



RIGHTS OF NATURE
and the
ECONOMICS OF THE BIOSPHERE

THE STILLHEART DECLARATION

October 2013

In October 2013, on Ohlone Indigenous land, Global Exchange and partners held a 3-day summit at the Stillheart Institute in Woodside, California. Nestled in the California Redwood forest a counsel of 32 global social movement leaders including Indigenous leaders, deep ecologists, grassroots justice advocates, economists, climate experts, localization activists, globalization thinkers, writers and researchers were convened to examine the emerging legal framework known as Rights of Nature, or Rights of Mother Earth. This declaration emerged and is affirmed by the undersigned participants.

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The Context

As humanity fast-tracks towards the collapse of our planetary systems, we sought to articulate a shared vision toward a new economy based on living in balance with natural systems; where the rights of humans do not extend to the domination of nature. We questioned the viability of a global economy whose jurisprudence places property rights above all; recognizes corporate rights as the most sacred of property rights; subordinates human rights and the collective rights of Indigenous Peoples to corporate rights; and where Nature is not recognized as having any intrinsic rights at all.

We discussed the power and possibility of an emerging body of law—recognizing legal rights for ecosystems to exist, flourish and regenerate their vital cycles—as a necessary part of placing our human laws in alignment with Nature’s laws, and our human actions and economy in an appropriate relationship with the natural order of which we are part. Major points of discussion included the following:

- Living within the carrying capacity of the planet we call home requires that we adhere to the natural laws governing all life and does not extend human authority over them.
- In these respects, we recognize that ancient and living Indigenous cultures that live in connection with land, and have knowledge of its care, have much to teach us about this world.
- Indigenous traditions tell us that all economic activity must be rooted in an understanding and respect of our sacred relationships with Mother Earth, and that our continued wellbeing depends upon it.
- Science and common sense tell us that endless growth and the plundering of a finite planet is an impossibility, and an absurdity.
- We must avoid techno-utopianism, the illusionary idea that technological innovation will provide a “fix” to the inherent limits of a finite Earth. All technology must be subject to full life-cycle analyses, from sources to wastes to interactive stimulations to development.
- The subordination of the web of life to the chains of the markets and growth of the corporatized system erodes the primary means of existence on this planet, which is rooted in the diversity of life itself.
- The current dominant economy fails to sustain and regenerate life because it is built on flawed foundations including:
 - The endless industrial extraction and pollution of natural systems and functions;
 - The privatization, commodification and legalized enslavement of nature as human and corporate property, which places a price on nature and creates new derivative markets that increase inequality and expedite the destruction of ecosystems;
 - A prevailing world-view that places humans above nature, and with dominion over nature (anthropocentrism);

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- A worldview and economic system that demands expansion, consumption, profit and economic growth above all other values, without recognition of carrying capacities of the planet and its ecosystems.
- Legal systems that ennoble private property at the expense of community, ecology and equity, and that directly serve the concentration of extreme wealth in few hands.
- Militarism and endless war as a primary means of acquisition of governance over peoples and land, and a primary expression of corporate growth models.

Changing the dominant legal and economic paradigms will require more than individual commitments to conservation and “greener” shopping. It will require fundamental changes in law, especially the rules of the global economy. Law is how we use power to make real the dominant values in a society. Over time most societies have cultivated the notion that nature is a “thing” separate and apart from humans, and that understanding has been codified in law. The ownership of ecosystems and other aspects of the natural world is promoted and protected by current law, upholding the control and dominance of humans over nature.

Current law “sees” nature as human owned property. Prevailing law and world-views express and confirm human authority over all of nature and do not provide the natural world with any legal standing in a court of law. From the tar sands of Alberta to mountaintop removal for coal extraction, to fracking and deep ocean oil drilling, to the destruction of vast tropical rainforests, to the massive continuing privatization of whole ecosystems, we have witnessed the horrifying damage that has been done with the full blessing of the law. This cannot be sustained.

We seek a world where all human activity takes place in balance with the Earth’s offerings, and with reciprocity, dignity and respect for nature.

If we are to succeed as a species, we will need to redefine “wealth” away from financial accumulation towards “sufficiency” and wellbeing. This will require a new body of human law to codify and enforce these values. We therefore declare an imperative for the development and adoption of economic frameworks rooted in the inherent legal Rights of Nature.

The Change to Come: Rights of Nature

The terms *Rights of Nature* or *Rights of Mother Earth* are interchangeable, though Indigenous preference for the use of Mother Earth better describes our connection and relationship. Rights of Nature or Rights of Mother Earth seek to define equal legal rights for ecosystems to “exist, flourish, and regenerate their natural capacities.” Recognizing these rights places obligations on humans to live within, not above, the natural world, of which we are only one part, and to protect and replenish the ecosystems upon which our mutual wellbeing depends. In essence, it is necessary to transform our human relationship with nature from property-based to a legal rights-bearing entity.



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

In 2008, Ecuador became the first country to recognize Rights of Nature in their constitution. Bolivia has also passed national laws recognizing the inherent rights of ecosystems. Nepal, and India and other countries are also putting forward similar national laws. Dozens of communities across the US and around the world have taken similar action to place the rights of natural communities (including humans) above corporate interests. The natural world is of a higher order of good that we dare not undercut. In that sense, it is sacred.

Call to Action

All must speak out for the needs of nature and our Mother Earth as a whole. It is our responsibility to live within the natural order that is sacred to all life on earth. We must redraw the boundaries of the economy to bring them into line with ecological limits and the common sense science of planetary boundaries. Nature's needs are also our own and must be elevated and protected by legal rights, and maintained through life-sustaining systems of exchange and reciprocity.

We therefore must initiate a process of re-educating societies, dispelling the dominant anthropocentric belief that the earth belongs to humans. This will require fundamentally aligning global, regional, and local economic and legal structures to exist within natural systems. Social movements must create the space for the shift that is necessary to protect against the tide of corporate-led globalization.

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

- The interdependence of humans and nature is primary; the laws of nature supersede rights to property; and vital natural cycles of life must be protected for the good of all. Recognize that there is no separation between how we treat nature and how we treat ourselves;
- Nature is seen as the foundation of life itself; it is not seen as an inventory of goods and services for human beings, a dumping ground for pollution and waste, or as capital;
- The rejection of all market-based mechanisms that allow the quantification and commodification of Earth's natural processes, rebranded as 'ecosystem services';
- Indigenous Peoples are empowered by legal and cultural norms as partners or caretakers of the lands and territories in which they live;
- All communities must become true caretakers of the places in which they live, including writing new laws that recognize the rights of local ecosystems to maintain their vital cycles and eliminate harmful projects in their midst;

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- Whether one is Indigenous or not, we all must live in a responsible and natural way.
- Systems of Earth law focus on our responsibilities to foster natural ways and necessarily preempt corporate rights, property ownership, and financial speculation;
- Necessary elements of an economic system consistent with the Rights of Nature include:
 - Immediately reducing production and consumption levels to within the carrying capacities of the planet, and the equitable redistribution of available resources/wealth;
 - The full restoration of ecosystems, primarily allowing nature to heal itself;
 - The relocalization of primary production, distribution and use; the abandonment of economic globalization models as inherently wasteful and inequitable;
 - Full recognition of non-monetized labor;
 - Governance through ecologically informed, democratic, participatory, engaged and empowered decision-making at all scales;
 - Elimination of economic systems and strategies that prioritize economic growth, and profit, and private acquisition of resources and wealth, above all other values;
 - The elimination of substances that are toxic, persistent, and bioaccumulative;
 - Zero waste systems for production, use, and decomposition known as cradle-to-cradle living;
 - Recognition of sacred relationships with place.
 - In all economic decisions and human activities, the wellbeing of Nature is primary.

As affirmed by the (undersigned) participants, March 3, 2014*:

Maude Barlow, Council of Canadians	Osprey Orielle Lake, Women's Earth and Climate Caucus	Pennie Opal Plant, San Francisco Bay Area Idle No More and Gathering Tribes
Shannon Biggs, Global Exchange	Cynthia Lazaroff, Biosphere Foundation	Ben Price, National Director of Community Organizing, Community Environmental Legal Defense Fund (CELDF)
Jeff Conant	Leila Salazar López, Amazon Watch	Ruthie Sakheim, Occupy SF Environmental Justice Working Group
Gopal Dayaneni	Joanna Macy	Linda Sheehan, Earth Law Center
Tom B.K. Goldtooth, Indigenous Environmental Network	Jerry Mander, International Forum on Globalization	Atossa Soltani, Amazon Watch
Jordana Gutman	Prajna Marcus	Carolyne Stayton, Transition US
Randy Hayes, Foundation Earth	Pamela L. Martin, Professor of Politics, Coastal California University	Bill Twist, The Pachamama Alliance
Emily Kawano, Center for Popular Economics & Solidarity Economy Network	Anuradha Mittal, Oakland Institute	
Brendan Kennedy	Carleen Pickard, Global Exchange	

* An up-to-date list of endorsers can be found at www.globalexchange.org/communityrights/rightsofnature/stillheart.

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