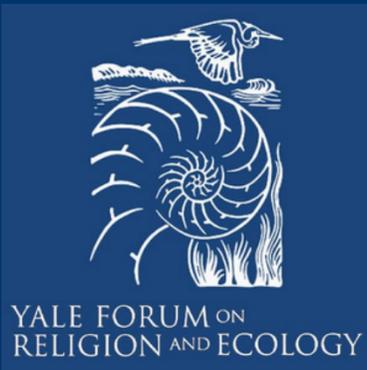


# Earth Law & Rights of Nature



**Presentation by Tyler Mark Nelson**

Program Director of the Living Earth Community  
at the Yale Forum on Religion and Ecology



Whanganui River, New Zealand-Aotearoa

# PRESENTATION PATHWAY

SECTION 1: LIVING EARTH COMMUNITY

SECTION 2: EARTH LAW / JURISPRUDENCE

SECTION 3: RIGHTS OF NATURE

Section 1



# LIVING EARTH COMMUNITY



THOMAS BERRY:

“The universe is a  
communion of subjects,  
not a collection of objects.”

*Homo sapiens* are not the only **sentient, conscious, agential,** and **creative** species of life on Earth

The planet is a **single** community of **interdependent** and **differentiated** subjects



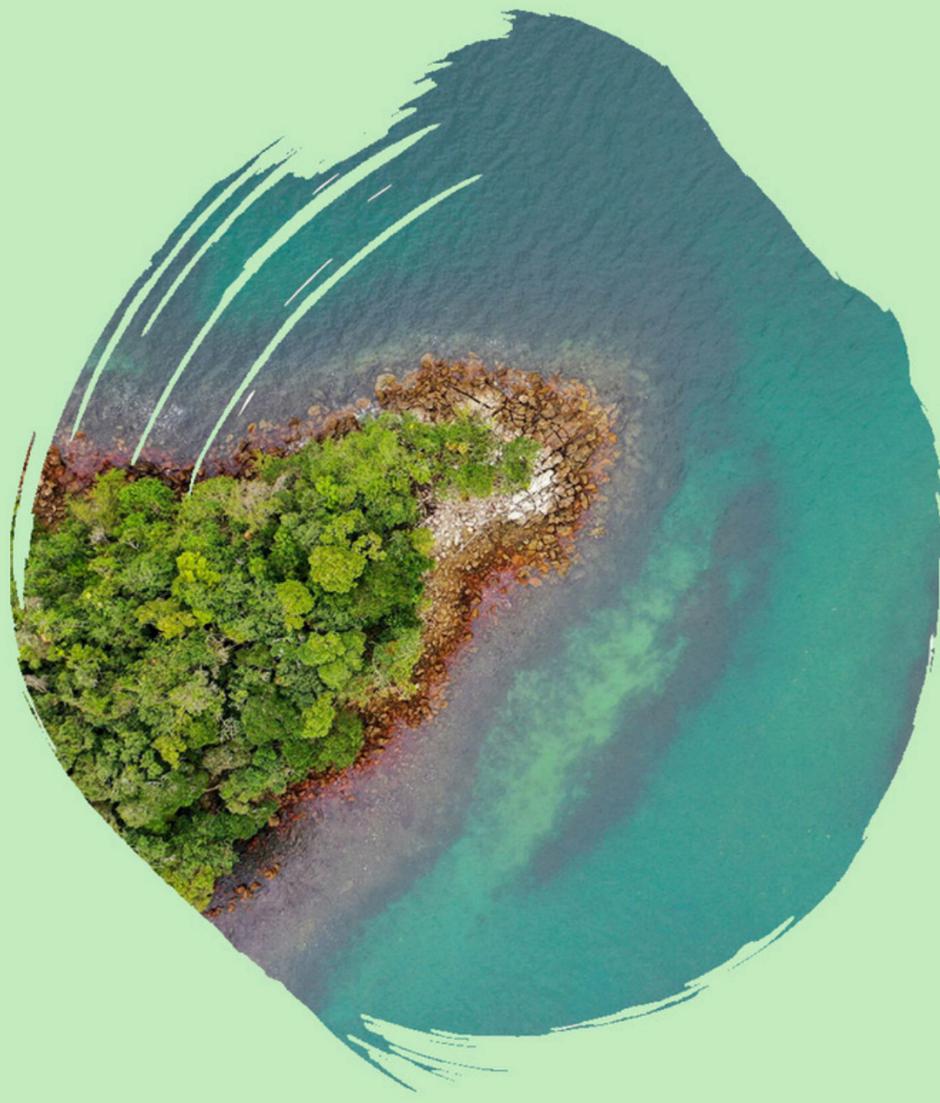
## Intelligences of Nature

Maps the landscape of scientific and humanistic studies exploring what it means for members of the Earth community to be sentient and conscious as well as relational and communicative



## Ecological Worldviews

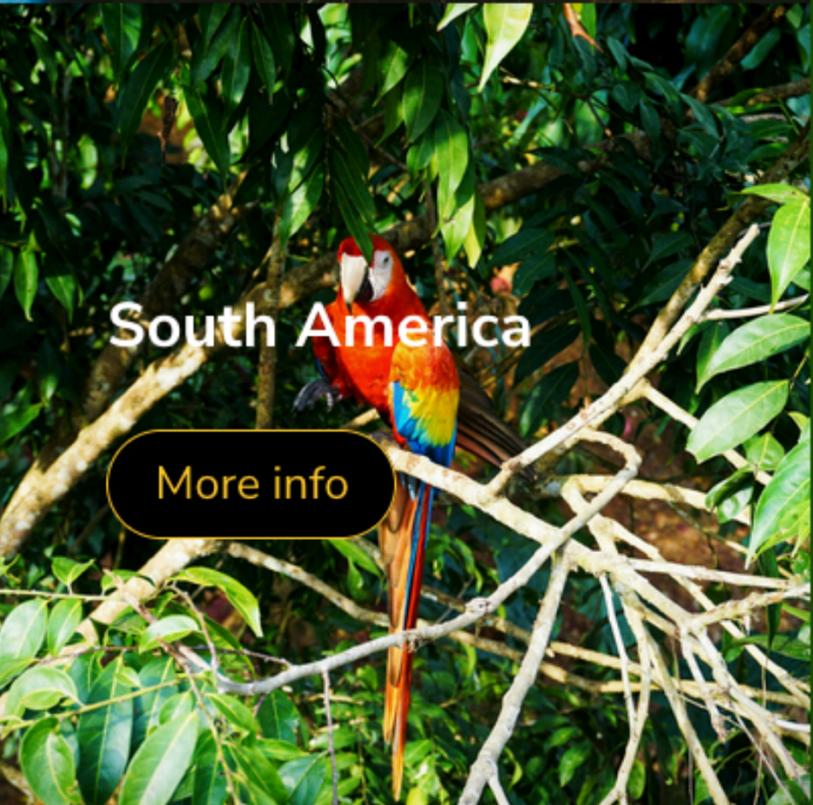
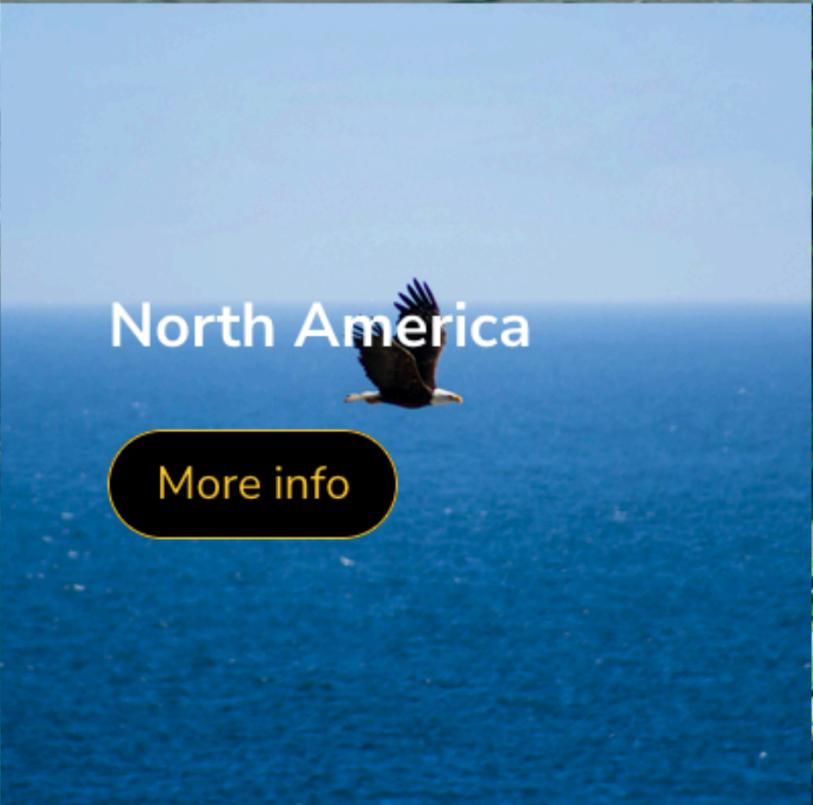
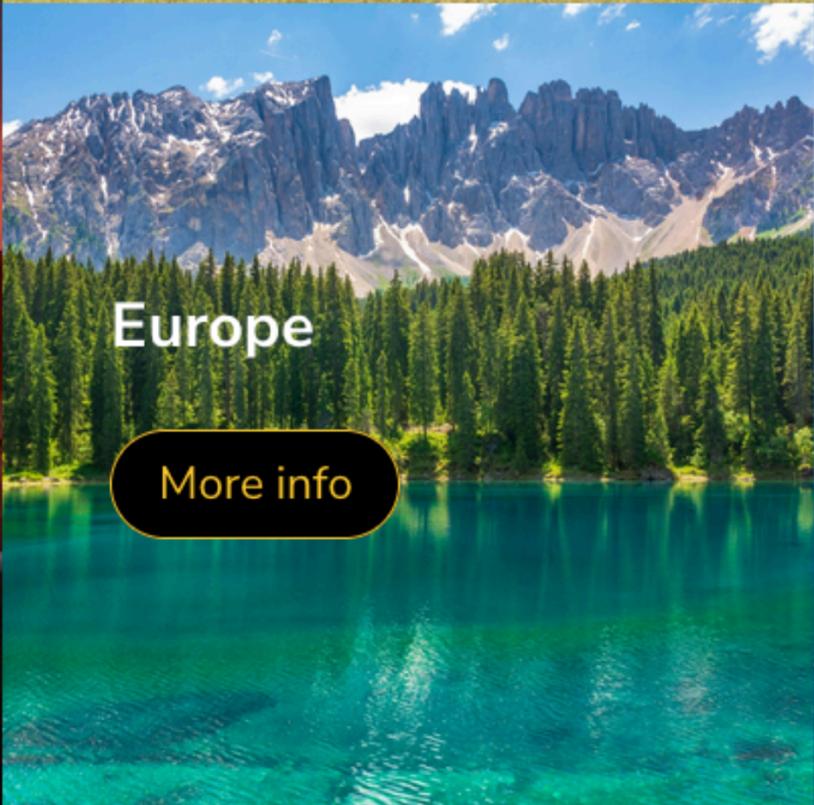
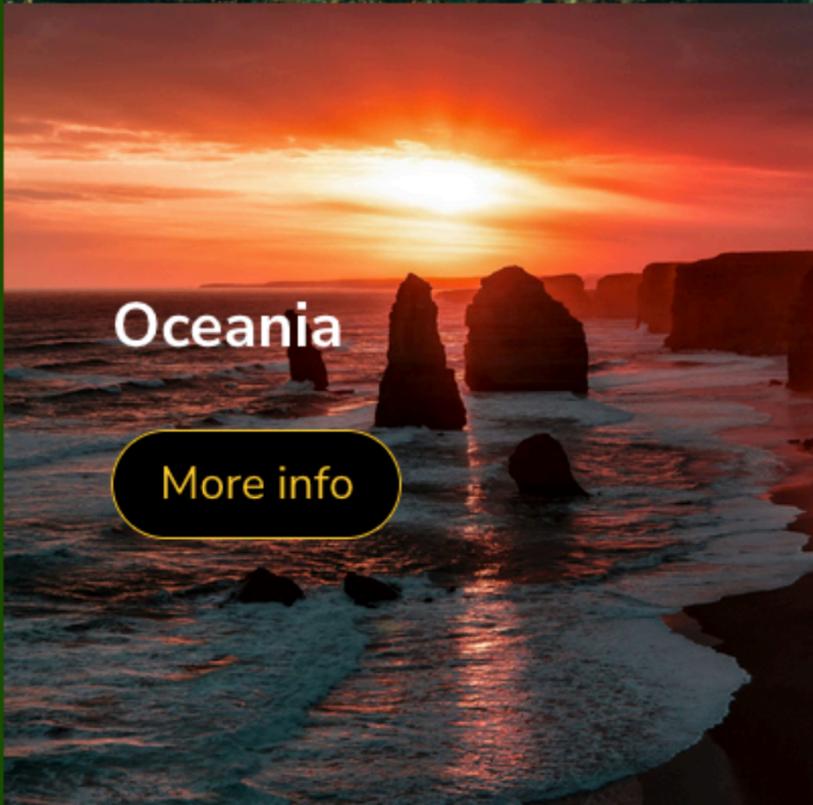
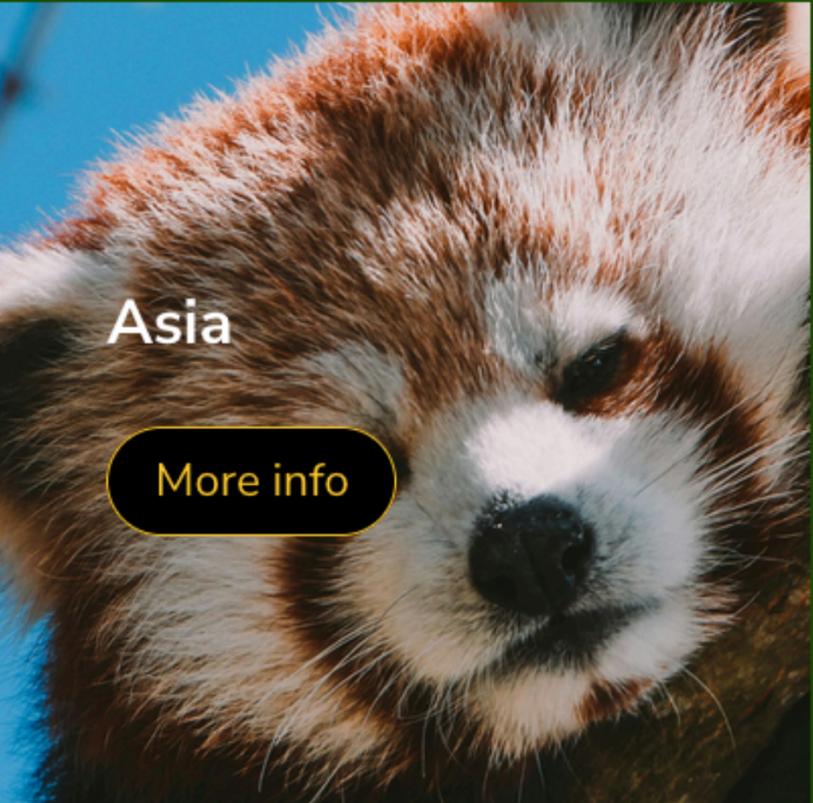
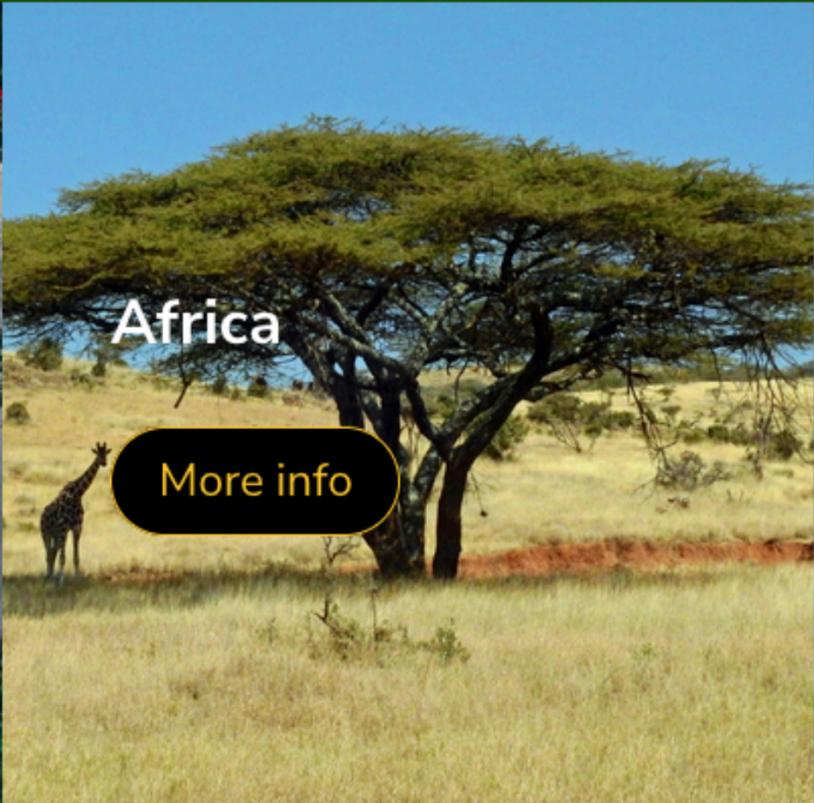
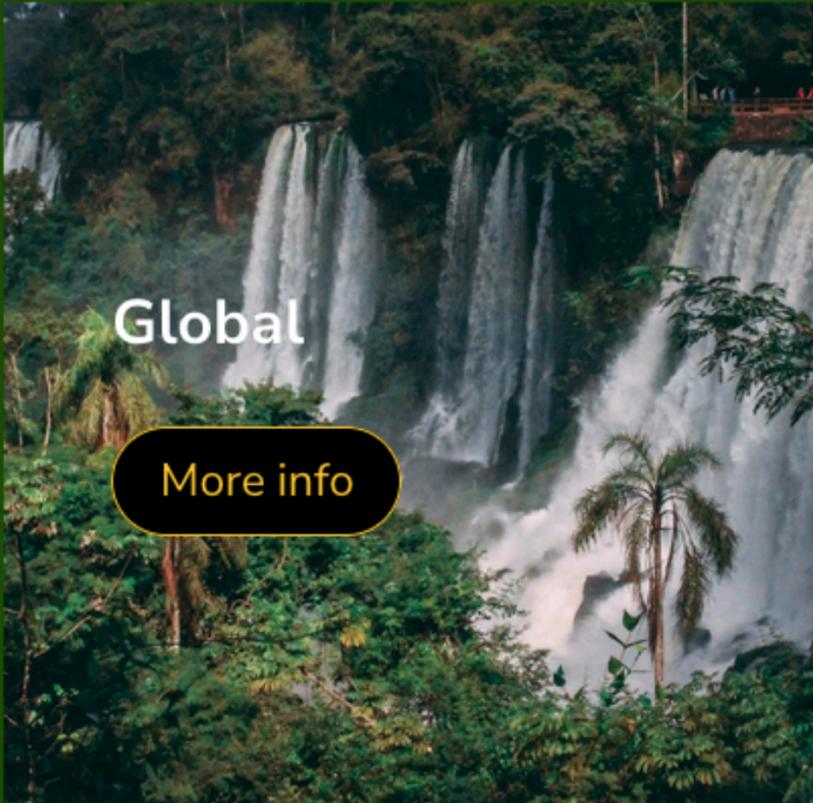
Showcases a diversity of spiritual and philosophical traditions that, despite their differences, affirm the complex entanglements of life through ancient and contemporary modes of perception



## Earth Law

Encompasses movements like the Rights of Nature, Indigenous legalities, and science-law partnerships pursuing ecological protection and justice for both human and more-than-human communities

# Earth Law at LivingEarthCommunity.com



Section 2:



# EARTH LAW

aka EARTH JURISPRUDENCE

# Some Defining Characteristics

## ECO-CENTRIC

- Direct contrast to anthropocentrism, property paradigm, and capitalocentric law
- Recognizes interdependence & intrinsic value

## INFORMED BY EARTH & INDIGENOUS WISDOM

- Earth as primary source of laws and guidance
- Indigenous language, laws, and governance embedded in Earth community (reciprocity)

## TRANSFORMATIVE

- Emerging frameworks, theories, and practices
- Law-as-usual is insufficient to protect global life

## Rights for the Earth Community

“Every component of the Earth community, living and non-living has three rights: the right to be, the right to habitat or a place to be, and the right to fulfill its role in the ever-renewing processes of the Earth community



THOMAS BERRY

# The Right to:

1

Exist

2

A healthy habitat

3

Participate in the  
regenerative processes of  
the Earth community

# 651 Initiatives across 58 countries

according to the Eco Jurisprudence Monitor



# Expressions of Earth Law

CASE LAW

CRIMINAL ECOCIDE

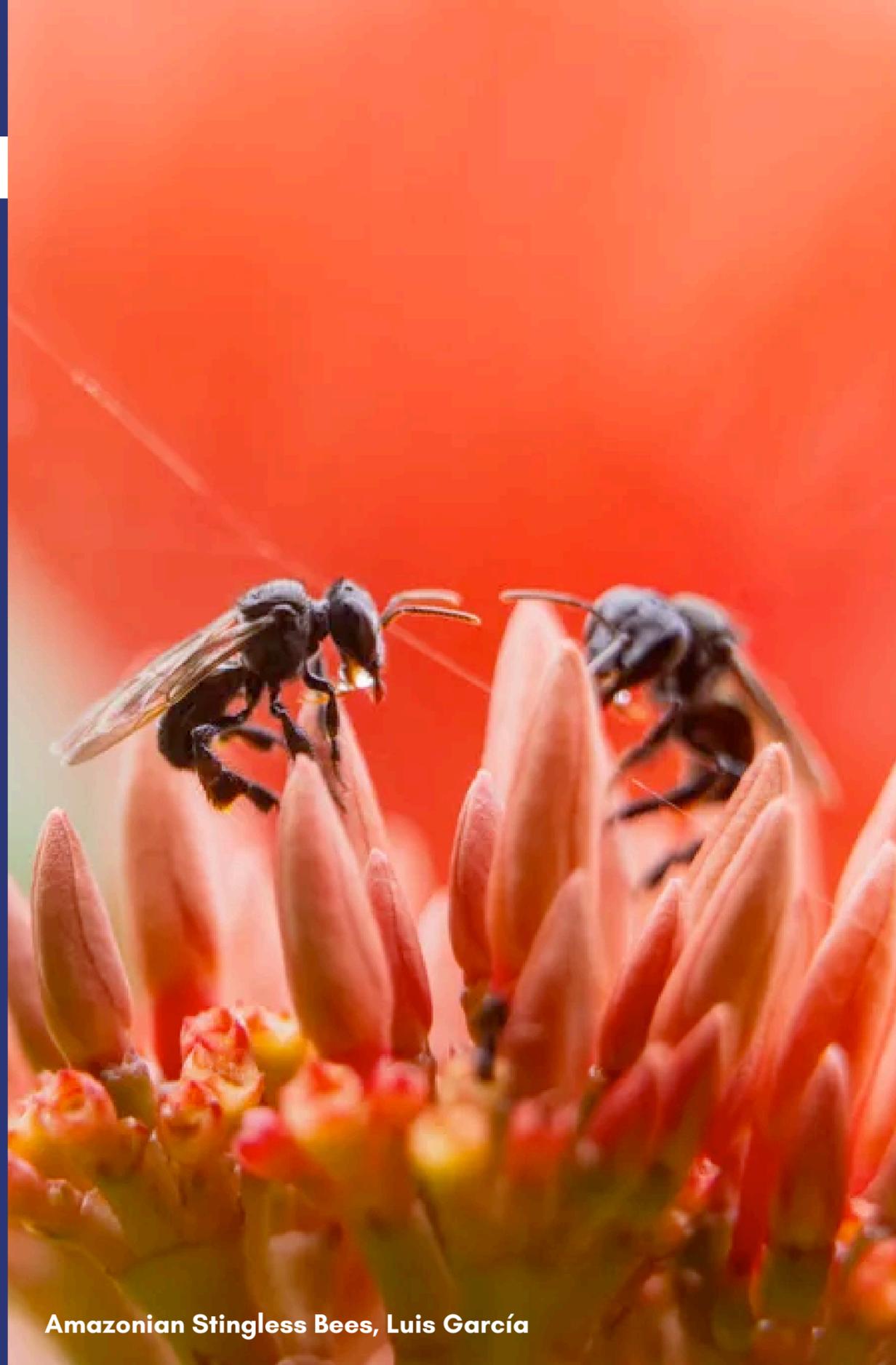
INTERNATIONAL DECLARATIONS

INDIGENOUS LEGALITIES

POLICY DEVELOPMENT

RIGHTS OF NATURE

Section 3:



Amazonian Stingless Bees, Luis García

# RIGHTS OF NATURE

# Moments in the Development of Rights of Nature

## Indigenous Cosmology

Interconnectedness and interdependence of all life

More-than-human as kin with intrinsic value & 'rights'

## Early Environmental Ethics

John Muir on intrinsic, sacred value beyond economic/utility value

Aldo Leopold's land ethic

## “Should Trees Have Standing?”

Christopher Stone's 1972 article and 1974 book, *Should Trees Have Standing? Towards Legal Rights for Natural Objects*

From a single question to an article & an article into a burst of legal exploration



## Ecuador

### Ecuador Constitution (2008)

Ch. 7, Art. 71. Nature or Pachamama, where life is reproduced and exists, has the right to exist, persist, maintain and regenerate its vital cycles, structure, functions and its processes in evolution.

Article 72. Nature has the right to be restored.

Article 73. The State shall apply preventive and restrictive measures on activities that might lead to the extinction of species, the destruction of ecosystems and the permanent alteration of natural cycles.

Article 74. Persons, communities, peoples, and nations shall have the right to benefit from the environment and the natural wealth enabling them to enjoy the **good way of living.**

# Aotearoa-New Zealand

Taranaki Maunga Collective  
Redress Bill (2025)

Te Awa Tupua Act (2017)  
[Whanganui River Claims Settlement]

The Te Urewera Act (2014)

Legal personhood recognized

Custodianship by Indigenous communities

Indigenous-Government-Science partnerships



Mt Taranaki, Getty Images



Whanganui River, Kathrin & Stefan Marks



Te Urewera Forest, Aroha Pounamu



## Peru

# Satipo Declaration of Rights of the Amazonian Stingless Bees (2025)

Human and more-than-human rights are intertwined

Entire food system dependent upon one species

Nigeria

# River Ethiope Rights Act (2019)

Right to:

- flow unimpeded
- maintain natural biodiversity
- undergo restoration when harmed

Prioritize rights and interests of local communities





## Antarctica

# Declaration of the Rights of the Antarctic (2023)

“Antarctica is an independent, autonomous entity with a unique international legal status and personality”

Recognizes inherent rights of Antarctica and each Antarctic being, including: “the right to exist, and to maintain and regenerate themselves and the relationships which create the living communities which sustain them; the right to be respected as a being; the freedom to be wild...[and] the right to self-expression and self-determination.”



Envision how your city/state/bioregion would be transformed by an Earth Law approach.

How would your community benefit from the recognition of the Rights of Nature?

What is one step that you can take this week to begin working towards eco-centric law?

# Thank you

**For more information, visit**

[LivingEarthCommunity.com](http://LivingEarthCommunity.com)

[fore.yale.edu](http://fore.yale.edu)

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