

# Study Guide for The Rights of Nature Proposal

Prepared by Rev. Dr. Bob Shore-Goss

[revdrbobshoregoss@gmail.com](mailto:revdrbobshoregoss@gmail.com)

"We are talking only to ourselves. We are not talking to the rivers, we are not listening to the wind and stars. We have broken the great conversation. By breaking that conversation we have shattered the universe. All the disasters that are happening now are a consequence of that spiritual 'autism.'" ~ Thomas Berry

## Summary:

Pope Francis claims, "A true 'right of the environment' does exist." There has been an international movement for the Rights of Nature in the last several decades. For the proposal before you, this serves as a brief study guide of the background. The proposal attempts to link the UCC with this movement that includes environmentalists, environmental Christian ethicists, indigenous peoples worldwide, international organizations that produced the Earth Charter, the Charter of Compassion, and the Parliament of World Religions.

No Christian denomination (no world religion, outside indigenous spiritualities) have adopted a statement of faith and prophetic witness that explicitly claims Rights for Nature. There have lists of such rights by Stillheart Declaration and individual Christian ethicists. That is the last section of this study guide.

Individual Christian liberation theologians such as the Brazilian Leonardo Boff, Sallie McFague, Thomas Berry, and others have recognize our human responsibility to notion of distributive justice (a fair share of Earth resources and goods for humanity, the more than human life, and bio-regions, and the Earth herself) to nature, living in a wholesome environment, eating well, enjoying a living space, sharing equitably and co-living with Nature, and ultimately respecting the intimate connection of human and the Earth community of life.. This distributive justice perspective includes an interconnected vision of social justice and environmental justice.

The goal of the resolution is to remove nature from otherness; the attitude of human exceptionalism, and the domination of Nature. It is an ecological conversion to realize that the Earth is not merely property for exploitation, but rather Nature is a living being and source of life. To use biblical language, the Earth is a pre-original gift that continues to be the foundation of all life. Indigenous peoples understand their relation and participation with the natural world as kin.

At Standing Rock, the Lakota Sioux brough human civil rights together with nature rights to defend their lands and kin. Many indigenous and non-indigenous peoples, Earth lovers, clergy, US veterans, came to the Standing Rock encampment to participate in the non-violent resistance to Dakota Access Pipeline that endangered sacred lands and

wildlife kin. Many UCC folks also heard the call and stood with our indigenous relatives in defense of Nature.

This resolution attempts to hear the cries and suffering of vulnerable Nature and stand in advocacy for the Rights of Nature and just and responsible co-living with Nature.

No Christian polity has taken the next evolutionary step to argue for the Rights of Nature. We as a Christian polity have an opportunity to proclaim publicly that we participant of the Earth community of life and advocate for Nature's rights.

Jesus' notion of God's kin-dom includes a Hebrew Creation Spirituality against empire, Jesus models a struggle to preserve the notion of land as divine gift and distributive justice for all life, including the more that human life. (See the Biblical, Theological, and environmental Rationale for the Resolution).

There are several sections of this study guide.

- 1) Two youtube TED talk on the Rights of Nature, a documentary on the and some reading selections.
- 2) Community Environmental Legal Defense Fund (in the US) They work on Bill of Rights of Nature with numerous cities and towns.
- 3) A survey of the global Nature Rights Movement.
- 4) Several lists of Nature Rights by several environmental ethicists.

**Explore these resources and become acquainted how the Rights of Nature has become a defense of nature. Examine the UCC Synod Environmental Justice Resolutions of Witness. Is the Rights of Nature a culmination of the biblical tradition of love of creation care as well as a defense unbridled exploitation of Nature?**

## **Section I**

**TED Talks: Dr. Houghton starts with her joining the Standing Rock protest to develop the Rights of Nature; Sister Patricia, a Catholic nun and human rights lawyer in Florida and activist expands her commitment on rights of the Earth Community. Both are inspiring 17 minute talks. The documentary gives a global perspective on the rights of Nature movement.**

**The Rights of Nature, Kat Houghton Ph.D. youtube**  
<https://www.youtube.com/watch?v=kuFNmH7IVTA>

**The Rights of Nature, Sister Patricia Siemen, Human Rights Lawyer and Activist, youtube,** <https://www.youtube.com/watch?v=4EPnSw0j5Go>

## **Documentary: The Rights of Nature as a Global Movement youtube**

<https://www.youtube.com/watch?v=kuFNmH7IVTA>

### **Books and Book Chapters:**

Roderick Frazier Nash, *The Rights of Nature, A History of Environmental Ethics*, Madison, The University of Wisconsin Press, 1989. A pioneer work on the rights of nature by a major American environmental historian.

David R. Boyd, *The Rights of Nature: A Legal Revolution that Could Save the World*. Kindle and paperback format. This is an excellent way to understand the cross-cultural history of the movement for the Rights of Nature. Interesting how US town ordinances are creating ordinances on the rights of nature in the US to fight corporate infringements upon town lands and the harm of nature

Mary Watkins, *Mutual Accompaniment and the Creation of the Commons*, New Haven, Yale University Press, 2019. Chapter 9 “Earth Accompaniment: Standing with Trees, Water, Mountains, Earth and Air” provides a good summary of the international movement of the Rights of Nature.

Brian Edwin Brown, “The *Earth Jurisprudence of Thomas Berry and the Tradition of Revolutionary Law*,” in *The Intellectual Journey of Thomas Berry: Imagining the Earth Community*, ed. Heather Eaton, New York, Lexington Books, 2014, 194-222. This is a summary of Thomas Berry’s thoughts on the legal protections of the Earth. He is one of the fathers of the Religion and Ecology movement. His students Mary Ann Tucker and John Grim founded the Forum of Religion and Ecology at Yale University.

## **Section II The Community for Environmental Legal Defense Fund—The Rights of Nature** <https://celdf.org/advancing-community-rights/rights-of-nature/>

### **What are the Rights of Nature?**

Environmental degradation is advancing around the world. The United Nations has warned that we are heading toward “major planetary catastrophe.” For this reason, there is a growing recognition that we must fundamentally change the relationship between humankind and nature.

Making this fundamental shift means acknowledging our dependence on nature and respecting our need to live in harmony with the natural world. It means securing the highest legal protection and the highest societal value for nature through the recognition of nature’s rights.

From Global Summit on The Rights of Nature, Mari Margil & Thomas Linzey  
<https://www.youtube.com/watch?v=I54ktCQB3vg>

Why Lake Erie has the same rights as people  
<https://www.macleans.ca/society/environment/why-lake-erie-has-the-same-rights-as-a-person-in-toledo-ohio/>

Rights of Water in New Hampshire <http://www.nhcommunityrights.org/nh-movement.html>

### **Section III Global Earth Rights Movement:**

**The Earth Charter** is a declaration of fundamental ethical principles for building a just, sustainable and peaceful global society in the 21st century. It seeks to inspire in all people a new sense of global interdependence and shared responsibility for the well-being of the whole human family, the greater community of life, and future generations. It is a vision of hope and a call to action. <https://earthcharter.org/read-the-earth-charter/>

The Four Pillars of the Earth Charter: 1) Respect & Care for the Community of Life, 2) Ecological Integrity, 3) Social & Economic Justice, 4) Democracy & Peace

Towards a Global Ethic: The Parliament of the World Religions has promoted the Earth Charter and the Charter of the Compassion.

Please peruse the Earth Charter. In many university courses, the Earth Charter is read and discussed. It is a wonderful document produced by fifty international consultants, including the Brazilian liberation theologian, Leonardo Boff.

When Pope Francis was elected pope, he asked for all the writings on Leonardo Boff on the environmental. There is a common theme in the pope's encyclical, *Laudato Si*, and the Earth Charter on the interdependency of the suffering of the poor and suffering of the Earth. Both documents draw attention to the interconnections of the suffering poor and suffering natural world.

### **Rights of Nature: Indigenous Peoples**

**Indigenous peoples globally have placed themselves on the frontline of the intersections of the human rights and nature rights.**

**A great book is:** Rob Nixon, *Slow Violence and the Environmentalism of the Poor*. Cambridge, Harvard University Press, 2011.

**Pachamama Alliance** <https://www.pachamama.org/advocacy/rights-of-nature>

Rights of Nature recognize the Earth and all its ecosystems as a living being with inalienable rights: to exist, to live free of cruel treatment, to maintain vital processes

necessary for the harmonious balance that supports all life. Such laws also recognize the authority of people, communities, and governments to defend those rights.

**Indigenous Environmental Network**, See the collection of international statements from the Global Alliance for the Rights of Nature, <https://therightsofnature.org/tag/indigenous-environmental-network/>

<https://therightsofnature.org/ancestral-knowledge/>

**The Stillheart Declaration on the Rights of Nature and the Economics of the Biosphere (2013)** <https://peoplesrightsplanetsrights.wordpress.com/tag/stillheart-declaration/>

(from the Preamble) We are pointing to the need for a wholly different framework that recognizes that Earth's living systems are not the enslaved property of humans. Just as it is wrong for men to consider women property or one race to consider another race as property, it is wrong for humans to see nature as property over which we have dominion. All rights, including humans', depend on the health and vitality of Earth's living systems. All other rights are derivative of these rights. This requires an essential paradigm shift from a jurisprudence and legal system designed to secure and consolidate the power of a ruling oligarchy and a ruling species, and to substitute a jurisprudence and legal system designed to serve all of the living Earth community.

The Rights of Nature demand regenerative, mature, and dynamic economic relations in which:

The interdependence of humans and nature is primary; the laws of nature supersede rights to property; and vital natural cycles of life must be protected for the good of all.

Recognize that there is no separation between how we treat nature and how we treat ourselves;

Nature is seen as the foundation of life itself; it is not seen as an inventory of goods and services for human beings, a dumping ground for pollution and waste, or as capital;

The rejection of all market-based mechanisms that allow the quantification and commodification of Earth's natural processes, rebranded as 'ecosystem services';

Indigenous Peoples are empowered by legal and cultural norms as partners or caretakers of the lands and territories in which they live. All communities must become true caretakers of the places in which they live, including writing new laws that recognize the rights of local ecosystems to maintain their vital cycles and eliminate harmful projects in their midst.

### **Some International Movements on the Rights of Nature**

- Australia – Michelle Maloney of [Australian Earth Laws Alliance](#)
- Bolivia – Carmen Capriles of [Reacción Climática](#)
- Ecuador – Natalia Greene of [Fundación Pachamama](#), Esperanza Martínez of [Acción Ecológica](#), Blanca Chancoso of [Saramantas](#) ("Women of the Corn"), and Gloria Ushigua of [Sápara Women's Association](#)

- India – Vandana Shiva of [Navdanya](#)
- Romania – Alexandra Postelnicu of [Pachamama Romania](#)
- Switzerland – Doris Ragettli of [Rights of Mother Earth](#)
- United Kingdom – Mumta Ito of [International Centre for Wholistic Law](#) and Liz Rivers of [Wild Law UK](#)
- United States – Linda Sheehan of [Earth Law Center](#), Atossa Soltani of [Amazon Watch](#), Shannon Biggs of [Global Exchange](#), Mari Margil of [Community Environmental Legal Defense Fund](#), Casey Camp-Horinek of [Indigenous Environmental Network](#), as well as Siemen and Lake

#### **Section IV Environmental Ethicists on the Rights of Nature**

**Note: the list of Bill of Rights and compare them to the Resolution synthesis of Rights of Nature**

**James A. Nash, *Loving Nature: Ecological integrity and Christian Responsibility*, Nashville, Abingdon Press, 1991.**

A Bill of Biotic Rights (rights of nonhuman life) pp. 186-189

- 1) The right to participate in the natural competition for existence.
- 2) The rights to satisfaction of their basic needs and the opportunity perform their individual and/or ecosystemic functions (whether predator or prey, parasite or host).
- 3) The right to healthy and whole habitats.
- 4) The right to reproduce their own kind.
- 5) The right to fulfill their evolutionary potential with freedom from human-induced extinctions.
- 6) The right to freedom from human cruelty, flagrant abuse, or frivolous use,
- 7) The right to redress through human interventions, to restore a semblance of the natural conditions disrupted by human actions.
- 8) The right to fair share of the goods necessary for sustainability of one's species.

**Larry L. Rasmussen, *Earth Community, Earth Ethics*, Maryknoll, Orbis Books, 1998, pp. 108-109**

- 1) The right to participate in the natural dynamics of existence. This is a right to flourish as nature provides this, without undue human aberration of the genetic or behavioral "otherness" of non-human creatures.
- 2) The right to healthy and whole habitat, the right to flourish on nature's terms and contribute to the common ecological good assumes and requires that otherkind enjoy the essential conditions which appropriate habitat provides.

- 3) The right to reproduce their own kind without humanly-inspired chemical, radioactive, hybridized, or bioengineered aberrations. This right asks human respect for genetic integrity, evolutionary legacies, and ecological relationships. By implication it defends biodiversity.
- 4) The right to fulfill their evolutionary potential with freedom from human induced extinctions. Extinctions are a natural part of evolutionary process, but human-induced extinctions are unjust. Humanity's exercise of its power ought not to undermine the existence of viable populations of non-human species in healthy habitats until the end of evolutionary time.
- 5) The right from human cruelty, flagrant abuse, or profligate use, Minimal harm to otherkind within necessary usage ought to characterize human treatment of non-human life.
- 6) The right to reparations or restitution through managerial interventions to restore a semblance of natural environments in the past, interventions are often necessary to enable a return to an appropriation of previous ecosystemic relationships.
- 7) The right to fair share of the good necessary for individuals and species. "Fair share" is, of course, a vague criterion. Yet it is possible to determine ways in which human populations can coexist with viable populations of humanely unthreatened species and thereby preserve for them a fair share of the shared ecological good.

**John Hart, *Sacramental Commons: Christian Ecological Ethics*, New York, Rowman & Littlefield, 2006. (Roman Catholics)**

Principles of Christian Ecological Ethics, pp. 219-220.

- 1) Care for the Earth commons, which is the revelation of the Spirit and home for the biotic community.
- 2) Respect the intrinsic value of creation; conserve the instrumental value of creation.
- 3) Respect the intrinsic value of the biotic community; be grateful for the instrumental value of its members.
- 4) Respect natural rights and acknowledge their authority over civil laws and customs.
- 5) Prioritize the community common good over the individual good.
- 6) Prioritize community and species needs over an individual's or another community's wants.
- 7) Integrate the commons good, the common good, and individual good.
- 8) Regard the common good as both an instrumental good and intrinsic good.
- 9) Ensure that human communities in all their ethnic and class diversity have a sufficiency of subsistence goods designated as common goods, and available for

and accessible by individuals: through community ownership and cooperative enterprises, and equitable (re)distribution of land and Earth-goods.

- 10) Promote the commons good, the common good, as necessary, community goods: in Earth's land, Earth's other needed goods, and goods resulting from human labor on Earth's goods.
- 11) Maintain Human populations at intergenerational levels appropriate to the carrying capacity of the Earth's commons and the bioregional commons.
- 12) Consume responsibly products and goods that are directly or indirectly derived from common goods, in a manner consonant with the abiotic integrity and intergenerational biotic community needs.