



# RIGHTS OF NATURE PLANTING SEEDS OF REAL CHANGE

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## **Rights of Nature is System Change**

By Shannon Biggs

From the extraction of the tar sands in Alberta, Canada to the deforestation of the Amazon, to the impacts of climate change, the results of the market-based economic system are visible from space — transforming our communities and ecosystems into sacrifice zones for corporate profit. The reckless drive for unlimited growth on a finite planet is itself a legalized Ponzi scheme perpetrated on communities around the globe, future generations and Earth's biosphere.

Rather than shifting course, the so-called *Green Economy* strategy unveiled at the 2012 United Nations Conference on Sustainable Development drives nature further into the global marketplace by defining an economic value on what the Earth “does” for humans, detachedly called “ecosystem services.” Proponents of this scheme of “commoditizing” soil, forests, and fresh water profess that by putting a price on the natural world, it can be ‘saved’.

Entire human societies have come to value “endless more” to the detriment of all, and that value has been codified into law. The destructive impulse of the free market is codified and empowered by legal structures that treat nature as human property. Yet the human connection to the rest of our living system is not contained in the calculation of the “flow of value to human societies,” and intensifying the same failed strategies that have driven us to the tipping point will never protect nature.

### **It is time for new thinking, new direction, and new actions.**

Living within the carrying capacity of the planet requires that we adhere to the natural laws governing all life and human wellbeing. The process of deprogramming societies and dispelling the arrogant belief that the earth “belongs” to humans will require fundamentally aligning economic and legal structures to exist within natural systems.

Rights of nature define legal rights for ecosystems “to exist, flourish and regenerate their natural capacities.” These laws challenge the status of nature as solely property and while not stopping development, recognizing legal rights of nature stops the kind of development that interferes with the existence and vitality of ecosystems. As David Korten notes, “A true ecological economics must begin not with the tools and system frame of economics, but rather with the tools and system frame of ecology. This suggests it must develop as a sub-discipline of ecology, not of economics.” In short, a rights-based economy begins with the biosphere.

This report, *“Rights of Nature: Planting the Seeds of Change,”* directly challenges Rio +20's *Green Economy* capitalism and examines the power and possibility and logic of a rights-based framework. Visionary thinkers such as Maude Barlow, Vandana Shiva, Thomas B.K. Goldtooth, Pablo Solon, Cormac Cullinan, Mari Margil and others ask the question: What would it look like to truly take on the root causes of climate change and put forward a system that places humankind in living balance with the carrying capacity of the Earth's systems? If we are to truly reconnect within the system of creation, we must also reawaken our own humanity and love for Mother Earth and act as if what we do next matters. It does.

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*Shannon Biggs is the editor of “The Rights of Nature: Planting the Seeds of Real Change.” She directs U.S.-based Global Exchange's Community Rights program, working to place citizen and Nature's legal rights above corporate interests. She is the co-author of two books, including The Rights of Nature: Making the Case for the Universal Declaration on the Rights of Mother Earth.*



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# THE AGE OF RIGHTS OF NATURE

*"Building a movement of this magnitude is possible. We can unify around what we're for - a future where ecosystems have legal rights to exist, flourish and regenerate their natural capacities and where there is justice for impacted communities and polluters are held accountable."*

## It's Time for New Solutions

By Maryam Adrangi and Carleen Pickard

In the search for appealing, catchy, urgent and simple slogans, we climate justice activists have come to accept the phrase '*climate change is the defining issue of our time*' as gospel. But is it really? Unquestionably, the climate tipping point is fast advancing, if it has not past already. The easiest of many foreboding statistics notes human activities are hurling the Earth towards a 4°C rise in temperature, threatening everything we know about how we carry out life on the planet. Everywhere — not just in the Global South which already experiences untold horrors of loss, devastation and suffering due to changes in the weather.

But as psychologist Allen Kanner wrote in '*Why Extinction Matters at Least as Much as Climate Change*', "The center of the ecological crisis is not the weather but the ongoing and wholesale destruction of life." He argues that climate change is not the problem of our time, but a timely symptom of how much of humanity treats the Earth. This is a critical difference, not just semantics, and can take our analysis in a new direction. Redefining the problem allows us to open new doors and work towards new solutions. And let's face it. We could use new solutions.

A report released before the Rio +20 Earth Summit in Brazil by the United Nations Environment Program (UNEP), compiling three years of work by 300 scientists on the health of the planet, notes, "Several critical global, regional and local thresholds are close or have been exceeded," and that "Abrupt and possibly irreversible changes to the life-support functions of the planet are likely to occur." The report extensively lists the frightening extent of loss of diversity, estimates that greenhouse gas emissions could double over the next 50 years, and finds that pesticides contaminate 90 percent of water and fish samples. The report analyzes a lack of progress — of 90 internationally agreed goals and objectives to "support the sustainable management of the environment and improve human wellbeing", the report says little or no progress has been made over the past five years on nearly a third of these goals, including mitigating global warming.

## Beyond Conservation

While these broad 'internationally agreed' goals may not rank priorities in step with the climate justice movement, the report's findings do highlight that global decisions makers are unwilling to take action on even the most basic preservation needs. Those who most pollute and create destruction are not the most immediately impacted, and yet no amount of so-called conservation — from creating parks, closing land to development to offering cap-and-trade systems for industry or REDD schemes to 'pay off' polluting, will stave off the advance of climate change for anyone.

Meanwhile, parts of the planet already cannot sustain life, and signs of increasing impacts are visible each day. Countries in the South Pacific are being consumed by the rising ocean, aboriginal communities are unable to sustain life and custom due to species extinction and/or poison in the food system and/or changing climate patterns, families in California (USA), Alberta (Canada), Cabinda (Angola), Manila (Philippines) and the Ecuadorian Amazon, to name a few, are seriously ill or dying at increased rates from rare diseases linked to dirty oil extraction. Conservation fixes often proposed by decision makers fail to recognize the need for justice and a focus on equity as we take action.

## **Is Summit Hopping Getting Us What We Want?**

If we want to stop climate change (which we certainly do) appealing to the international bodies is a logical place to campaign because 1) nation states are culpable for the problem and 2) it's where change *should* happen.

We were so hopeful coming out of the Rio Earth Summit, but 1992 was a very different time. We believed the revelations of the magnitude of the crisis and examples like Severin Suzuki's plea from the floor to take actions for future generations would compel international cooperation for the sake of humanity's existence.

Yet commitments toward 'sustainable development' made at the Rio Earth Summit have long since been broken as nation-states bowed to the drive for corporate-led, unlimited economic growth, and environmental issues took a back seat. In 2009 global citizens watched with dismay as the COP 15 in Copenhagen barely eeked out an agreement, which itself was weak and did nothing to hold to those destroying the planet accountable. Thousands around the world protested and Nigerian climate justice activist Nnimmo Bassey called the conference 'an abject failure'. At the following COP 16 in Cancun it became clear that even the modest goals set forth in the Kyoto Accord can't stand against the forces behind economic growth at all costs.

As activists we move our resources, our energy and ourselves from Summit to Summit and each time we have been disappointed. The United Nations process is not going to attack the root causes of environmental exploitation and expose polluters. Instead it wraps up 'market fixes' to the same free market corporate-led economic model that has driven us to the cliff's edge.

Nowhere is this clearer than the 'Green Economy' agenda (developed by the UNEP) being promoted at the Rio +20 Earth Summit with its emphasis on attaching a price tag to "ecosystem services". The Green Economy of the Rio +20 Earth Summit is the latest attempt to justify privatizing nature in new and obscene ways.

Our valiant efforts to speak truth to power over the last decades have mitigated some of the destruction — but as global citizens once again focus on this upcoming Summit, many of our activist allies will not be negotiating in small rooms or in the halls of the Summit or taking to the streets of Rio, believing that they cannot make a difference by protesting at large international conventions or negotiating for small concessions. Others take the opportunity at each of these Summits to be the voice for the predominantly voiceless—believing that taking any opportunity to slow the rate of destruction is better than not.

## **Considering the Rights of Nature as a Starting Place**

The majority of the world's economies are based on the idea that nature is property. So are most legal systems, putting real power behind the idea that nature is a "thing" here for human use and occasional enjoyment.

By accepting the current structure of law and economy—we are accepting that the human relationship to the natural world is one of ownership and unfettered exploitation. And as long as our activism operates within these confines, we are limited to merely slowing down the rate of destruction. Climate change, and the constant reminders of the ecological destruction it brings, is that large flashing red light and siren reminding us that we're operating by a set of laws that are out of balance with the laws of nature.

So, the question is, how do we set it straight, and live within the boundaries of nature's laws? By recognizing the Rights of Nature we agree that human beings have rights that are inalienable. Thus natural rights are higher law than man-made law, and therefore must too belong to the forces of all creation. Mountains, oceans, forests and all other species have the right to exist, persist and regenerate their natural cycles. In short, ecosystems have the right *not* to be destroyed by human activity.

Considering the Rights of Nature as a starting point places our activism within the sphere of the world we want, rather than fighting back the juggernaut of the system that is. What would it look like to truly take on the root causes of climate change and how would our economies look based on living within the carrying capacity of the planet?

Canada is a prime example of where such a paradigm shift is needed to ensure the health and safety of the environment and communities. Canada's economy heavily relies on extractive industries and exploiting 'natural resources' for profit. The legal system not only fails to prevent this from happening — it makes it possible. Industry and government treat the land as a commodity to be bought, sold, and leased, reinforcing a particular and destructive relationship with the Earth. The Canadian government is pushing expansion and export of the tar sands industry through pipelines and tanker projects that cross precarious terrain and promise to bring toxins and pollutants to otherwise clean river and lake systems, impacting hundreds of nearby communities. In the week immediately prior to the Rio +20 Earth Summit alone, there was a large spill in Alberta releasing 3,000 barrels of oil into a river system. Residents of nearby communities are being told to 'monitor the situation'.

As ecosystems continue to be seen as property by those who shape the economic and legal systems, it becomes difficult to imagine a different relationship with nature. We fail to make the connection between the structure of law we operate under that treats nature as a "thing" to the very health of our bodies and our communities, dependent on the environment from which we seek air, food, water, and spiritual fulfillment.

What could our world look like if our relationship with and connection to everything around us was at the forefront of how we thought, shaped our economies, and made decisions? Imagine the conversation if rather than codifying corporate destruction of an ecosystem by legalizing things like tar sand extraction, we codified the rights of the boreal forest to regenerate its vital cycles?

## The Conversation Began in Cochabamba

Following the disaster of the COP 15 in Denmark — Evo Morales, president of the Plurinational State of Bolivia declared, "In Copenhagen the so-called developed countries failed in their obligation to provide substantial commitments to reduce greenhouse gases. We have two paths: either *Pachamama* or death."

In 2010 the people of Cochabamba, Bolivia hosted the People's Summit on Climate Change and the Rights of Mother Earth. The title was significant—a dawning of the idea that climate change is inextricably linked to the natural rights of Mother Earth. Far from the stage of the UN Summit circuit, 35,000 global participants got a lot right in Cochabamba. On day 3, the Universal Declaration of the Rights of Mother Earth was crafted. On International Mother Earth Day, April 22, the Declaration was presented.

It states, ‘To face climate change, we must recognize Mother Earth as the source of life and forge a new system based on the principles of:

- harmony and balance among all and with all things;
- complementarity, solidarity, and equality;
- collective well-being and the satisfaction of the basic necessities of all;
- people in harmony with nature;
- recognition of human beings for what they are, not what they own;
- elimination of all forms of colonialism, imperialism and interventionism;
- Peace among the peoples and with Mother Earth.

The Declaration also fully denotes responsibility for climate change on developing countries and outlines points of action to repay climate debt.

## **Getting to Buen Vivir**

*Buen Vivir* is the concept of living *well*, rather than living *more*. How different would our world look if communities were empowered to act as stewards for their local environments and say “no” to tar sands extraction? What if economies placed our human activities within the context of the biosphere, rather than the other way around?

Building a movement of this magnitude is possible. We can unify around what we’re for — a future where ecosystems have legal rights to exist, flourish and regenerate their natural capacities and where there is justice for impacted communities and polluters are held accountable. It’s time for new solutions.

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*Maryam Adrangi is the Energy Campaigner with Council of Canadians. She is a social justice organizer who frequently works on environmental and climate issues. She is in love with her bike, likes exploring by kayak, and playing capoeira.*

*Carleen Pickard is the Executive Director at US-based Global Exchange. She works to oppose free trade agreements and privatization, promote fair trade and buen vivir. She surfs and learns from documentaries.*

## At the Crossroads Between Green Economy and Rights of Nature

by Pablo Solón

Almost one thousand dolphins are lying dead on the beach. Another five thousand pelicans have also been found dead. What is the cause of this massacre? There are different explanations. Some argue that it was the offshore oil exploration while others say that these birds died because anchovy, their main food, has disappeared as a result of the sudden heating of coastal waters due to climate change. Whatever the explanation, the fact is that during the past months, the Peruvian coast has become the silent witness of what the capitalist system is doing to Nature.

In the period from 1970 to 2008, the Earth System has lost 30 percent of its biodiversity. In tropical areas, the loss has even been as high as 60 percent. This is not happening by accident. This is the result of an economic system that treats nature as a thing, as just a source of resources. For capitalists, nature is mainly an object to possess, exploit, transform and most specially profit out of it.

### Green economy is about cheating nature while making profit out of it

Humanity is at the edge of a cliff. Instead of recognizing that nature is our home and that we must respect the rights of all beings of the Earth community, transnational corporations are promoting more capitalism under the ambiguous name of “green economy.”

According to proponents, the mistake of capitalism, which led us to these current multiple crises, is that the free market had not gone far enough. Thus, “green economy” capitalism is going to fully incorporate nature as part of its capital. They are identifying the specific functions of ecosystems and biodiversity that can be priced and then brought into a global market as “Natural Capital.”

In a report by Ecosystem Marketplace, we can read a brutally frank description of what is motivating Green Economy advocates:

*“Given their enormous impact on our daily lives, it’s astounding that we don’t pay more attention, or dollars, to ecosystem services. Ecosystems provide trillions of dollars in clean water, flood protection, fertile lands, clean air, pollination, disease control - to mention just a few. These services are essential to maintaining livable conditions and are delivered by the world’s largest utilities. Far larger in value and scale than any electric, gas, or water utility could possibly dream of. And the infrastructure, or hard assets, that generate these services are simply: healthy ecosystems.*

*So how do we secure this enormously valuable infrastructure and its services? The same way we would electricity, potable water, or natural gas. We pay for it.”*

The goal is not just to privatize material goods that can be taken from nature, such as wood from a forest, but also to privatize the functions and processes of nature, label them environmental services, set a price and then bring them into the market. In the same report, the contributors already have estimated annual values for these environmental services.

To illustrate, take a look at the leading example of “green economy,” the program REDD (Reduction of Emissions from Deforestation and Forest Degradation). REDD’s purpose is to isolate one of the functions of forests — its ability to capture and store carbon — and then measure how much CO<sub>2</sub> it can capture. Once the value of the potential carbon storage of the forest has been estimated, carbon credits are

issued and sold to rich countries and big corporations who then use these to offset, or buy and sell, polluting permits in the carbon markets.

For example, if Indonesia, which has a deforestation rate of 1,700,000 hectares per year — only deforests 1,500,000 hectares next year, it will be able to sell in the REDD market, the carbon credits for the amount of CO<sub>2</sub> that is stored by the remaining 200,000 hectares.

In theory, REDD provides a monetary incentive for not deforesting. In actuality, corporations purchasing credits can release into the atmosphere the amount of CO<sub>2</sub> they paid for. In other words, carbon credits are polluting permits for the rich. Additionally, only countries that reduce their deforestation will be able to put carbon credits in the REDD market. So if a region has always preserved its forest, they will not be able to sell any carbon credits from reduction of deforestation. So what is happening now, for example, in some parts of Brazil, is that in order to be prepared for REDD, trees are being cut with the purpose of increasing the deforestation, so that, tomorrow, the reduction of the “deforestation” will be higher and the amount of carbon credits that can go into the market will be bigger.

REDD is just the face of “green economy” for forests. The whole system is about cheating nature while making profit from it.

Imagine if the same logic is applied to biodiversity, water, soil, agriculture, oceans, fishery and so on. Add to this the proposal to perform geo-engineering and other new technologies in order to further the exploitation, tampering and disruption of nature and creating a new speculative market.

In order to promote such an assault on nature, the capitalists have first labeled their greed economy as “green economy.” Cash strapped governments, are being told that the only way to get the billions of dollars needed for the preservation of water, forests, biodiversity, agriculture and others is through private investment. But the private sector will not invest profits — accumulated through the exploitation of labor and material goods of nature — without an incentive. And so, governments need to offer them this new business of making profit from the processes and functions of nature.

Most promoters of “green economy” are very straightforward on this: if there is no pricing of some functions of nature, new market mechanisms and guarantees for their profit... the private sector will not invest in ecosystem services and biodiversity.

### **“We cannot command nature except by obeying her”**

The “green economy” will be absolutely destructive because it is premised on the principle that the transfusion of the rules of the market will save nature. As the philosopher Francis Bacon said: we cannot command nature except by obeying her.

Instead of putting a price on Nature, we need to recognize that humans are part of Nature and that Nature is not a thing to possess or a mere supplier of resources. The Earth is a living system, it is our home and it is a community of interdependent beings and parts of one whole system. Nature has its own rules that govern its integrity, interrelationships, reproduction and transformation, and these rules have worked for millions of years. States and society must respect and assure that rules of nature prevail and are not disrupted. This means we need to recognize that our Mother Earth has also rights.

Scientists have been telling us that we are all part of an Earth System that includes the atmosphere, the biosphere, the lithosphere, and the hydrosphere. We humans are just one element of the biosphere. So why would it be that only we humans have rights and all the rest are just materials for human life? To speak of equilibrium in our Earth system is to speak of rights for all parts of the system. These rights are

not identical for all beings or parts of the Earth System, since not all the elements are identical. But to think that only humans should enjoy privileges while other living things are simply objects is the worst mistake.

Why should we only respect the laws of human beings and not those of nature? Why do we call the person who kills his neighbor a criminal, but not he who extinguishes a species or contaminates a river? Why do we judge the life of human beings with parameters different from those that guide the life of the system as a whole if all of us, absolutely all of us, rely on the life of the Earth System?

There is a contradiction in recognizing only rights of humans while all the rest of the Earth system is reduced to a business opportunity in the “green economy.”

Decades ago, to talk about slaves having the same rights as everyone else seemed like the same heresy that it is now to talk about glaciers, or dolphins, or rivers, or trees, or orangutans having rights.

In an interdependent system in which human beings are only one component of the whole, it is not possible to only recognize the rights of the human part without instigating an imbalance in the system. To guarantee human rights and to restore harmony with nature, it is necessary to effectively recognize and apply the rights of Nature.

Nature cannot be submitted to the wills of markets or a laboratory. The answer for the future lies not in scientific inventions that try to cheat nature, but in our capacity to listen to nature. Science and technology are capable of many things, including destroying the existing world itself. It is time to stop geo-engineering and all artificial manipulation of the climate, biodiversity and seeds. Humans are not gods. The capitalist system has gone beyond control. Like a virus it's going to kill the body that feeds it... it's going to damage the Earth System, making life impossible for humans as we know it. We need to overthrow capitalism and develop a system that is based on the Community of the Earth.

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*Pablo Solón is the Executive Director of Focus on the Global South, and the former Ambassador of the Plurinational State of Bolivia to the United Nations. He has been a social activist and worked for several years with different social organizations, indigenous movements, workers' unions, student associations, human rights and cultural organizations in Bolivia.*

## **Changing the Terrain: The Significance of Rights of Nature for Environmental and Social Activism**

By Cormac Cullinan

The activities of industrialised societies are causing very severe damage to the habitats that support most people and species. Phenomena like climate change now pose an immediate and growing threat to the lives and livelihoods of millions of people, and are exacerbating social injustice. This is occurring despite the best efforts of millions of committed environmental activists, and the fact that in most countries a majority of people express support for environmental protection.

### **Examining our Activism**

**Environmental Organizations:** Any honest assessment of the effectiveness of environmental movements over the past several decades must conclude that their successes have been insufficient to prevent the on-going degradation of ecological systems. Environmental organisations have tried a wide range of tactics including: educating the public about the life-threatening implications of degrading our only habitat; scaring people with apocalyptic visions of the future we are heading toward; working with corporations to encourage more sustainable practices; boycotting corporations; lobbying for law and policy reforms; and using protests, petitions, and publicity stunts. Our traditional methods of environmental advocacy are operating within a political “terrain” that seeks to achieve short-term improvements for an elite minority at the expense of Nature and the rest of humanity. If we operate within this “terrain,” it precludes the possibility of changing industrial societies sufficiently to protect the long-term integrity and health of natural systems – and hence the long-term wellbeing of most humans. The environmental movement has also failed to articulate a vision of ecologically sustainable communities that is sufficiently appealing and credible to inspire a large number of people to change their lifestyles.

**Labour Organisations:** The ability of trades unions to lead “systems change” is similarly compromised. (Some labour organisations have even aligned themselves against environmental activists on the basis that the environmental movement seeks to constrain the expansion of industries that would increase the pool of employees from which the trades unions recruit their members.)

**Indigenous peoples’ organisations:** The ability of Indigenous peoples’ organisations to achieve wide-spread social change is limited by the fact that in most industrialised societies the people who define themselves as indigenous are a socially marginalised minority.

**Faith-based organisations:** Many such organisations have begun to overcome their self-imposed restrictions on working with people in other faiths and denominations, and have recognised the moral and ethical significance of “environmental issues.” They are likely to play an increasingly influential role in wider social change by promoting the adoption of different values and behaviour, and by re-emphasising the spiritual and sacred dimensions of existence.

Everywhere, we are confronted with evidence that the combined impact of environmental policies, laws and treaties and the efforts of environmental activists over the last several decades has been insufficient to stop, let alone reverse, the tide of environmental degradation. Establishing an enduring society requires changing people’s world-views, values and beliefs so they are motivated to heal rather than harm Earth. It seems reasonable to surmise that at a minimum an effective strategy must: (a) address the dysfunctional relationship between humans and the Earth community of which they form part, (b) be capable of transforming core beliefs and values in order to inspire change, and (c) bring about struc-

tural changes in social systems that incentivise appropriate behaviour. People will march for freedom and justice far sooner than they will for sustainable development.

## **More environmental law is not the answer: Learning from social justice movements is**

Social justice activists have long recognised the need to campaign not only for people to be treated justly, but also to change the societal structure and systems of law that perpetuate injustice. Advocates of social justice have always appealed to deeply held values such as freedom and justice, and have consciously invoked feelings of compassion and solidarity with fellow humans. They have also used the idea of inherent human rights, particularly since the proclamation of the Universal Declaration of Human Rights in 1948, to shape a more favourable political terrain in which it is easier to isolate those who violate these norms.

Yet instead of attacking the fundamentals of legal systems that legitimise and facilitate the exploitation of Nature and the accumulation of money and power, most environmental groups have confined themselves to campaigning for stricter environmental laws and more effective enforcement. Most environmental laws establish systems to regulate human exploitation of nature (e.g. Making environmental law systems work more effectively is a good thing to do, but it does not address the fundamental injustice and inequities on which the entire legal, political and economic systems are founded.) Like slaves, Earth and all other-than-human beings are exploited and denied of their natural rights.

## **Moving towards a rights-based approach**

Some environmental groups are now beginning to adopt a human rights-based approach to environmental issues (e.g. in response to climate change). They recognise that sustaining human rights depends on sustaining a healthy environment and it is easier to mobilise large numbers of people by appealing to their sense of justice and concern for their children, rather than by relying on ecological arguments alone. However, few recognise the crucial importance of broadening the class of beings that the law recognises as capable of holding rights. Currently, most legal systems only recognise humans and corporations as being subjects capable of possessing legal rights. However until legal systems recognise and protect the rights of all aspects of Nature (i.e. all that has come into being as part of Earth) to make their contribution to the integrity and functioning of Earth, legal systems will fail to strike an ecologically acceptable balance between the interests of humans and those of rivers, trees and antelope, or indeed the Earth community.

In fact, it is only by recognising and defending the rights of all beings which contribute to the integrity and health of the Earth community that we can safeguard human rights. The human right to life has no value if forests and mountains have no right to exist and to play their role in sustaining the streams of fresh water on which our lives depend. As more and more people begin to appreciate this, the historical barriers between environmental and social justice activism will dissolve.

## **Rights of Nature: The new terrain**

**\* It addresses the core issues.** Any serious discussion of the validity and content of the Universal Declaration of the Rights of Mother Earth (UDRME) or the idea of rights of Nature immediately opens a dialogue about the core issue — the dysfunctional relationship between humans and Nature.

**\* It enables environmentalists to occupy the high ground.** Current legal systems criminalise many of the actions taken by environmentalists to prevent, or even draw attention to, the harm being done to

Nature. Holders of property rights (including corporations) can obscure the real crimes of assaulting Nature for private gain by enlisting the support of the State in prosecuting those who would defend Nature as infringers of property rights. Shifting to this new terrain in which not only humans, but all beings have inherent rights simply because they exist (i.e. have come into being), repositions environmentalists, indigenous peoples and animal rights and welfare activists as defenders of pre-existing inherent rights against the people and corporations that infringe them.

**\* It unites a broad range of activists and enables broad coalitions to be built.** As a friend once said to me, the common ground that we have been searching for lies beneath our feet: Earth. Most people know that allowing decision-making based on money, greed or narrow self-interest to imperil Earth is foolish; they just can't see how to move to a better way of doing things.

**\* It is easier to mobilise people in favour of a positive vision than to fight a powerful opponent.** This approach allows environmental organisations to make the crucial evolutionary shift from protest politics, which reacts to the agenda and actions of the exploiters, to the positive, proactive politics of building communities that seek their ecological niche within the Earth community by defending the rights of all the members of that community. The UDRME is analogous to the DNA of an ecologically sustainable society.

**\* This approach is equally valid in the Global South and North.** Recognising rights of Mother Earth or Nature correlates strongly with indigenous understandings that we belong to Earth and not *vice versa*. Consequently, it is already gaining momentum rapidly in the Global South.

Mobilising grassroots support and building a movement around a proactive agenda of creating ecologically beneficial human communities will support these initiatives within the United Nations without leaving the movement reliant on international agreements to achieve success.

Many people already understand that they are part of Nature and are opposed to environmental destruction. We cannot move beyond confrontational win/lose battles to a win/win paradigm until we change the rules of the "game." People everywhere are hungry for a new approach that will unite environmental and social activists, and forge a common agenda to create ecologically sustainable and socially just societies.

The Universal Declaration of the Rights of Mother Earth, which was proclaimed by a peoples' world conference attended by some 35,000 individuals, provides a credible manifesto for the emerging Rights of Nature movement. It is time to abandon playing within the system and instead adopt "game-breaking" strategies that shift the discourse to a more favourable terrain and that are capable of sufficiently transforming societal values and structures to begin re-orienting societies toward ecological sustainability. Now is the time to unite within a Global Alliance for the Rights of Nature and to begin building the ecologically sustainable, spiritually fulfilling and socially just communities we all want.

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*Cormac Cullinan is the author of the seminal book on nature's rights: Wild Law: A Manifesto for Earth Justice and led the drafting of the Universal Declaration of the Rights of Mother Earth. He works in Cape Town, South Africa as an environmental attorney with Cullinan Associates Inc and as a governance advisor with EnAct International.*

## Legal Rights for Nature

### Local to National: How Do We Get There?

By Mari Margil

In 2006, Tamaqua Borough in Schuylkill County, Pennsylvania, became the first community in the United States to recognize legally enforceable rights of nature.

Now more than three-dozen communities have followed suit – including the City of Pittsburgh, with a population of roughly 305,000 – recognizing that ecosystems and natural communities have the right to exist and flourish, and that residents of those communities have the authority to enforce those rights.

### Recognizing Nature's Rights

More than a generation ago, American law professor Christopher Stone penned his seminal law review article *Should Trees Have Standing?* In it, he conducted something of a thought experiment, exploring what it might mean and why we may seek to recognize legal rights of nature.

Stone described how under the existing structure of law, nature was considered *right-less*, having no legally recognized rights to defend and enforce. Thus, nature – much like slaves once were – was treated by the law as a thing, as property, existing for the use of its owner.

Stone examined what it might mean for nature to move from *rights-less* to *rights-bearing*. For example, whether a forest may have standing to defend its right to existence, to life, in a court of law.

In 1989, Professor Roderick Nash, published *The Rights of Nature: A History of Environmental Ethics*, which traces the evolution of environmental law and ethics over centuries. He explained how, throughout history, the *right-less* – slaves, women, others – have struggled to expand the body of legal rights to include themselves. Nash's book helped advance the discussion about nature's rights, providing a context for how and why the body of rights is moving in the direction of expanding to include the rights of nature.

In 2001, the author and religious leader Thomas Berry published *The Origin, Differentiation and Role of Rights* in which he described how all members of the Earth community possess inherent rights. *Wild Law: A Manifesto for Earth Justice*, by South African attorney Cormac Cullinan, followed Berry's work several years later. Together, Berry and Cullinan have work opened up a new front on nature's rights – adding a significant spiritual and moral element to the legal and historic discussion begun by Stone and Nash.

Each of these writers has played an important role in driving a shift in Western culture regarding the relationship between humankind and nature. Such cultural change – as the Abolitionists, Suffragists, and other rights-based movements have found – is essential for achieving an expansion of the body of legal rights. But alone it is not enough. Rather, such cultural change must be paired with legal changes.

History shows us how cultural change can drive change in law, and similarly, changes in law can drive change in the culture. When it comes to the question of rights – that is, expanding the body of legal rights to include those who are currently without rights – such change can take generations, if not centuries.

Moving from the *idea* of rights of nature (culture) to the *codification* of those rights (law) occurred for the first time in Tamaqua Borough in 2006 – a move from *discussion* to *practical application*. Other com-

munities and even countries have followed Tamaqua's example, building a growing movement recognizing the rights of nature.

In 2008, Ecuador became the first country in the world to recognize the rights of nature in its national constitution. Last year, the first lawsuits were decided in Ecuador under those constitutional provisions. Each upheld the constitutional rights of the ecosystems being harmed and required that activities causing such harm to cease.

More and more communities and countries are now beginning to consider rights of nature legal frameworks as they increasingly see that existing environmental laws are not able, or were never intended, to protect nature.

## **Building a Movement for Nature's Rights**

Changes in both law and culture are necessary to successfully transform that which we now consider *right-less* to being a possessor of enforceable legal rights.

In the U.S., building such a movement – essential, if we are to achieve true sustainability and survive – will not be top-down. Rather, it will build from the grassroots, as more and more communities join Tamaqua, Pittsburgh, and several dozen others to openly defy existing environmental laws that legalize environmental harm and are causing the collapse of species and ecosystems.

As past movements can attest, there is no straight line from *right-less* to *rights-bearing*. Yet historic and current rights movements provide numerous lessons for building a national and global movement for nature's rights.

This includes the adoption of law at the local and state level that challenges higher levels of law. That defiance – which frontally takes on current legal and governing structures – defines past rights movements.

As we saw with the Abolitionists and Suffragists, the Civil Rights Movement, and the contemporary Gay Rights Movement, such defiance “lifts the veil” by shining a spotlight on how existing structures of law deny rights. This helps drive a cultural shift in which the *belief* in the need for change shared by a few builds into a *demand* for change supported by the many. And as such movements grow, they increasingly put pressure on existing legal and governing structures, forcing change in law.

A movement for nature's rights is beginning at the most local level in the U.S. – in communities both large and small – and will continue to grow there, forcing change upward. Today we see the formation of the Pennsylvania Community Rights Network, where people and communities are gathering in a state-wide effort to drive change into the Pennsylvania constitution. And we see communities from Maine to Maryland, Virginia to New Mexico, advancing rights of nature frameworks into law and other states as far west as California and Hawaii following suit.

These efforts support and are supported by efforts outside the U.S., including in Nepal, Italy, and Australia – where groups are introducing the idea of rights of nature, and considering how to advance nature's rights frameworks.

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*Mari Margil is the Associate Director of the U.S.-based Community Environmental Legal Defense Fund (CELDF) where she conducts campaign and organizational strategy, media and public outreach, and leads the organization's fundraising efforts. In 2008, she assisted Ecuador's Constitutional Assembly on the re-writing of their constitution to include Rights of Nature, and is now assisting Nepali organizations in the drafting of that country's first constitution.*

## Ecuador's Challenge: Rights of Mother Earth or the Continued Colonization of Nature

By Alberto Acosta

The accumulation of material — the mechanistic and endless compilation of goods — is seen as progress, but has no future. If we want to prevent the collapse of our Earth's absorptive capacity and resilience, we have to stop looking at ecosystems as nothing more than resources for economic growth or as mere objects of development politics. And, of course, we have to accept that humanity exists in community — in relationship with other human beings and as an integral part of Nature — without trying to dominate it.

This leads us to accepting that Nature, as a social construct, needs to be reinterpreted and revised entirely if we do not want to jeopardize human life on the planet. To start any reflection, let's accept that humanity cannot exist outside of Nature and that Nature has biophysical limits.

### A complex relationship with Nature

Capitalism seeks to expand the room for maneuvering by increasingly commodifying Nature. Carbon markets and environmental services are examples of the most recent expansion to sustain the accumulation of capital. Air, forests, the climate and the Earth itself are being colonized, commodified and privatized. It doesn't seem to matter that the snake continues to devour its own tail, jeopardizing its own life and the existence of all of humanity.

This extreme, neoliberal exercise, from which the "progressive" governments of Latin America do not escape, turns Mother Earth capacities into a business. Increasingly, the atmosphere is turned into a new commodity designed, regulated and administered by the same actors who are responsible for the ecological climate crisis, and who now receive governmental subsidies for doing so. Let's recall that this process of the privatization of the climate was initiated during the neoliberal era supported by the World Bank, the World Trade Organization and complementary treaties. In short, these instruments of the so-called "Green Economy" do not prevent the destruction of Nature.

### Latin America as a great exporter of Nature

They say that the German explorer Alexander von Humboldt — amazed by Ecuadorian geography, flora and fauna — looked at its inhabitants as if they were beggars sitting on a bag of gold. Alexander von Humboldt, in some way, ratified the continuation of the colonization of nature in the post-colonial era.

More than 500 years ago, our *Abya Yala* — or "continent of life," as was the case with Africa and Asia — was integrated into the global market as a supplier of primary resources.<sup>1</sup> From this region came the gold, the silver and the precious stones, which funded the expansion of the Spanish Empire and the emergence of capitalism in Central Europe. From then on, these American territories, especially those from the South, assumed a submissive position in the international context by its specialization in extracting natural resources for the global market.

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<sup>1</sup> Eurasia, according to Andre Gunder Frank, was already a world-system integrated with cultural and economic exchanges (Silk Road) and cycles of hegemony (the Arab Caliphates, India, China) and business cycles. The incorporation of America (gold) caused the focus to change toward Europe. In addition, this was made possible by the internal crisis of the Chinese hegemonic power. The incorporation of America, Africa and later on Australia and the Pacific Islands made the world-system, for the first time, a global system.

Despite our knowledge that it is impossible to continue along the current predatory path, this spirit of domination has not been overcome. The illusion of the powerful extractivism, embodied in the metaphor of Humboldt, remains alive. In order to defend the (unconstitutional) Mining Act, the Ecuadorian President, in his report to the nation on January 15, 2009, used Humboldt's metaphor: *"We will not reverse the Mining Act, because the responsible development of mining is fundamental for the progress of the country. We cannot sit like beggars on a bag of gold."*

## **Holding the Rights of Nature in Ecuador**

At the global level, Ecuador is a pioneer country in recognizing that Nature is subject to rights and constitutionally promoting this notion as a leading response to the current crisis of civilization. Yet, despite the constitutional developments of 2008, several laws supported by the Executive [branch] contradict Ecuador's constitutional principles in the field of environmental rights, and especially the Rights of Nature.

However, the conformation of the first judiciary of Nature in Galapagos as well as the acceptance of the Constitutional action for the protection of rights, inspired by the Rights of Nature, against the Provincial Government of Loja in 2011 for pollution of the Vilcabamba River should be noted. Inclusively, note that a controversial, precautionary measure was made on behalf of the Rights of Nature against informal mining in the province of Esmeraldas in May 2011.

It will not be easy to crystallize Rights of Mother Earth transformations in Ecuador despite the constitutional provisions, and we know that its recognition will be even more complex at the global level. Rights of Nature affects the privileges of the circles of power — which will do everything possible in order to try to stop this process of liberation. Yet it is incumbent upon us all to envision a civilization beyond the endless capitalistic exploitation of nature.

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*Alberto Acosta is an economist and Ecuadorian left wing politician from Ecuador. He is a professor and researcher at FLACSO University. He was the former Minister of Energy and Mining, during which he promoted the Yasuní-ITT Initiative, and he held the Presidency of the National Constitutional Assembly 2007-2008.*

## Rights of Nature: An Update on Ecuador

By Natalia Greene

Ecuador is already exceeding Nature's limits and regeneration capacity. Its economy is based on the extraction of natural "resources," such as oil and minerals, which are located in the fragile and most bio-diverse ecosystem in the world, the magnificent Amazon rainforest.

After suffering the effects of the worst oil disaster in tropical rainforests caused by Chevron-Texaco, Ecuadorians approved by referendum the most ecological and biocentric Constitution in the world. The Constitution of 2008 is unique in that it was founded on three pillars: Sumak Kawsay (roughly translated from Kichwa as "well-being" or "living well"), Plurinationality and Rights of Nature.

Article 71 of the Ecuadorian Constitution states 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 evolutionary processes. Rights of Nature is the recognition that natural ecosystems including trees, oceans, animals and mountains have rights just like humans. And we — the people of Ecuador — have the legal authority and responsibility to enforce these rights on behalf of ecosystems and to represent nature in legal terms.

Including the word *Pachamama* in the Constitution recognizes and incorporates Indigenous understanding of nature as a living being, a giving mother, which broadens the concept of nature by incorporating relationships and spiritual beings. *However, Ecuadorians did not grant nature rights, they recognized something that nature always had, but we were too blind to see.*

After the People's Summit on Climate Change and the Rights of Mother Earth held in Cochabamba, Bolivia in April 2010, it became clear that the Rights of Nature is not only an important issue for Ecuadorians, but a need expressed by the people of the world to change the current development paradigm toward one that respects the environment and lives in harmony with nature.

From that convergence was the creation of the Declaration for the Rights of Mother Earth and the recognition of these ideas as a global blueprint for shifting the legal and cultural paradigm. Shortly after the Summit, the Global Alliance for the Rights of Nature (GARN) was created to support and advance these ideas.

Ecuador has an engaged and active civil society, where the indigenous environmental movement plays an important role in the protection of land, water, food security and biodiversity against the huge infrastructure and extraction projects promoted by the government.

### So, are rights of nature implemented in Ecuador?

Yes and no. There are already successful cases of implementation: Vilcabamba (March 30, 2011) is the first one. By widening a road, large quantities of rock and excavation material were deposited in the Vilcabamba River, without environmental impact studies, which directly violated rights of nature. The Provincial Court of Loja ruled in favor of the rights of the Vilcabamba River. One year later, though the implementation is still incomplete, it has created a key juridical precedent. A Judiciary for Nature has been constituted in Galapagos and the current penal code in legislative debate already stipulates Nature crimes.

In spite of the constitutional recognition, the Ecuadorian government is promoting the expansion of the oil frontier within Indigenous pristine territories — the XI oil round in the Amazonian Center South.

The first open pit metal mining contract has been signed to extract copper from the Condor highland (a UNESCO Biosphere Reserve), clearly violating the rights of that ecosystem. Our government naively argues that it can respect Rights of Nature with a never-seen “responsible” mining, and use those resources to build a wellbeing model that will invest in education and health, including hospitals that will treat people who have been contaminated by polluted water. Respecting nature makes more sense than this proposed insane cycle.

The National Collective of Organizations for the Rights of Nature, created in 2008, is the Ecuadorian partner of the Global Alliance for the Rights of Nature (GARN). Together with other organizations, it is working to promote the understanding, respect and enforcement of these new rights in Ecuador.

The Collective has developed the principles and criteria to encourage a real implementation of the Rights of Nature, taking into account biological and juridical aspects, and also the intangibles and the spiritual relationship with Mother Earth. It observes legal cases and laws, as well as judiciary actions on a national level, develops political action, and creates materials and spheres for training and capacity building upon communities, Indigenous leaders and national judges. The Collective also works directly with local communities that have already been protecting the environment that surrounds them: Indigenous Waorani women in the Amazon against oil contamination; Peasant organizations in the Highlands facing mining and deforestation; and fisher folk facing the destruction of more than 80 percent of mangroves because of industrial shrimp farming.

The Collective is currently monitoring four legal cases in Ecuador: The above-mentioned road building affecting the Vilcabamba river; illegal mining in the Esmeraldas coast; a hydroelectric plant built in Baba, which is flooding productive land, houses and protected areas; and pig excrement droppings in Santo Domingo’s rivers. Together with other allied organizations<sup>1</sup> and lawyers, it is working in the legal development of two other cases regarding the defense of mangroves in Manabí province, which is impacted by the shrimp industry and the defense of the Condor Biosphere Reserve that will be affected with the Mirador Copper Open Pit Mining Project. It is also identifying Rights of Nature cases regarding shark finning on the Coast and in Galapagos, species like Amazonian turtles that are threatened and endangered by illegal trafficking and trade, and extinction of endemic species due to plans to flood areas to build a hydroelectric plant in Topo River.

Rio+20 is an opportunity to unveil our government’s contradictions regarding the laws, the speech and the reality. It is also an opportunity to pressure them to adopt actions toward more coherent policies that achieve well-being in Ecuador with a real guarantee of Rights of Nature. This benefits the Ecuadorian population with alternative development while taking advantage of Ecuador’s renewable energy potential, tourism, subsidy cuts, protection of nature and social investment. Wellbeing and *rights of nature* are not only an alternative development, but an alternative to development.<sup>2</sup>

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*Natalia Greene, born in Ecuador, coordinates the Rights of Nature Program in Fundación Pachamama. Since 2011, she is the President of CEDENMA, the National Coordinating Entity of Ecuadorian Environmental NGOs. She graduated in Hampshire College, holds a Political Science master’s degree from FLACSO Ecuador and a specialization from Andina University on Climate Change.*

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1 CEDENMA, INREDH, RAMA and others.

2 William Sacher and Alberto, *La minería a gran escala en Ecuador*, Quito, 2012, pg.88



*In less than a decade, dozens of U.S. communities and the nation of Ecuador have passed laws recognizing legal rights for nature. The People's Summit on Climate Change and Rights of Mother Earth birthed the Universal Declaration on the Rights of Mother Earth and today a growing number of countries, states communities and Indigenous peoples worldwide are working toward legal rights for ecosystems. The movement is growing quickly. From new economic indicators and policies to our work locally, nationally and globally, rights of nature offers a new and fertile ground upon which to plant our feet. To succeed, rights for Mother Earth needs support and solidarity and a myriad of new ways to engage. This section begins to open the door of possibilities for this transformation.*

## No Rights of Nature, No Reducing Emissions: REDD, el Buen Vivir, and the Standing of Forests

By Jeff Conant and Anne Petermann

*“For my people, the forest is sacred, it is life in all its essence. We can protect Pachamama only if this is respected. REDD and other market mechanisms have turned our relationship with forests into a business.” – Marlon Santi, leader of the Sarayaku Quichua community of Ecuador*

Forests have always been valued by human societies for a multitude of uses and non-uses. Among them, the practical-use value of shade and shelter, thatch and timber, fuel wood, food and medicine; the ecological value of capturing, storing and filtering water, producing oxygen, and harboring biodiversity; as well as the spiritual value of their mere existence, for which Indigenous peoples and forest-dependent communities have prayed and held ceremony since the dawn of time.

Today, with the emergence of Payment for Ecosystem Services (PES) schemes, the use value and the ecological value of forests have collided to eclipse all other value they may have, and any other values that human societies may place on them. While the emerging PES schemes pretend to shift the paradigm away from extractive approaches to resource use, they have one important feature in common with other uses that industrial society has for forests: the further you are from the forest, the greater the economic value it has — and the greater the potential for forest destruction.

Like the crusading armies of missionaries that in the colonial era claimed to save indigenous souls by converting them to Christianity at the point of the sword, one of the greatest emerging threats to forests today is the very policy that claims to save them. Reducing Emissions from Deforestation and Degradation (REDD) is a mechanism for wealthy countries and polluting industries to pay cash-poor countries in the Global South to conserve their forests instead of cutting them down or allowing them to be logged.

As the World Bank’s Forest Carbon Partnership Facility puts it, REDD programs “provide value” by monetizing standing forests. Likewise, the United Nations REDD Programme advertizes that the chief aim of its REDD program is “to make forests more valuable standing than they would be cut down, by creating a financial value for the carbon stored in trees. Once this carbon is assessed and quantified, the final phase of REDD involves developed countries paying developing countries carbon offsets for their standing forests.”

Taken superficially, the idea of “reducing emissions from deforestation” is of course very appealing — we do, after all, need to protect forests from an endless parade of threats. But, rather than “saving” forests, the debasement of forests into the sum of the carbon stored in their trees, combined with the vast absence of any political will to address the underlying drivers of deforestation, is moving forests closer to the abyss.

From a practical perspective, REDD has many problems. It makes trees part of a property rights system, excluding Indigenous peoples and local forest-dependent communities who often lack basic rights and especially rights to their forested lands. Human rights safeguards, even if they were put in place, are guaranteed to fail. National governments and carbon trading companies stand to make billions of dollars on the sale of forest carbon, while the communities that live in and depend on forests, whose traditional livelihoods are up for grabs under REDD, will receive small cash payments at best. At worst, they will be displaced from their homes. For big polluters, it becomes cheaper to buy permits to pollute through a REDD carbon offset mechanism than to reduce emissions — which allows them to continue burning and mining fossil fuels from the Alberta tar sands to the Ecuadorian Amazon, and from the Niger Delta to the mountaintops of Appalachia.

In other words, these practical concerns are the real costs of doing business with forests. While treating forests as carbon sinks and commodities may create economic value, it greatly diminishes their intrinsic value — and it is precisely the intrinsic non-monetized value of forests that has kept them standing. This value — the value of forests *as* forests — can be upheld best by an approach based in the Rights of Mother Earth.

Sadly, at present, decision-making bodies are so far from understanding what the rights of forests might look like that the United Nations cannot even make a determination on the difference between a forest and a monoculture tree plantation. This compounds the problem of reducing emissions from deforestation because it makes measuring the true levels of deforestation impossible, as the cutting of forests is balanced out by the “reforestation” or “afforestation” of trees in industrial timber plantations. As a result, the logging of primary forests is accelerating, while the amount of land covered by biologically poor tree monocultures is rapidly increasing, with genetically engineered trees waiting in the wings.

Thus, the real paradigm shift necessary to protect forests will come not from assigning economic value to forests through REDD. Indeed, this approach is nothing more than a continuation of the extractive approach, in a subtler but more insidious form. The real value of forests can only be protected by recognizing the rights of forest-dependent communities and the rights of forests and Mother Earth.

In recognizing both the rights of forest-dependent communities and the rights of forests, we enter into the need for biocultural approaches. Rather than an approach that focuses strictly on conserving ecosystems or biological diversity, we need a paradigm of conservation and stimulation of *biocultural diversity*: the Rights of Nature and rights of people intertwined and understood to be interdependent and mutually reinforcing.

These concepts are age-old. In the Tzeltal language of Chiapas, Mexico, the broad term is *el lekil kuxlejal*; in the Andes, it is *sumak causay*; in Spanish these concepts are loosely translated as “*el buen vivir*,” to live well, which connotes harmony in interpersonal relations, health, education, nutrition, peace, territorial autonomy, ecological balance, and personal and collective growth appropriate to local conditions. In a modern context, where we must develop legalistic mechanisms to revive such concepts, the Rights of Mother Earth may be the closest thing we have to an approach that can preserve *el buen vivir*, and thus truly protect forests and other planetary ecosystems, by protecting the social and spiritual fabric that accompanies and underlies them.

Without first identifying and addressing the underlying causes of deforestation, understanding and advancing the rights of forests will be impossible. And with forests being the cradles of biodiversity on our small and fragile planet, we must recognize the rights of forests if we are to advance the Rights of Mother Earth. REDD claims to keep forests standing in order that they may serve us by acting as the Earth’s lungs and absorbing our pollution; the Rights of Mother Earth, in contrast, offers an opportunity to give forests *legal standing* in order that they may continue to serve, in all of their timeless and sacred complexity, as forests.

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*Anne Petermann is the Executive Director of Global Justice Ecology Project. She is also the Coordinator of the STOP GE Trees Campaign; the North American Focal Point for the Global Forest Coalition; and a member of the Board of Directors of the Will Miller Social Justice Lecture Series.*

*Jeff Conant is a writer, and social justice activist with a focus on international development and ecology. He was coordinator and lead author of A Community Guide to Environmental Health (Hesperian Foundation, 2008), and has published articles on water privatization, resource colonization, food sovereignty, ecological sanitation, environmental injustice, climate crisis, and related issues. He won a 2010 Project Censored Award for his coverage of the World Water Forum in Istanbul, Turkey.*

## **Indigenous Sovereignty, “Green” Economy and the Rights of Mother Earth**

By Tom B.K. Goldtooth

The topic of the green economy and sustainability demonstrates the differences between the money-centered Western views and indigenous life-centered worldview of our relationship to the sacredness of the female creative principles of Mother Earth. Many of our Indigenous peoples around the world are deeply concerned that the economic globalization model treats Mother Earth, nature, as a resource for the marketplace to own, privatize and exploit for maximized financial return. This development model displaces Indigenous peoples from their lands, cultures and spiritual relationship to Mother Earth, as well as destroys the life-sustaining capacity of nature and the ecosystem.

The green economy is nothing more than capitalism of nature. The 2012 United Nations Conference on Sustainable Development, which is promoting a green economy, is the next step in the evolution of capitalism. The goal is to implement an alternative to global regimes cashing in on creation by privatizing, commodifying and selling off all forms of life — including air, water and genes, plants, traditional seeds, trees, biological and cultural diversity, ecosystems and even indigenous traditional knowledge.

The green economy is the mechanism for new ways to sell nature, including UN and World Bank initiatives such as REDD-plus (Reducing Emissions from Deforestation and Forest Degradation), the Clean Development Mechanism, carbon trading, PES (Payments for Environmental Services), the International Regime on Access to Genetic Resources and Benefit Sharing, patents on life, TEEB (The Economics of Ecosystems and Biodiversity), natural capital, green bonds and species banking. This economic system greenwashes environmentally and socially devastating, extractive industries like logging, mining and oil drilling, and promotes them as “sustainable development.”

REDD-plus is a false solution to climate change promoted by the UN, the World Bank and climate corporate criminals, such as Shell, that allow polluters to expand fossil fuel development and not reduce their emissions at source. REDD-plus is a pillar of the global agenda for the privatization and financialization of nature, and constitutes a worldwide land grab and carbon offset scam.

Indigenous peoples from every region of the world inhabit and care for the last remaining sustainable ecosystems and biodiversity hotspots in the world. One example of unsustainable development is the destructive mineral extraction industries continuing to encroach onto Indigenous peoples’ traditional territories. Unconventional oil and natural gas development into these areas is increasing despite the urgency for the world to move away from a fossil fuel economy. This extreme energy development based on the combustion of fossil fuels is causing climate chaos that directly affects the well being of Indigenous peoples from the North to the Global South.

As Indigenous peoples of the North, our reality is we live in the belly of the beast. The United States consumes one-third of the natural wealth of our sacred Mother Earth, including the oceans. This level of overconsumption feeds the addictive appetite of the United States, and its industrialized society causes continued intrusions and invasions into other peoples’ territories, including indigenous homelands. The current national and global economic system with its global corporations, financial institutions and governmental bureaucracies, cannot survive without an ever-increasing supply of “natural resources”: forests, industrial agriculture, minerals, coal, uranium, oil and natural gas, fish, wildlife, water and more land. A human society based upon endless conquest and expropriation of the sacredness of Mother Earth is not only unsustainable, but it is impossible.

The dominant societies' economic paradigm, at all levels, places rapid economic growth, the quest for individual and corporate accumulation of wealth, and a race to exploit natural resources, as its foundation. This economic system disregards the finite limits of Mother Earth, in terms of natural resource availability, consumption, waste generation and absorption.

With some indigenous communities it is difficult and sometimes impossible to reconcile traditional spiritual beliefs with the participation in climate mitigation that commodifies the sacredness of air (carbon), trees, biodiversity, soils and life. Climate change mitigation and adaptation must be based on different mindsets with full respect for nature — on the rights of Mother Earth — and not solely on market-based mechanisms.

Indigenous peoples can contribute substantially to sustainable development within a holistic framework. With the knowledge that development that violates human rights is by definition unsustainable, Rio+20 must affirm a human rights-based approach to sustainable development. In particular, by affirming that the United Nations Declaration on the Rights of Indigenous Peoples must serve as a key framework underpinning all international, national and sub-national policies and programs on sustainable development with regard to Indigenous peoples.

Full recognition of land tenure of our place-based Indigenous communities is the most effective measure for protecting the rich biological and cultural diversity of the world. Strengthening international, national and sub-national frameworks for collectively demarcating and titling Indigenous peoples' territories and land has proven to be one of the most effective measures for reducing deforestation, protecting the environment from unsustainable mineral extraction, conserving and restoring biodiversity, and preserving a better world for future generations.

A body of law must be developed that recognizes the inherent rights of the ecosystems of Mother Earth and enables indigenous and non-indigenous communities to act as protectors of those ecosystems. Colonial Western law limits nature as mere property or "resources" to be exploited. For the sake of the future generation of humanity and for the world as we know her to survive, there must be a new paradigm enforced by law that redefines humanity's governance relationship to the sacredness of Mother Earth and the natural world. This includes the integration of the human-rights based approach, ecosystem approach and culturally-sensitive and knowledge-based approaches. The world must forge a new economic system that restores harmony with nature and among human beings. We can only achieve balance with nature if there is equity among us.

At Rio+20, governments of the world and civil society must reject any green economy agenda that promotes the commodification and financialization of nature. The people of the world must take concerted action to initiate a new framework that begins with recognition that nature is sacred and not for sale, and that the ecosystems of our Mother Earth have jurisprudence for conservation and protection.

There is a need for this new paradigm in this world. This paradigm requires a change in the human relationship with the natural world from one of exploitation to one that recognizes its relationship to the sacredness of our true mother – Mother Earth.

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*Tom B.K. Goldtooth is the Executive Director of The Indigenous Environmental Network, a network of indigenous communities worldwide. He is a leader of environmental and climate justice issues and the rights of Indigenous peoples. He is co-producer of an award-winning documentary Drumbeat For Mother Earth, which addresses the effects of bio-accumulative chemicals on indigenous communities.*

## Earth Community Economy

Osprey Orielle Lake

*“Wealth is a deep understanding of the natural world.” Inuit wisdom*

We are at a crossroads, both as a species and as a planet. On the current trajectory, our very survival and that of all future generations is at risk. In order to live in harmony with the Earth and to halt the most destructive aspects of our modern life, we need to advance a new economy based on the carrying capacity of our Earth and finite planetary boundaries. Recognizing that nature has rights can inform and help to legally re-enforce principles that counter a solely market-driven economy. It will foster a new sort of sustainable economy — an “Earth Community Economy” — based on respect for natural laws and governance systems that uphold the rights and needs of nature in balance with the rights and needs of humans.

What can a system of earth jurisprudence (Rights of Nature) that views the natural world not as mere property, but as a rights-bearing entity with legal standing, offer a new Earth Community Economy? Rights of Nature laws would require a fundamental redirection of the world economy, necessitating that we adhere to precepts that uphold the ecological design and boundaries of nature. Recognizing that Nature has rights means that human activities and development must not interfere with the ability of ecosystems to absorb their affects, to regenerate their natural capacities, and to thrive and evolve.

As an example, current extractive practices like mountaintop removal to obtain coal, which destroys entire mountain and watershed ecosystems, would be categorically illegal. So too would industrial agriculture practices that poison soil and water, genetically alter natural species, or cause loss of biodiversity. To this we can add any industrial activities that pollute the ecosystem of the atmosphere.

Consequently, employing a Rights of Nature framework will encourage an economic transition to renewable energy, the reduction of greenhouse gas emissions, the investment of resources in energy efficiency, and organic/diverse agriculture —all of which can support healthier ecosystems and promote vibrant local economies. Rights of Nature laws require that those responsible — including corporate actors — be held accountable for negative environmental impacts, thereby encouraging economic models and practices that respect the natural limits and laws inherent to the natural world we inhabit.

A “true cost” economic model will drive industry toward sustainable activities and practices because it becomes cost-prohibitive, as well as just plain prohibited, to pollute and harm Nature. Enforcing Mother Earth Rights does not stop development, but places development within the context of a healthy ecosystem.

An economic system based on infinite physical growth and development on a finite planet is irrational and simply not sustainable. As Prime Minister Jigmi Thinley of Bhutan stated in his 2012 address at the United Nations High Level Meeting on Happiness and Wellbeing, “The GDP-led development model that compels boundless growth on a planet with limited resources no longer makes economic sense.”

Rights of Nature legislation will encourage the formulation and implementation of new economic indicators such as Gross National Happiness, Genuine Progress Indicator, Index of Sustainable Economic Welfare and others that do not rely upon GDP as the only true or acceptable metric. We must question defining worth, wealth, value and wellbeing that is based only on the measuring of money and quantities of material goods.

What might this new economics look like and what do we need to be thinking about as we seek a transition? Around the world, we are seeing the emergence of creative alternatives to destructive economic paradigms. The good news is what is healthy for an ecosystem is also good for people: a key ingredient is localization and regionalism. The best economic and environmentally sound solutions are place-based, diverse according to region, and are responsive to local communities and social needs. Instead of fearing a transition to an Earth Community Economy, we can support and enjoy local organic food, vibrant local businesses, a healthy local economy, jobs with justice and the development of clean decentralized energy.

No, not Utopias, but regenerative, functional, local communities. Already we are seeing a plethora of creative, self-organizing groups and their ideas on the move with this concept: Transition Towns, Eco-builders, Cool Cities, Eco-villages, Eco-Cities, permaculture communities, food sovereignty groups — the list grows daily with working concepts and models in every part of the world.

History and logic dictate that transitioning away from a globalized economy will not always be smooth or easy — not was the transition from the slave system following the U.S. Civil War. Yet our survival depends on our ability to do so, and quickly.

We must change the way we think about what an economy is *for*, and how we measure it. Today, we measure economic well-being using flawed instruments such as the GDP. Yet even the generation and dumping of toxic waste is part of the GDP — a wildly inaccurate measure of progress. We must begin to develop new metrics like the Gross National Happiness Index, which assesses economic performance based on the health and wellbeing of people living in balance with each other and nature.

Cultures living close to the Earth have shown a balanced way of life quite unlike newer, consumer-driven notions of simply having more. “Living well,” in the Kichwa language of the Indigenous people of Ecuador, is called “sumak kawsay;” in Spanish, it is “buen vivir.” An Earth Community economy envisions a future that has *not* come from enslaving Nature and treating all other life as mere resources for human exploitation and unchecked material growth.

A Rights of Nature legal framework would foster human wellbeing in harmony with the integrity and functioning of the entire Earth community, thus prompting economic incentives and disincentives aligned with this purpose. An Earth Community Economy recognizes the inherent meaning, sacredness and value of the natural world: that which is not tradable or subject to commerce. To this end, in order to truly protect our Earth, we must stop the commodification and financialization of nature.

While a Rights of Nature framework does not solve all of our daunting problems, it does offer a foundation upon which healthy economic principles and sustainability can be built. Advocating for a systemic economic alternative that balances the rights of human communities with the rights of ecosystems should be at the heart of all international sustainable development and climate negotiations. As we look to completely transform our responsibilities and relationship with the natural world, this Earth Community Economy based on Rights of Nature is an idea and a necessity whose time is now.

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*Osprey Orielle Lake is the Founder/President of the Women’s Earth and Climate Caucus (WECC) and an International Advocate for the Global Alliance for the Rights of Nature. Her book, Uprisings for the Earth: Reconnecting Culture with Nature (White Cloud Press) is a 2011 Nautilus Book Award winner.*

## **The Global Water Crisis Demands a Paradigm Shift**

By Maude Barlow and Meera Karunanathan

Gandhi said it best when he said, “the Earth provides enough to satisfy every man’s need, but not enough to satisfy every man’s greed.”

This is truer of the world’s freshwater supply now than ever before. There is no shortage of water for the needs of people and the planet, yet we are rapidly running out of clean water because there aren’t sufficient amounts to serve the insatiable greed of a small number of powerful corporations whose interests dominate the global economic agenda.

If there was any illusion that Rio+20, the United Nations Conference on Sustainable Development, could restrain the runaway capitalism that has generated the environmental crisis plaguing our ever-shrinking planet, it has already been extinguished. Rio+20 is shaping up to be yet another platform for corporations seeking unfettered growth at a time when the planet is telling us we need to scale down and change course.

Dominated by corporate interests, the dialogues leading to Rio+20 have been about packaging the quest for economic growth and market expansion into a new brand of corporate environmentalism, and the still fairly vague proposals for a so-called “green economy” are being met with fierce opposition from social movements around the world.

When it comes to water, the corporate green economy is about using the environmental crisis to further entrench corporate rights and access to increasingly scarce water resources. As the United Nations Environment Programme (UNEP) puts it, “water is the engine for the green economy.”

On the one hand, systemic causes of the global water crisis are evaded by emphasis on resource efficiency and high-tech solutions that allow business as usual for water-intensive and water-polluting industries. On the other hand, there is a push to develop market-based models for the distribution of scarce water resources. These models will entrench corporate rights and access to water resources — among them, water markets and pricing mechanisms that will allow for those who pay more to have more, and the financialization of both water resources and utilities in order to generate new forms of capital accumulation in areas where markets have had very limited access. All of these elements require greater analysis than what we are able to offer within the limited space of this article. Suffice to say that many forces are at play to ensure that the environmental and economic crises serve as ruses to facilitate greater corporate control of water.

And in the tug of war against corporate so-called “rights” — which are better described as privileges and protections — we need to think bigger and beyond existing regulatory systems and human rights mechanisms.

By 2030, demand for water will outstrip supply by 40% according to a 2009 report by the World Bank-sponsored Water Resources Group. This will cause tremendous human suffering, yet this statistic does not even take into consideration the water needs of non-human life. The handful of corporations engaged in water-intensive and water-polluting activities are not only competing with the rest of the world’s human population, they are competing with all other species as well.

Water shortages are having an ever-increasing impact on the planet’s biodiversity. According to Wetlands International, there has been a 50% loss of wetlands over the course of the 20th century. Freshwater species in particular are disappearing at a much faster rate than all other species. Nearly 25% of freshwa-

ter fish in Africa alone are threatened with extinction and 136 freshwater-dependent birds had become extinct by 2010.

**This has led to a growing movement demanding a new model of governance centered on the rights of nature.**

Far from being radical, the Rights of Nature model is based on the inescapable reality that we are all connected.

Our economies have been built on unrealistic expectations of what the planet can yield — and people living closer to the land have been feeling the impacts for decades. Indigenous communities living downstream from polluting industries like the tar sands in Canada or large mining projects in Latin America have seen unnaturally high rates of cancer, skin diseases, birth defects and illness in the fish and livestock vital to their survival. The food security of communities throughout the Global South has been severely threatened by drought, leading farmers in India to commit suicide over the loss of crops.

Even the staunchest proponents of the neoliberal agenda can no longer deny the scientific evidence of our deeply ailing planet, leading countries like Canada to foolishly engage in shoot-the-messenger strategies such as eliminating publicly funded science, shrinking government departments responsible for environmental monitoring and criminalizing environmental organizations in order to blindly pursue a path of economic growth based on massive expansion of the extractive sector.

The global campaign for the Rights of Nature provides a way forward. But to simply recognize the Rights of Nature on paper does not suffice. Such an approach will be laden with internal contradictions if governments are unwilling to challenge the dominant model of economic globalization. The recognition of the Rights of Nature must be part of a larger commitment to rebuild economies based on respect for watersheds and ecosystems. This means scaling down and reducing consumption; limiting export-oriented production and nurturing sustainable local economies to bring an end to over-extraction, large-scale displacement and contamination of water, fragmentation of rivers and the continued destruction of wetlands and glaciers.

It's no longer enough to simply regulate corporate greed.

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*Maude Barlow is the National Chairperson of the Council of Canadians, Chair of the board of Food and Water Watch, as well as an international best-selling author. She has received ten honorary doctorates as well as many awards, including the 2005 Right Livelihood Award. She served as Senior Advisor on Water to the 63rd President of the United Nations General Assembly.*

*Meera Karunanathan is a Water Campaigner for the Council of Canadians, Canada's largest social justice group. Working with the organization's 70 chapters across the country, Meera promotes water as a human right and a commons in Canada. She also works with global water justice activists around the world through the Blue Planet Project to support struggles against the corporate takeover of water.*

## **Water in the Green Economy: “Legal Rights for Waterways”**

By Linda Sheehan

### **Problems**

Our current environmental laws have been largely unable to prevent over-drawn waterways, continued contamination of remaining waters, and disappearing species and habitats. These dilemmas result in large part because our overarching legal and economic systems treat the natural world as property that can be exploited and degraded, rather than as an integral ecological partner with its own rights to exist and thrive. As a result, environmental concerns are generally subsumed to the incessant driver of economic growth, leading to dangerously unbalanced relationships among humans and the rest of life on Earth.

### **Solutions**

We must re-envision economic systems so that they serve “sustainable communities” and establish legal rights for ecosystems – including waterways – so they may exist, thrive and evolve.

#### **UNEP, Towards a Green Economy (2011)**

This Green Economy is the driving force behind Rio+20 negotiations. It fundamentally presumes that protecting the environment can be achieved by further forcing environmental policies to fit within an overarching economic system that is causing the destruction. The Green Economy proposal also assumes that the current, overarching economic system will continue, rather than challenging it and offering alternatives.

#### **Focus on “Green Economy” Stalls Progress on Waterway Health in Favor of Current Growth Models**

Using UNEP’s Towards a Green Economy report as an example, the Water chapter lists indicators of “progress towards a green economy” on page 121. Of the five indicators listed, not one would measure improvements to the health of affected waterways or water-dependent ecosystems. This is particularly disturbing in that the same report points to an aggregate decline in waterway and aquifer health world-wide. Human water needs depend on healthy waterways. Additionally, the report defines a “green economy” as “one that results in ‘improved human well-being and social equity, while significantly reducing environmental risks and ecological scarcities.’” It also states that the “green economy “seeks to minimise the impact of economic activity on the environment.” Both definitions fail to embrace environmental health, and instead settle for “reducing” or “minimizing,” rather than reversing, the trend of ecological degradation, which will continue without changing the overarching driver of economic growth. The end result will be haggling over the prices stakeholders are willing to pay to continue destructive patterns, rather than actually improving our relationships with the natural world to reverse environmental degradation.

#### **Alternative Approach: Re-Envision Our Economic Models to Serve People and Planet**

Rather than contort environmental policies to fit within an economic system premised on the maximization of private wealth, examine the root of the problem: the economic system itself. The distribution of goods and services need not be for the purpose of maximizing economic wealth. Instead it could be focused, for example, on maximizing attainment of biological and social needs.

#### **The Economy Should Serve “Sustainable Communities,” Both Human and Environmental**

Our economic model should be re-envisioned to serve “sustainable communities,” a term which includes both human communities and the wider communities of the natural world. Elements of sustainable

human communities include not just the economy, but also culture, societal/familial relations, healthy food, clean drinking water, sanitation, housing, necessary medical care, democratic governance, education, meaningful and appropriately rewarded labor, spirituality, civic duty, local development consistent with these elements, and other factors. Similarly, elements of sustainable environmental communities include healthy nutrients, clean water, biodiversity, restoration in the face of destruction, and thriving, connected habitats. In setting governance policy, all elements of sustainable communities must be considered. The economy must be viewed as serving human and environmental communities, not the reverse.

### **Develop and Implement Legal Rights for Ecosystems and Species**

Existing laws assume that waterways are to be manipulated for human economic benefit. In doing so, they marginalize the larger interconnections demonstrated by modern science and ethics. However, by recognizing in law the rights of the waterways to exist, thrive and evolve, we will better guide our behavior to protect waterway integrity to the benefit of sustainable human and waterway communities.

### **Rights-Based Laws Exist and Are Expanding to Reverse Degradation and Promote Healthy Waterways**

At the local level, Pittsburgh, Pennsylvania, passed a law in November 2010 that stated: “Natural communities and ecosystems, including, but not limited to . . . water systems, possess inalienable and fundamental rights to exist and flourish within the City of Pittsburgh. Residents of the City shall possess legal standing to enforce those rights on behalf of those natural communities and ecosystems.” In California, the state is initiating work to amend the state’s water law to grant legal water rights to rivers. Nationally, the 2008 Constitution of Ecuador includes Article 71, which holds: “Nature or *Pachamama*, where life is reproduced and exists, has the right to exist, persist, maintain itself and regenerate its own vital cycles, structure, functions and its evolutionary processes. Any person, people, community or nationality, may demand the observance of the rights of the natural environment before public bodies...” and Article 72, which states: “Nature has the right to be completely restored.” The first successful case demonstrating this article was in favor of the Vilcabamba River. The Provincial Court of Loja decided in March 2011 that the river’s right to flow had been violated and required remediation. On the global scale, the “Universal Declaration of the Rights of Mother Earth,” which was adopted at April 2010 World People’s Conference on Climate Change and the Rights of Mother Earth and presented to the UN in April 2011, says “Mother Earth and all beings” have, among other rights: the right to exist, the right to water as a source of life, the right to integral health, and the right to full and prompt restoration for violations of these and other enumerated rights. These rights-based laws advance “sustainable communities” by respecting and supporting the ecological integrity of waterways, for the benefit of all beings that depend on water.

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*Linda Sheehan is an environmental attorney and Executive Director of the Earth Law Center. Previously she took action on behalf of California’s waterways and ocean habitats as Executive Director of the California Coastkeeper Alliance. Ms. Sheehan is a contributing author to Exploring Wild Law: The Philosophy of Earth Jurisprudence, published by Wakefield Press in 2011.*

## **Beyond Fossilized Paradigms: Futureconomics of Food**

By Vandana Shiva

The economic crisis, the ecological crisis and the food crisis are reflections of an outmoded and fossilized economic paradigm — one that grew out of mobilizing resources for the war by creating the category of “Growth” and is rooted in the age of oil and fossil fuels. It is fossilized because it is both obsolete and a product of the age of fossil fuels. We need to move beyond this fossilized paradigm if we have to address the economic and ecological crisis.

Economy and ecology have the same root: “oikos” — meaning home — both our planetary home, the Earth, and our home where we live our everyday lives in family and community.

But economy, separated from ecology, forgot the home and focused on the market. An artificial “production boundary” was created to measure Gross Domestic Product (GDP). The production boundary defined work and production for sustenance as non-production and non-work. Thus, “if you produce what you consume, then you don’t produce.” In one full sweep, the production and work of sustenance economies disappeared along with the work of women.

To the false measure of growth is added a false measure of “productivity.” Productivity is output for unit input. In agriculture, this should involve all outputs of biodiverse agro-ecosystems — the compost, energy and dairy products from live stock; the fuel, fodder and fruit from agro forestry and farm trees; the diverse outputs of diverse crops. When measured honestly in terms of total output, small biodiverse farms produce more and are more productive.

Inputs should include all inputs — capital, seeds, chemicals, machinery, fossil fuels, labor, land and water. The false measure of productivity selects one output from diverse outputs — the single commodity to be produced for the market — and one input from diverse inputs — labor.

Thus, low output, high input chemical, industrial monocultures — which in fact have a negative productivity — are artificially rendered more productive than small, biodiverse, ecological farms. And this is at the root of the false assumption that small farms must be destroyed and replaced by large industrial farms. This false, fossilized measure of productivity is at the root of the multiple crises we face in food and agriculture.

It is at the root of hunger and malnutrition because, while commodities grow, food and nutrition have disappeared from the farming system. “Yield” measures the output of a single commodity, not the output of food and nutrition.

It is at the root of the agrarian crisis. When costs of input keep increasing, but are not counted in measuring productivity, small and marginal farmers are pushed into a high-cost farming model, which result in debt and, in extreme cases, the epidemic of farmer suicides.

It is at the root of the unemployment crisis. When people are replaced by energy slaves because of a false measure of productivity based on labor inputs alone, destruction of livelihoods and work is an inevitable result.

It is also at the root of the ecological crisis. When natural resource inputs, fossil fuel inputs and chemical inputs are increased but not counted, more water and land is wasted, more toxics are used and more fossil fuels are needed. In terms of resource productivity, chemical industrial agriculture is highly inefficient. It uses 10 units of energy to produce 1 unit of food. It is responsible for 75% of water use, 75% disappearance of species diversity, 75% land and soil degradation and 40% of all greenhouse gas emissions, which are destabilizing the climate. According to the recently released report from the Intergovernmental Panel on Climate Change (IPCC), extreme events due to an unstable climate are costing \$80 billion annually.

We need to move from these false and fossilized indicators to real indicators that reflect the health of nature and the well being of the economy. The inadequacies of the old paradigm based on economic growth and false productivity are being recognized at the highest levels.

In food and agriculture, when we transcend the false productivity of a fossilized paradigm, and shift from the narrow focus on monoculture yields as the only output and human labor as the only input, we will protect small farms and farmers — instead of destroying them — because they are more productive in real terms. Instead of destroying biodiversity, we will intensify it, because it gives more food and nutrition.

Futureconomics, the economics of the future, is based on people and biodiversity, not fossil fuels, energy slaves, toxic chemicals and monocultures. The fossilized paradigm of food and agriculture gives us displacement, dispossession, disease and ecological destruction. It has given us the epidemic of farmer suicides and the epidemic of hunger and malnutrition. A paradigm that robs 250,000 farmers of their lives and millions of their livelihoods, and robs half our future generations of their lives by denying them food and nutrition, is clearly dysfunctional. It has led to growth of money flow and corporate profits, but it has diminished life and the well-being of our people. The new paradigm we are creating on the ground and in our minds enriches livelihoods, health of people and ecosystems and cultures.

The violence to the Earth and people through an agricultural system that is like war can only be stopped when we make peace with the Earth. The first step in making peace is recognizing the Rights of the Earth, the Rights of Nature and the Rights of all beings — the billions of soil organisms that create soil fertility, the millions of biodiverse species that give us food. The more we protect the Earth, the more she provides. Human rights flow from Earth Rights. And in a transition to an earth-centered food and agriculture economy of permanence and abundance, human care replaces carelessness, nonviolence replaces violence, abundance and well-being replace scarcity, hunger and disease. And care needs intimacy, a sense of place. This is why decentralized, small farm-based, biodiverse and ecological food and agricultural systems are vital to a future economy that protects the well-being of the Earth and people.

On April 2, 2012, the United Nations organized a High Level Meeting on “Happiness and Well Being: Defining a New Economic Paradigm” to implement Resolution 65/309, which was adopted unanimously by the General Assembly in July 2011:

*“Conscious that the pursuit of happiness is a fundamental human goal” and “recognizing that the gross domestic product [...] does not adequately reflect the happiness and well-being of people.”*

I was invited to address the conference at the United Nations meeting, which was hosted by the tiny Himalayan Kingdom of Bhutan. Bhutan has given up the false categories of GNP and GDP, and replaced them with the category of Gross National Happiness, which measures the well-being of nature and society. The Bhutanese Prime Minister Jigmi Thinley has recognized that “growing organic” and “growing happiness and well-being” go hand in hand. That is why he has asked Navdanya and me to help make a transition to a 100% organic Bhutan. In India, Navdanya is working with the states of Uttarakhand, Kerala, Madhya Pradesh, Jharkhand, and Bihar for an organic transition. We aim for an organic India by 2050 to end the epidemics of farmer suicides, hunger and malnutrition; to stop the erosion of our soil, our biodiversity, and our water; to create sustainable livelihoods and end poverty. This is futureconomics.

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*Dr. Vandana Shiva is a philosopher, physicist, environmental activist, ecofeminist, and author of several books and scientific papers. Among her many awards are the Right Livelihood Award (1993), Global 500 Award of the UN (1993), and the Sydney Peace Prize (2010). From India, she is one of the leaders of the International Forum on Globalization and is a figure of the global solidarity movement.*

## Food Sovereignty and Rights of Nature

By Suzy Pinos

In 1996, at the UN Food and Agriculture Organization summit in Rome, the international peasant movement, *La Via Campesina* introduced the concept of food sovereignty<sup>1</sup>, a visionary concept which, following the global food crisis of 2007-08 gained global attention and acceptance. In 1972, Christopher Stone penned his famous law article, “Should Trees have Standing?” arguing the idea of protecting nature by recognizing legal rights for ecosystems.

Conceptually, both movements intend to be alternatives to the current economic model, generating a paradigm shift to achieve a new society that is both more equitable and sustainable. These initiatives are compatible, and worthy representatives of the global justice movement mantra “another world is possible”.

Both movements have common roots. They are proposals from the South, seeking to bridge the gap with the North, and find their niche in the countries of the South. An example is the constitutional process which occurred in Ecuador and Bolivia. The concepts of food sovereignty and the rights of nature were incorporated in constitutions and laws<sup>2</sup> in order to build the “*buen vivir*” proposed by the native peoples of South America.

The recognition and valuation of ancestral knowledge is fundamental to enable food sovereignty as well as the full implementation of the rights of nature. This isn’t a romantic return to the past, but a revival of the holistic view of native peoples when developing and implementing social and technological innovations. It is about adding knowledge as well as rights.

The rights of nature are also human rights. Nature has the right to preserve and recover its cycles of life, such as: the flow of nutrients within an ecosystem which help to maintain soil fertility, the water cycle which allows irrigating crops, the life cycles of plants and animals and many more. By respecting the rights of nature, we can guarantee the human right to food.

Sustainable food production would not be possible without the natural cycles that sustain life. At the same time, it is impossible to reduce dependence on external inputs without taking into account the need to reestablish the natural cycles destroyed by conventional agriculture; as such, the rights of nature and the concept of food sovereignty are allies in the building of more sustainable and democratic alternatives of production.

Nature cannot be treated as merely property. While the supporters of the Universal Declaration of the Rights of Nature express the need to recognize nature as a subject of rights, the social movements in search for alternatives to the global food crisis say it is time to stop treating food as a commodity subject to speculation in the global marketplace. This change of paradigm will finally create a more balanced relationship between human beings and the rest of nature.

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1 Defined by Via Campesina, as follows “food sovereignty is the right of people, nations or unions of countries to define their agricultural and food policies, without dumping towards third countries. Food sovereignty organizes the production and consumption of food that meets the needs of local communities, giving priority to production for local consumption and domestic use. Provides to the people the right to choose what they eat and how they want to produce it. Food sovereignty includes the right to protect and regulate domestic agricultural production and protect the domestic market from dumping of agricultural surpluses and low-priced imports from other countries. Likewise recognizes the rights of rural women. The landless people, the peasantry and small-scale agriculture must have access to land, water, seeds and productive resources and to an adequate supply of public services.” Source [www.viacampesina.org](http://www.viacampesina.org)

2 2008 Ecuador recognized the rights of nature in its constitution (Art.71-74) and promotes food sovereignty (Art. 13). During 2009, Bolivia recognizes the right to food security and sovereignty (Art. 404 and 406) in 2010 Bolivia passed the Mother Earth Rights Law.

As well, it is clear that the current global situation requires a paradigm shift which allows for the full exertion of the “*buen vivir*”. The Rio+20 process is an opportunity for social movements to join forces and create synergies.

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*Susy Pinos Barreto works at Fundación Pachamama in Ecuador. She has a Degree in agricultural sciences at EARTH University of Costa Rica, with a Master in Agricultural science, food security and natural resource management in the tropics and sub-tropics. Her research has focused on agro ecology and food sovereignty in the Ecuadorian coast.*



**For more information about the Rights of Nature:**

Contact Shannon Biggs at [Shannon@globalexchange.org](mailto:Shannon@globalexchange.org) or +1 415.575.5540 or visit <http://www.globalexchange.org/communityrights/campaigns/rightsofnature>

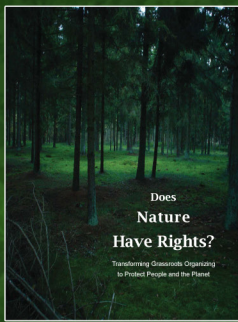
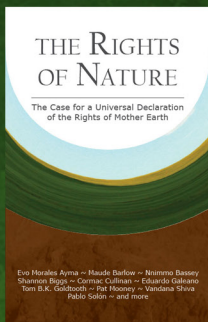
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[www.globalexchange.org](http://www.globalexchange.org) | t: +1 415.255.7296 | f: +1 415.255.7498



For more information on Community and Nature's Rights contact Global Exchange  
[www.globalexchange.org](http://www.globalexchange.org)

Shannon Biggs, Community Rights Director  
+1 415.575.5540 [shannon@globalexchange.org](mailto:shannon@globalexchange.org)

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