Our insistence that each human being is an image of God should not make us overlook the fact that each creature has its own purpose. None is superfluous. The entire material universe speaks of God’s love, his boundless affection for us. Soil, water, mountains: everything is, as it were, a caress of God.

—Pope Francis, May 24, 2015, Laudato Si

Those fighting for rights and freedom know that change never just happens.

It may seem that the bending of the “arc of the moral universe... toward justice” about which Dr. Martin Luther King spoke—witnessed with the abolishment of slavery, the recognition of rights of indigenous peoples, of African-Americans, of women—is inevitable. It’s not. It never has been.

The long history of people’s movements shows us that fundamental shifts in society only occur when people join together to demand such change. This requires mass mobilization across countries, cultures, religions, and even time—taking decades, generations, and centuries to achieve—each requiring major shifts in consciousness to achieve major shifts in law and governance.

Today, as we face overlapping environmental crises, we need a fundamental shift in humankind’s relationship with the natural world—this means a major shift in how we govern ourselves toward nature. To achieve this requires advancing major societal and cultural shifts, as well—that is, changing how societies think about nature and humanity’s role as part of it, and the recognition that nature is worthy of respect, protection, and rights.

The role of faith in cultural shifts

One of the first places I ever spoke publicly about the rights of nature was at the First Unitarian Church in Portland, Oregon, in 2009. As part of the Econvergence Symposium, I presented on a panel that focused on how unfettered economic growth was driving us to environmental and economic crisis.

It is axiomatic that religion plays a major role in shaping culture. What we believe and how we think about the world are often deeply influenced by our faith. For instance, a 2015 Pew Research Center report found that over 60 percent of white evangelical Protestants in the United States do not believe in human evolution. Belief that God is the creator of the Earth is a central tenet of their faith. By contrast, over 85 percent of those without a religious affiliation believe in human evolution.

Too often, religion has been wielded to legitimize the oppression of others, including nature. In 1493, Pope Alexander VI issued a papal bull which divided the world between Portugal and Spain, mandating that they colonize the new world and ensure that “barbarous nations be overthrown and brought to the faith itself.” Subjugation of both nature and people had the blessing of the Catholic Church.

Karenna Gore, director of the Center for Earth Ethics at Union Theological Seminary in New York, described the historic role of the church in defining our relationship with nature. In her keynote address at the 2017 Rights of Nature Symposium held at Tulane Law School, she explained:

The way that Christianity has been interpreted from medieval Europe to the age of colonization to the efforts in the
1950s in America to wed it to capitalism through moves like putting “In God We Trust” on the money... to the contemporary expressions of the Prosperity Gospel, mainstream religion has contributed to the objectification and exploitation of nature.

But Gore also spoke of the shift in consciousness within faith to protect nature, including the rights of nature: “There has been a lot of recent effort to retrieve and revive the ecological sensibility within the Judeo-Christian tradition, including reinterpretations of the Bible based on ancient Aramaic and Hebrew and Greek.”

Just as we’re seeing people of faith today advocate protection of nature, during the colonial era we saw people of faith advocate for abolishing slavery. In 1688, the Quakers of Germantown, Pennsylvania, issued their protest against slavery, writing, “There is a saying, that we shall doe to all men like as we will be done ourselves; making no difference of what generation, descent or colour they are.” In the United States and Britain, Quakers would become a leading voice of opposition against slavery and the slave trade.

Faith played an important role in shifting societal perspectives on slavery, making possible the abolishment of slavery. President Abraham Lincoln, whose Emancipation Proclamation attempted to free the slaves in the South, stated in 1860, just a year before the start of the Civil War:

I think that if anything can be proved by natural theology, it is that slavery is morally wrong. God gave man a mouth to receive bread, hands to feed it, and his hand has a right to carry bread to his mouth without controversy.

Today—as species extinction occurs far faster than natural background rates, as coral reefs are bleaching and dying off in the world’s oceans, as climate change accelerates—we are once again seeing faith play an important role in driving necessary change.

Just as the Old Testament and religious teachings speak of man’s dominion over the Earth, helping drive the belief that humankind is separate from and superior to nature, today some leading voices in the faith community are showing a new way of understanding.

In 2015, Pope Francis received worldwide praise for his encyclical on the environment, Laudato Si’, in which he called for the protection of “our common home.” He begins by quoting Saint Francis of Assisi, who said it is “Mother Earth, who sustains and governs us.”

Later that same year, Pope Francis spoke again on the need to protect nature, and specifically the rights of nature. In his September 2015 address before the United Nations General Assembly, he said:

First, it must be stated that a true “right of the environment” does exist, for two reasons. First, because we human beings are part of the environment. We live in communion with it, since the environment itself entails ethical limits which human activity must acknowledge and respect.... He possesses a body shaped by physical, chemical and biological elements, and can only survive and develop if the ecological environment is favourable. Any harm done to the environment, therefore, is harm done to humanity. Second, because every creature, particularly a living creature, has an intrinsic value, in its existence, its life, its beauty and its interdependence with other creatures. We Christians, together with the other monotheistic religions, believe that the universe is the fruit of a loving decision by the Creator, who permits man respectfully to use creation for the good of his fellow men and for the glory of the Creator; he is not authorized to abuse it, much less to destroy it. In all religions, the environment is a fundamental good.

**THE ROLE OF FAITH IN GOVERNANCE**

We are also beginning to see the role that faith can play toward achieving environmental protection through change in law and governance.

Recently, faith leaders have taken notable steps toward the recognition of legal rights of nature. In 2019, the Church of Sweden decided to include the rights of nature within its program for learning and teaching. In the same year, the Catholic Bishops’ Conference of the Philippines issued “An Urgent Call for Ecological Conversion, Hope in the Face of Climate Emergency,” in which it calls for the recognition of the rights of nature. Citing Pope Francis’s statement before the United Nations four years prior, the Bishops wrote:

The recognition of the Rights of Nature is at the core of the call for ecological conversion.... The prevalent anthropocentric and utilitarian perspectives tend to negate our traditional role of responsible stewardship and deny the reality that humans are part of nature.

For more than a year, I have been working with the Philippine-Misereor Partnership (PMPI)—which includes a large network of faith-based groups—to draft and introduce rights of nature legislation into the Philippine Congress.
legislation—which was introduced into the Senate in October 2019—would recognize the rights of nature “to exist; to the maintenance of the vital cycles, functions and processes that ensure their continued sustainability and well-being; to the conditions necessary for their renewal and restoration; and to adequate and effective representation vis-à-vis the protection and enforcement of these rights.”1 In a country that “proudly boasts to be the only Christian nation in Asia,” the role and influence of the Catholic Bishops is significant.12 Within their Pastoral Letter, the Philippine Bishops write, “we commit to live the spirit and principles of Laudato Si’ through the following concrete ecological actions,” including to “organize and educate people into a well-informed and empowered citizenry using all means available including mainstream and social media platforms for the passage of into law of bills aimed at protecting our common home, such as the Rights of Nature Bill.”13

And thus, while we know that faith shapes culture, it is also true that it can facilitate a change in culture.

As with past people’s movements, our task today to make a fundamental shift in law—this time involving a transformation in how we govern ourselves toward nature—will require major shifts in culture as well. Whether we are religious, spiritual, agnostic, or atheist, it is important to recognize that faith has played an important role in past social justice movements and must do so yet again.

**RECENT DEVELOPMENTS IN RIGHTS OF NATURE LAW**

The idea that nature possesses rights is fairly new. It first gained notice when University of Southern California law professor Christopher D. Stone wrote his seminal law review article, “Should Trees Have Standing? Toward Legal Rights for Natural Objects,” in 1972.14 In it, he described the harm that comes to nature when it is not recognized as possessing legal rights and made the case for why nature should thus become a “rights-holder.”

He explained that legal systems consider nature to be without “legally recognized worth and dignity in its own right.” Similar to laws in other countries, conventional environmental laws in the United States—including the Clean Water Act and Clean Air Act—regard nature as something that does not have rights. This means that nature is treated as mere property—an object that legally can be exploited, serving only “as a means to benefit ‘us’”—the us, of course, being humankind. Thus, nature does not possess even the most basic right to exist. In practice, this has led to legalizing activities such as fracking for oil and gas; mountaintop removal mining, which involves dynamiting the tops off of mountains to mine coal; factory farming; dumping toxins into the air and water; and the list goes on. As Stone writes, “What the courts are balancing, with varying degrees of directness, are the economic hardships” to people—rather than the hardships to nature—that come from environmental harms like polluting a river. When we do this, he notes, “what does not weigh in the balance is the damage to” nature itself.

Moreover, laws that we rely on to protect nature, such as the federal Endangered Species Act, often have their protections undermined by activities authorized by other laws. For instance, in the United States, federal and state laws authorize fossil fuel extraction and production, leading to increases in global warming emissions and the acceleration of climate change. Climate change is a significant threat to ESA-listed species. As a recent study published in *Nature Climate Change* found: “Of the 459 animal species listed as endangered by the U.S. government, researchers found that all but one, or 99.8 percent, have characteristics that will make it difficult for them to adapt to rising temperatures.”15

As the consequences of such laws became clearer, and as people in communities in different parts of the United States have become aware of how little protection there is to be found under environmental law, a new form of law to recognize nature’s rights has begun to emerge. It was borne from the recognition that we simply cannot continue with business as usual. Making existing environmental laws better does not keep the harm from happening—i.e., attempting to make things like fracking a little less damaging still means that we’re getting fracked. Instead, it is time to begin thinking about nature, and our relationship with nature, differently.

From that re-thinking emerged the first law to secure legal rights of nature. The “Tamaqua Borough Corporate Waste and Local Control Ordinance” was enacted by the small community of Tamaqua in rural Pennsylvania, in the United States, in 2006. As more communities in Pennsylvania—along with some in New Hampshire—began to move rights of nature laws forward, their efforts were noted by the Quito-based organization Fundación Pachamama in Ecuador, which advocates for indigenous rights and environmental protections. Fundación Pachamama at the time was engaging with elected delegates to Ecuador’s Constituent Assembly on drafting the country’s new constitution. In 2008, I was invited to meet with delegates to talk about securing the constitutional rights of nature as part of this process and to discuss why Ecuadorians would want and need to protect nature with this highest form of legal protection. There were members of the Assembly itself—including Alberto Acosta, Assembly president—who championed the inclusion of rights of nature in the new constitution. And
in September 2008, with insight provided by the earlier rights of nature laws in the United States, Ecuador became the first country in the world to enshrine the rights of nature—or Pacha Mama—in a national constitution.

In another South American example, a Colombia Constitutional Court decision in 2016 recognizing the rights of Río Atrato explained the need to transform our relationship with nature this way:

Justice with nature must be applied beyond the human scenario and must allow nature to be a subject of rights.... The prevailing view is economic, where biodiversity, genetic material and associated traditional knowledge are seen as susceptible of appropriation, industrial use and source of economic gain. In this way, policies and legislation have emphasized access to economic use and exploitation to the detriment of the protection of the rights of the environment and of communities.16

Today, there are also national rights of nature laws in place in Uganda and Bolivia; courts in India and Colombia have recognized rights of rivers and other ecosystems; in Bangladesh all rivers have been recognized as possessing rights; and communities in Brazil and the United States have enacted laws securing the legal rights of the natural world.

These early occurrences of lawmaking and court decisions in themselves are an important marker of the drive for change.

**EXERCISING OUR RIGHTS AS CITIZENS**

As each of us wrestles with what we can do to protect nature, we must first have the political decision-making authority to do so. This means that we must not only be able to take personal steps, such as recycling or composting, to limit our ecological footprint, but we must also be able to take steps to exercise our rights as citizens to protect nature, such as being able to vote on new laws or to enforce existing laws that secure nature’s rights.

Yet today our right to protect nature is very limited. Governments—at state and national levels—restrict what we as citizens can do. These restrictions include pre-empting city councils and other local governments from putting in place stronger protections for nature than are in place at a state or national level. Environmental laws are also generally very restrictive on how or if citizens can enforce them, particularly when their own governments fail to do so.

Recognizing this, in our organizing to protect the rights of nature at the Center for Democratic and Environmental Rights, we often discuss with our partners the critical role that democratic rights play as part of protecting nature’s rights. For instance, conventional environmental laws often make it extremely difficult for “we the people” to play any role in protecting nature, including by seeking to enforce existing environmental laws. This is why we advocate for building strong citizen enforcement provisions into rights of nature laws. This was the case in our discussions with delegates to Ecuador’s Constituent Assembly regarding their constitution. We were pleased that the final constitutional framework in Ecuador contained provisions for citizen enforcement. For example, in Article 71 of the constitution, “All persons, communities, peoples and nations can call upon public authorities to enforce the rights of nature.” This authorizes individuals to be able to go to court to enforce and defend the rights of nature. And this is precisely what people in Ecuador have done.

In the first court case to be decided under Ecuador’s 2008 constitution, two individuals—Richard Frederick Wheeler and Eleanor Geer Huddle—filed their case to enforce the rights of the Vilcabamba River. The river’s natural flow and water quality were being degraded by nearby road construction. Wheeler and Huddle exercised their rights to “stand in the shoes” of the river to defend and enforce the river’s rights. Most conventional environmental laws require people to demonstrate that they have the right to appear in court by first proving they themselves have experienced harm as a result of harm done to nature. However, Ecuador’s rights of nature constitutional framework is concerned with the harm to nature itself.

To empower us as ecological citizens, we must have the authority to be able to protect nature—not only in our own backyards, but in our collective backyard of planet Earth. This means taking hold of our democratic rights to make the decisions we need to make to protect nature. My organization, the Center for Democratic and Environmental Rights (CDER), assists people, communities, governments, and others to take such steps. For example, below are three concrete steps CDER is working on with individuals and organizations in different parts of the world. These are steps aimed at securing the highest legal protection for nature through the recognition of its legal rights and strengthening the democratic rights of people to protect it:

- Learning more about the connection between our rights as citizens and the rights of nature by participating in CDER workshops that explore what these rights are and the strategies for securing them.17
- Sharing what people learn by encouraging them to engage with their families, friends, and neighbors and to talk with faith leaders, civil society groups, governmental officials,
and elected representatives. In order to change our relationship with the natural world to one of sustainability and harmony, we need to change societal thinking. We can begin that process ourselves, by involving the people around us who influence us and represent us. The Church of Sweden made its decision to incorporate the rights of nature into its curriculum because citizens engaged in a dialogue with church leaders on the rights of nature. “We the people” have more power and influence than we realize.

Lastly, building on learning and community engagement by launching campaigns to protect the rights of nature in communities, regions, or countries. This kind of action can be anything from engaging with a city council to advancing a citizen-sponsored legislative initiative at the national level.

CONCLUSION

As the environmental crisis grows, our role as ecological citizens will become increasingly important. We must become more empowered to protect nature. In its ruling in the Rio Atrato case, which impacted indigenous people living within the river basin, Colombia’s Constitutional Court took important steps to empower them:

In this sense, the Court considers it necessary to carry out a call for attention to the ethnic communities that inhabit the Atrato river basin so that they protect, within their own customs, uses and traditions, the environment for which they are its guardians.

In order to effectively comply with this declaration, the Court will order that the Colombian State exercise legal guardianship and representation of the rights of the river in conjunction with the ethnic communities that inhabit the Atrato river basin in Chocó; in this way, the Atrato river and its basin—from hereon—will be represented by a member of the plaintiff communities and a delegate of the Colombian State.18

Enabling massive shifts in humankind’s relationship with the natural world to achieve sustainability and true environmental protection requires us to change how we think and how we live on the Earth. Such a shift requires us to broaden our own rights as people and the rights of nature. We must come together to do this, yet we remain divided by nationality, geography, class, ethnicity, and, of course, by faith. As nature knows no political, social, racial, demographic, or religious boundaries, perhaps it can serve to unite us, rather than divide us—bridging our differences where so few other aspects of our lives can. Then we can exercise our collective Earth citizenship.

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NOTES


5. For information on the Center’s work, see https://centerforearthethics.org/.

6. For the text of the Protest, see https://www.loc.gov/resource/rbpe.1400200/?.txt=ext.

7. A. Lincoln, Speech delivered in Hartford, Connecticut, on March 5, 1860, as published in the Hartford Daily Courant, March 6, 1860, https://quod.lib.umich.edu/cgi/t/text/text-idx?c=lincoln;cc=lincoln;view=full;idno=dvd1q1;no=1%26year=1860%26idno=ext;rev=1;lang=en;coll=collection;collno=coll1;details=;collid=coll1;collid=coll1;de
tail;sort=occur;idno=lincoln4;node=lincoln4-2.


10. For further information see: https://www.facebook.com/philimisereor/.


17. For additional information, see https://www.centerforenvironmentalrights.org/trainings-webinars.