samarendra Das, *Out of This Earth: East India Adivasis and the Aluminium Cartel* (New Delhi: Orient BlackSwan, 2010), 312-325.

mother figure.<sup>70</sup> These indigenous conceptualizations differ from both Western property paradigms and formal Hindu religious frameworks, offering additional resources for reimagining human-river relationships.

International agreements including the United Nations Declaration on the Rights of Indigenous Peoples recognize the importance of indigenous relationships with traditional territories including waterways.<sup>71</sup> However, Indian water governance has historically marginalized indigenous knowledge and management practices despite constitutional protections for tribal communities.<sup>72</sup>

Legal personhood frameworks must carefully integrate indigenous perspectives to avoid reproducing colonial patterns of knowledge exclusion. As environmental justice scholar Amita Baviskar notes, river governance debates often privilege either state-scientific or religious-cultural frameworks while excluding adivasi knowledge systems.<sup>73</sup> Meaningful recognition of river personhood would require creating space for multiple epistemological approaches to understanding river needs and interests.

## **V. PRACTICAL CHALLENGES IN IMPLEMENTING RIVER RIGHTS IN INDIA**

### **A. Representation: Speaking for the River**

The fundamental practical challenge in operationalizing river personhood involves determining who legitimately represents the river's interests and how they do so.<sup>74</sup> The Uttarakhand High Court's appointment of state officials as guardians "in loco parentis" raised immediate concerns about conflicts of interest, as these same authorities oversee development activities potentially harmful to rivers.<sup>75</sup>

Alternative representational models exist globally. New Zealand's Whanganui River framework established "Te Pou Tupua," a two-person body with one member appointed by indigenous Māori communities and one by the government.<sup>76</sup> Ecuador's rights of nature provisions allow any person or community to legally represent nature's interests through

---

<sup>70</sup> Baviskar, *In the Belly of the River*, 80.

<sup>71</sup> United Nations Declaration on the Rights of Indigenous Peoples, G.A. Res. 61/295, U.N. Doc. A/RES/61/295 (Sept. 13, 2007), Art. 25-26.

<sup>72</sup> Constitution of India, Art. 244, Schedule V and VI.

<sup>73</sup> Amita Baviskar, "The Politics of Being 'Indigenous,'" in *Indigeneity in India*, ed. Bengt G. Karlsson and T.B. Subba (London: Kegan Paul, 2006), 97-119.

<sup>74</sup> Christopher Clark et al., "Can You Hear the Rivers Sing? Legal Personhood, Ontology, and the Nitty-Gritty of Governance," *Ecology Law Quarterly* 45, no. 4 (2018): 787-844.

<sup>75</sup> O'Donnell, "At the Intersection of the Sacred and the Legal," 140.

<sup>76</sup> Te Awa Tupua (Whanganui River Claims Settlement) Act 2017 (NZ), s 20.

regular court procedures without requiring special standing.<sup>77</sup>

### **B. Jurisdictional Complexities in India's Federal System**

Rivers in India regularly cross multiple state boundaries, creating complex jurisdictional challenges for implementing river personhood.<sup>78</sup> The Constitution places "water supplies, irrigation and canals, drainage and embankments, water storage and water power" on the State List (List II), giving primary regulatory authority to state governments.<sup>79</sup> However, the Constitution also empowers Parliament to regulate interstate rivers under Entry 56 of the Union List (List I).<sup>80</sup> This divided authority has produced contentious interstate water disputes despite mechanisms like the Inter-State River Water Disputes Act 1956.<sup>81</sup> Major rivers like the Ganges and Yamuna flow through multiple states with competing interests and development priorities, complicating uniform protection efforts.<sup>82</sup> Legal personhood potentially exacerbates these jurisdictional complexities by creating new questions about which courts have authority regarding the river-person and which human representatives legitimately speak for river sections in different states. Environmental law scholar Philippe Cullet notes that "river personhood requires legal unity that India's federal structure currently impedes."<sup>83</sup>

### **C. Enforcement Mechanisms and Remedies**

Effective rights require corresponding remedies when violations occur. For river personhood to meaningfully protect waterways, clear enforcement mechanisms must exist.<sup>84</sup> The Uttarakhand decisions left unanswered questions about specific remedies available to rivers-as-persons and how these remedies would interact with existing environmental regulatory frameworks.<sup>85</sup> Indian environmental jurisprudence has developed various remedial approaches potentially applicable to river personhood, including

- The "polluter pays" principle requiring compensation for environmental damage;

---

<sup>77</sup> Constitution of the Republic of Ecuador, Art. 71.

<sup>78</sup> Philippe Cullet, *Water Law, Poverty, and Development: Water Sector Reforms in India* (Oxford: Oxford University Press, 2009), 42-56.

<sup>79</sup> Constitution of India, Schedule VII, List II, Entry 17.

<sup>80</sup> Constitution of India, Schedule VII, List I, Entry 56.

<sup>81</sup> Ashutosh Mohanty, "Fluid Jurisprudence: Judicial Discourse on Interstate Water Disputes in India," *Environmental Policy and Law* 44, no. 4 (2014): 355-365.

<sup>82</sup> Ramaswamy R. Iyer, *Water: Perspectives, Issues, Concerns* (New Delhi: Sage Publications, 2003), 78-96.

<sup>83</sup> Philippe Cullet, "Water Law in a Globalised World: The Need for a New Conceptual Framework," *Journal of Environmental Law* 23, no. 2 (2011): 233-254, at 246.

<sup>84</sup> Gwendolyn J. Gordon, "Environmental Personhood," *Columbia Journal of Environmental Law* 43, no. 1 (2018): 49-91.

<sup>85</sup> O'Donnell and Talbot-Jones, "Creating Legal Rights for Rivers," 7.

- The precautionary principle allowing preventive action before conclusive scientific evidence of harm;
- Absolute liability for hazardous activities regardless of fault; and
- The public trust doctrine conceptualizing natural resources as held in trust for public benefit.<sup>86</sup>

These existing principles might be adapted to river personhood contexts, but questions remain about appropriate remedies for historical harms, ongoing cumulative impacts, and competing beneficial uses.<sup>87</sup> Should damages paid for river pollution go to restoration efforts, to compensating affected human communities, or to trust funds managed by river representatives? Can injunctive relief prohibit essential human activities like municipal water withdrawals if they harm river interests?

Moreover, enforcement requires sufficient institutional capacity—financial resources, technical expertise, and political authority—to monitor compliance and implement remedies.<sup>88</sup> India's environmental governance already suffers significant implementation gaps between ambitious judicial pronouncements and ground-level enforcement.<sup>89</sup> River personhood could exacerbate these gaps without corresponding investments in institutional capacity.

#### **D. Balancing Human Needs and River Rights**

Perhaps the most profound practical challenge involves balancing legitimate human needs—drinking water, irrigation, and industrial development—with river rights to flow, ecological integrity, and freedom from pollution. Unlike protected forests or wildlife reserves that can sometimes be managed with minimal human intervention, major Indian rivers support hundreds of millions of people who depend on them for survival. The absolutist language sometimes associated with rights frameworks potentially creates false dichotomies between human and river interests. A more nuanced approach would recognize that river health ultimately serves human welfare while acknowledging that some compromises and prioritization among competing values remain necessary.

Environmental philosopher Bryan Norton's concept of "weak anthropocentrism" suggests a potential middle path that values nature primarily but not exclusively for human benefit, considering long-term ecological sustainability alongside immediate human needs. This

---

<sup>86</sup> Shveta Jain, "Balancing Cultural Values and Sustainable Development: What Works and What Doesn't in the Context of India's Rivers," *Environmental Law Review* 21, no. 3 (2019): 203-218.

<sup>87</sup> Jain, "Balancing Cultural Values and Sustainable Development," 212.

<sup>88</sup> Cullet, *Water Law, Poverty, and Development*, 131-148.

<sup>89</sup> Sunita Narain, *Conflicts of Interest: My Journey through India's Green Movement* (New Delhi: Penguin Viking, 2017), 187-204.

approach might allow for pragmatic balancing while still representing a significant shift from treating rivers merely as exploitable resources. Legal frameworks would need to develop clear principles for resolving conflicts between river rights and human needs, potentially including:

- Priority for basic human necessities (drinking water, subsistence agriculture) over luxury or commercial uses;
- Obligations to implement least-harmful alternatives when human activities must impact rivers;
- Principles of fair sharing among different user communities and between human and ecological needs; and
- Requirements for cumulative impact assessment rather than project-by-project evaluation.

Without such balancing principles, river personhood risks either becoming purely symbolic (with rivers' interests always sacrificed to human needs) or creating unworkable absolutist prohibitions on essential human activities.

## **VI. CONCLUSION AND RECOMMENDATIONS**

### **A. Normative Conclusions: Should Indian Rivers Have Legal Rights?**

This analysis suggests that legal personhood for Indian rivers represents a potentially transformative conceptual innovation with both significant promise and substantial practical challenges. The question of whether rivers "should" have legal rights defies simple affirmative or negative answers. Instead, this analysis supports several nuanced conclusions. First, conventional legal frameworks conceptualizing rivers as passive resources have demonstrably failed to prevent severe degradation of India's waterways despite proliferating regulations. This failure suggests the need for paradigmatic legal innovations rather than merely incremental reforms.

Second, India's unique religious, cultural, and legal traditions provide distinctive resources for reconceptualizing rivers as more than property. These indigenous frameworks, combined with emerging global jurisprudential developments, create potentially fertile ground for developing river rights approaches tailored to Indian contexts rather than merely transplanting Western legal concepts. Third, the practical implementation challenges—representation, jurisdiction, enforcement, and balancing competing interests—are substantial but not insurmountable. They require careful institutional design rather than wholesale rejection of the personhood concept.



Fourth, legal personhood need not be conceptualized as an either/or proposition but rather as one component within hybrid governance approaches that might also incorporate public trust principles, enhanced regulatory frameworks, and community-based management. The most defensible conclusion is that some form of rights framework for Indian rivers warrants serious consideration and context-specific experimentation, provided that it:

- Develops authentic jurisprudential foundations drawing on both India's distinctive traditions and emerging global norms;
- Creates robust, independent, and ecologically informed representation mechanisms;
- Addresses jurisdictional complexities through appropriate national frameworks;
- Establishes clear enforcement pathways and remedies; and
- Includes principled approaches to balancing river rights with essential human needs.

Such an approach could catalyze a paradigm shift in human-river relationships while avoiding impractical absolutism or mere symbolic gestures without practical effect.

### **B. Pathways Forward: Recommendations for Policy and Practice**

Building on these normative conclusions, several concrete recommendations emerge for advancing thoughtful consideration of river rights in India:

- **Develop Context-Specific Legal Frameworks:** Rather than uncritically adopting models from other jurisdictions, India should develop river rights frameworks that integrate Hindu religious concepts, indigenous knowledge systems, constitutional environmental principles, and contemporary ecological understanding. These frameworks should articulate specifically Indian justifications for river personhood rather than merely transplanting foreign concepts.
- **Create Independent Representation Structures:** Any viable river personhood framework requires truly independent representatives not subject to conflicts of interest. A national river commission with diverse membership—including scientific experts, religious authorities, community representatives, and government officials—could provide balanced representation while addressing jurisdictional fragmentation.
- **Address Jurisdictional Complexity Through National Legislation:** Parliament should exercise its authority over interstate rivers to establish consistent national frameworks for river personhood, thereby addressing the jurisdictional complications that arise

from India's federal structure. This legislation should clearly delineate relationships between river rights and existing water governance mechanisms.

- **Develop Clear Principles for Balancing Rights:** Rather than treating river rights as absolute, legal frameworks should articulate clear principles for balancing ecological protection with essential human needs. These principles might include priorities for basic human necessities, obligations to implement least-harmful alternatives, and requirements for equitable sharing among different user communities.
- **Start with Pilot Watershed Applications:** Rather than immediately applying personhood to all rivers nationwide, pilot applications focusing on specific watersheds could allow for practical experimentation and adaptation. These pilots might begin with smaller river systems entirely within single states before addressing more complex interstate waterways.
- **Strengthen Supporting Institutions:** River personhood requires robust supporting institutions with sufficient technical capacity, financial resources, and enforcement authority. Strengthening the National Green Tribunal, pollution control boards, and research institutions would create essential infrastructure for implementing river rights.
- **Integrate Community Governance:** Local communities should play meaningful roles in river governance through co-management arrangements, participatory monitoring programs, and formal representation in decision-making bodies. This community integration would leverage traditional knowledge while building social legitimacy for river protection efforts.
- **Develop Educational and Cultural Initiatives:** Legal innovations require corresponding shifts in public consciousness. Educational programs highlighting rivers' ecological, cultural, and spiritual significance could help build broader public support for reconceptualizing human-river relationships beyond mere resource exploitation.

\*\*\*\*\*

**VII. REFERENCES**

1. Agarwal, Ankit, and Suvir Chandna. "Rights of Rivers in India: Time to Recognize and Declare." *Environmental Law & Practice Review* 7, no. 1 (2019): 76-89.
2. Baruah, Sanjib. *In the Name of the Nation: India and Its Northeast*. Stanford: Stanford University Press, 2020.
3. Baviskar, Amita. *In the Belly of the River: Tribal Conflicts over Development in the Narmada Valley*. New Delhi: Oxford University Press, 2004.
4. Basu, Anamika. "Water Laws in India: Ancient, Medieval and Modern." In *Water and the Laws in India*, edited by Ramaswamy R. Iyer, 29-58. New Delhi: Sage Publications, 2009.
5. Berry, Thomas. *The Great Work: Our Way into the Future*. New York: Bell Tower, 1999.
6. Boyd, David R. *The Rights of Nature: A Legal Revolution That Could Save the World*. Toronto: ECW Press, 2017.
7. Burdon, Peter. "Earth Rights: The Theory." *IUCN Academy of Environmental Law e-Journal* 1 (2011): 1-12.
8. Callicott, J. Baird. *Thinking Like a Planet: The Land Ethic and the Earth Ethic*. New York: Oxford University Press, 2014.
9. Chakravarty-Kaul, Minoti. *Common Lands and Customary Law: Institutional Change in North India over the Past Two Centuries*. Delhi: Oxford University Press, 1996.
10. Chandran, M.D. Subash, and J. Donald Hughes. "Sacred Groves and Conservation: The Comparative History of Traditional Reserves in the Mediterranean Area and in South India." *Environment and History* 6, no. 2 (2000): 169-186.
11. Chapron, Guillaume, Yaffa Epstein, and José Vicente López-Bao. "A Rights Revolution for Nature." *Science* 363, no. 6434 (2019): 1392-1393.
12. Clark, Christopher, et al. "Can You Hear the Rivers Sing? Legal Personhood, Ontology, and the Nitty-Gritty of Governance." *Ecology Law Quarterly* 45, no. 4 (2018): 787-844.
13. Coeckelbergh, Mark. *Environmental Skill: Motivation, Knowledge, and the Possibility of a Non-Romantic Environmental Ethics*. New York: Routledge, 2015.
14. Cullet, Philippe. *Water Law, Poverty, and Development: Water Sector Reforms in India*. Oxford: Oxford University Press, 2009.

15. Cullet, Philippe, and Sujith Koonan, eds. *Water Law in India: An Introduction to Legal Instruments*. New Delhi: Oxford University Press, 2017.
16. Cullinan, Cormac. *Wild Law: A Manifesto for Earth Justice*. 2nd ed. White River Junction, VT: Chelsea Green Publishing, 2011.
17. Dasgupta, Rajib, and Rajiv Shaw. "Changing Perspectives of Riverine Hydro-hazards in India." *Environmental Hazards* 18, no. 4 (2019): 339-356.
18. Datta, Ranjan. "Decolonizing both Researcher and Research and its Effectiveness in Indigenous Research." *Research Ethics* 14, no. 2 (2018): 1-24.
19. Descola, Philippe. *Beyond Nature and Culture*. Translated by Janet Lloyd. Chicago: University of Chicago Press, 2013.
20. Dworkin, Ronald. *Taking Rights Seriously*. Cambridge: Harvard University Press, 1978.
21. Ebbesson, Jonas. "The Rule of Law in Governance of Complex Socio-Ecological Changes." *Global Environmental Change* 20, no. 3 (2010): 414-422.
22. Eckstein, Gabriel, et al. "Water Scarcity, Conflict, and Security in a Climate Change World: Challenges and Opportunities for International Law and Policy." *Wisconsin International Law Journal* 27, no. 3 (2009): 409-461.
23. Gamborg, Christian, Clare Palmer, and Peter Sandøe. "Ethics of Wildlife Management and Conservation: What Should We Try to Protect?" *Nature Education Knowledge* 3, no. 10 (2012): 8.
24. Gordon, Gwendolyn J. "Environmental Personhood." *Columbia Journal of Environmental Law* 43, no. 1 (2018): 49-91.
25. Grear, Anna. "Deconstructing Anthropos: A Critical Legal Reflection on 'Anthropocentric' Law and Anthropocene 'Humanity'." *Law and Critique* 26, no. 3 (2015): 225-249.
26. Haberman, David L. *River of Love in an Age of Pollution: The Yamuna River of Northern India*. Berkeley: University of California Press, 2006.
27. Hancock, Mary Elizabeth. *Womanhood in the Making: Domestic Ritual and Public Culture in Urban South India*. Boulder: Westview Press, 1999.
28. Hutchinson, Abigail. "The Whanganui River as a Legal Person." *Alternative Law Journal* 39, no. 3 (2014): 179-182.

29. Iyer, Ramaswamy R. *Water: Perspectives, Issues, Concerns*. New Delhi: Sage Publications, 2003.
30. Jain, Shveta. "Balancing Cultural Values and Sustainable Development: What Works and What Doesn't in the Context of India's Rivers." *Environmental Law Review* 21, no. 3 (2019): 203-218.
31. Kaufman, Kathy. "The Indian Temple: A Juristic Person." *Proceedings and Addresses of the American Philosophical Association* 69, no. 2 (1995): 147-148.
32. Kothari, Ashish, and Shrishtee Bajpai. "We Are the River, the River is Us." *Economic & Political Weekly* 52, no. 37 (2017): 103-109.
33. Kotzé, Louis J., and Paola Villavicencio Calzadilla. "Somewhere between Rhetoric and Reality: Environmental Constitutionalism and the Rights of Nature in Ecuador." *Transnational Environmental Law* 6, no. 3 (2017): 401-433.
34. Kumar, Kiran, and Bhaswar Singh. "Public Trust Doctrine in Indian Environmental Jurisprudence: A Critical Appraisal." *Delhi Law Review* 38 (2020): 48-68.
35. Lam, Debra. "Recognizing Rights for Nature in the Anthropocene: Dissecting a Pathway Forward for Legal Personhood." *Virginia Environmental Law Journal* 38, no. 1 (2020): 1-38.
36. Lansing, Stephen J. *Perfect Order: Recognizing Complexity in Bali*. Princeton: Princeton University Press, 2006.
37. Linton, Jamie. *What Is Water? The History of a Modern Abstraction*. Vancouver: UBC Press, 2010.
38. Macpherson, Elizabeth, Julia Torres Ventura, and Erin O'Donnell. "Constitutional Law, Ecosystems, and Indigenous Peoples in Colombia: Biocultural Rights and Legal Subjects." *Transnational Environmental Law* 9, no. 3 (2020): 521-540.
39. Maitland, Frederic William. "Moral Personality and Legal Personality." *Journal of the Society of Comparative Legislation* 6, no. 2 (1905): 192-200.
40. Maloney, Michelle. "Building an Alternative Jurisprudence for the Earth: The International Rights of Nature Tribunal." *Vermont Law Review* 41, no. 1 (2016): 129-142.
41. Mehta, Lyla. *The Politics and Poetics of Water: Naturalising Scarcity in Western India*. New Delhi: Orient Longman, 2005.

42. Mohanty, Ashutosh. "Fluid Jurisprudence: Judicial Discourse on Interstate Water Disputes in India." *Environmental Policy and Law* 44, no. 4 (2014): 355-365.
43. Morris, Julia, and Jacinta Ruru. "Giving Voice to Rivers: Legal Personality as a Vehicle for Recognising Indigenous Peoples' Relationships to Water." *Australian Indigenous Law Review* 14, no. 2 (2010): 49-62.
44. Nagarajan, Vijaya. *Feeding a Thousand Souls: Women, Ritual and Ecology in India, An Exploration of the Kolam*. New York: Oxford University Press, 2018.
45. Narain, Sunita. *Conflicts of Interest: My Journey through India's Green Movement*. New Delhi: Penguin Viking, 2017.
46. Norton, Bryan G. "Environmental Ethics and Weak Anthropocentrism." *Environmental Ethics* 6, no. 2 (1984): 131-148.
47. O'Donnell, Erin L. "At the Intersection of the Sacred and the Legal: Rights for Nature in Uttarakhand, India." *Journal of Environmental Law* 30, no. 1 (2018): 135-144.
48. O'Donnell, Erin L., and Julia Talbot-Jones. "Creating Legal Rights for Rivers: Lessons from Australia, New Zealand, and India." *Ecology and Society* 23, no. 1 (2018): 7.
49. O'Donnell, Erin, et al. "Stop Burying the Lede: The Essential Role of Indigenous Law(s) in Creating Rights of Nature." *Transnational Environmental Law* 9, no. 3 (2020): 403-427.
50. Prieto, Manuel. "The Right to Territory as a Human Right: The Andes and Amazon Basin Water Governance." In *Water Justice*, edited by Rutgerd Boelens, Tom Perreault, and Jeroen Vos, 334-347. Cambridge: Cambridge University Press, 2018.
51. Ramanujan, A.K. "Is There an Indian Way of Thinking? An Informal Essay." *Contributions to Indian Sociology* 23, no. 1 (1989): 41-58.
52. Rangarajan, Mahesh. *Nature and Nation: Essays on Environmental History*. Ranikhet: Permanent Black, 2015.
53. Safi, Michael. "Ganges and Yamuna Rivers Granted Same Legal Rights as Human Beings." *The Guardian*, March 21, 2017.
54. Sajjad, Haroon, and Mohd Iqbal. "Socio-Economic Status of Trans-Yamuna Floodplain Cultivators: A Case Study of Delhi." *Indian Journal of Regional Science* 46, no. 1 (2014): 83-91.

55. Sands, Philippe. *Principles of International Environmental Law*. 4th ed. Cambridge: Cambridge University Press, 2018.
56. Sax, Joseph L. "The Public Trust Doctrine in Natural Resource Law: Effective Judicial Intervention." *Michigan Law Review* 68, no. 3 (1970): 471-566.
57. Shelton, Dinah. "Nature as a Legal Person." *VertigO - la revue électronique en sciences de l'environnement* 22 (2015): 1-13.
58. Singh, Chhatrapati. *Water Rights and Principles of Water Resources Management*. Bombay: N.M. Tripathi, 1991.
59. Stone, Christopher D. "Should Trees Have Standing? Toward Legal Rights for Natural Objects." *Southern California Law Review* 45 (1972): 450-501.
60. Stone, Christopher D. *Should Trees Have Standing? Law, Morality, and the Environment*. 3rd ed. New York: Oxford University Press, 2010.
61. Studley, John, and Willam V. Bleisch. "Juristic Personhood for Sacred Natural Sites: A Potential Means for Protecting Nature." *Parks Journal* 24, no. 1 (2018): 81-96.