



Rights of Nature 101

Rights of Nature is at once a culture shift based on traditional Indigenous knowledge of how to live in balance with the Earth's systems, and a legal framework that recognizes ecosystems as rights-bearing entities with legal standing in court.

Indigenous Roots

"Our Original Instructions teaches us of the four sacred elements of life: air, light/fire, water and earth and its pollen and seeds in all their forms must be respected, honored and protected for they sustain our lives. Our Natural Law teaches us to respect all Creation, from Mother Earth and Father Sky and to all Life that have their own laws, and who have rights and freedom to exist. We are taught we must treat this sacred bond with love, compassion and respect without exerting dominance, for we do not own our Mother. The rights and freedoms of the people to the use of the sacred elements of life, to the use of the land, nature, sacred sites and other living beings must be accomplished through the proper protocols of respect, thanksgiving and making offerings. These cultural and spiritual practices must be protected and preserved for they are the foundation of our ceremonies, our heritage, and our Indigenous ways of life."

- Zhuti [aka Casey Camp Horinek - Ponca Elder]

**WE ARE NOT
DEFENDING NATURE,
WE ARE NATURE
DEFENDING ITSELF.**

- Casey Camp Horinek

History

European colonization was well underway when a papal edict called the "Doctrine of Discovery" was implemented in 1493. This was the first international law to declare "terra nullius", or the legal expropriation and occupation of land that belonged to "no one". It has been used for centuries to justify the theft of Indigenous lands, genocide and enslavement.

In the case of Rights of Nature, while still embedded in a western legal tradition, the roots remain planted in Indigenous cosmology. The legal inspiration for Rights of Nature is generally attributed to the 1972 law review article "Should Trees Have Standing" by law professor Christopher Stone. He posited that despite being unable to bring suit in a court of law without a legal advocate, children have recognized rights. Similarly, the rights of ecosystems could be represented in legal proceedings. Now law in 23 countries, Rights of Nature has helped stop fossil fuel projects, mining, dams, and more.

Recognizing Rights of Nature means that human activities and development must not interfere with the ability of ecosystems to absorb their effects, to regenerate their natural capacities, to thrive and evolve, and requires that those who transgress, including corporate actors, be held fully accountable for negative impacts on Earth systems. The question of law becomes, "what does the ecosystem require to remain intact and able to regenerate its vital cycles?"



Global Examples

In 2006, the first municipal law recognizing Rights of Nature was passed in Pennsylvania, where citizens banned the dumping of toxic sewage sludge as a violation of the Rights of Nature.

In 2008, Ecuador became the first country in the world to recognize Rights of Nature in its national constitution. Since then, the country's constitutional court has used the provision a number of times to safeguard threatened ecosystems, including mangroves and forests, from logging and extraction.

In 2021, the White Earth Nation of Ojibwe sued the Minnesota Department of Natural Resources in tribal court on behalf of wild rice, making it the first Rights of Nature lawsuit filed in tribal court.

In 2022, the Ponca Band of Indians of Oklahoma unanimously adopted a new statute recognizing Rights of Rivers for 2 rivers that run through their territory.

In 2022, the Sauk-Suiattle Indian Tribe sued the city of Seattle on behalf of the salmon species, alleging that the city's new dam is preventing salmon migration and violating the species' right to exist and flourish.

Rights of Nature in NC

RIGHTS FOR THE HAW!

In 2023, 7 Directions of Service will initiate a long-haul effort to advance Rights of Nature legislation for the Haw River in the NC General Assembly.

The Haw has always been a sacred water body of Crystal's Occaneechi-Saponi ancestors, who absorbed the Sissipihaw Tribe during colonial genocide, and for whom the river is named. The Haw is our starting point to apply Rights of Nature recognition to ecosystems across the state.

To achieve our goal, we will be working with several organizations, Indigenous advocates, lawyers, NC General Assembly members, as well as community members who are passionate about protecting the Haw River through advocacy, outreach, media campaigns and education.

We need everyone to be a part of a local cultural shift towards the Indigenous and Earth-honoring values at the heart of the Rights of Nature movement.

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& TO GET INVOLVED



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We thank the visionary leaders, teachers and scholars at Movement Rights and their collaborators, who have led the way and provided the resources for this document. Please visit movementrights.org for a trove of Rights of Nature articles, case studies and webinars.