

# **An Introduction to the Rights of Nature**

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The rights of nature movement has taken off around the world since Ecuador recognized nature's rights in its constitution in 2008. Under current structures of law around the world – including in the United States – nature is treated as property: it has been commodified. As a result, our environmental regulatory laws, such as the Clean Air Act and the Clean Water Act, regulate our use of nature. That is, they regulate how much can be exploited by whom.

In the United States and in Colorado, the result has been that after nearly four decades since these major environmental laws were enacted, the natural world is much worse off than before. Here in Boulder County we designated clear protections for native ecosystems and native wildlife species in our County Comprehensive Plan. But the plan has no legal clout, and recently, local officials have ignored its goals in favor of expediency. As a result, we're on the verge of losing much of our native prairie ecosystem, including species like American badger, white-tailed jackrabbit, ferruginous hawk, and burrowing owl. In the mountains, a proliferation of trails, along with expansion plans for the Eldora Mountain Ski Resort, threaten critical habitat for boreal owls, Canada lynx, and other species.

Threats to naturally functioning ecosystems and native species have increased recently in our county due to the expansion of fracking activities (hydraulic fracturing for natural gas) and expanded planting of GMOs (genetically modified organisms). In response to all these concerns, a number of citizens got together to organize a voice for establishing legal rights for nature. Here are a few excerpts from the ordinance we have drafted:

**Section 2. Preamble and Purpose.** We the People of the County of Boulder declare that all human and non-human beings are part of nature and that living in balance and harmony with nature is essential for life, liberty, and the pursuit of happiness – both for people and for the ecological systems that give life to all species. We further declare that we have the duty to secure and enforce the inalienable Rights of Nature, upon which all life depends.

We the People recognize that the species and ecosystems of the earth have been degraded by human use to the point where many will not recover. We recognize that human activity is causing changes to climate systems which are accelerating species' extinction and destroying ecosystems and natural habitat.

**Section 4. Statement of Law: Rights.** Natural communities and ecosystems possess inalienable and fundamental rights within the County of Boulder, Colorado. These rights include:

- a) The right to exist, flourish, and evolve;
- b) The right to habitat in order to exist, flourish and evolve in harmony with the ecosystem;
- c) The right to maintain their identity and integrity as distinct, self-regulating beings;
- d) The right to be free from degradation, pollution, and contamination of their natural genetic systems;
- e) The right of each species and natural community to play its particular role in the natural ecosystem;

- f) River systems have the right to flow and have water quality necessary to provide habitat for native plants and animals, and to provide clean drinking water;
- g) Aquifers and ground water resources have the right to sustainable recharge, flow, and water quality; and have the right to be protected from harmful contamination;
- h) Species naturally occurring in Boulder County, Colorado prior to 1850, excepting pathogens and other organisms posing a direct threat to human health, have the right to exist, flourish and evolve in their natural environment.

Will you join us in helping to ensure legal protection for all natural communities in Boulder County? Please sign up for our e-mail list to stay informed. Our group meets monthly at rotating locations.