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SAN FERNANDO VALLEY, CA CHAPTER

## A Brief History of Rights

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To introduce a discussion of Rights of Nature, I'd like to begin with some historic highlights of the rights of humans.

More than 50 years ago, Christopher Stone, recently deceased, authored a pioneering work called *Do Trees Have Standing? Toward Legal Rights for Natural Objects*. Stone quotes from a 19<sup>th</sup> C court decision refusing women the right to practice law in Wisconsin. The court stated that the nature of woman—purity, delicacy, emotional impulses, and gentle graces—disqualifies her for the legal battlefield. In his book, Stone editorializes that the movement to confer new rights is “bound to sound odd or frightening or laughable...because until the rightless thing receives its rights, we cannot see it as anything but a thing for the use of “us”—those who are holding rights at the time....”

For over a thousand years, since the barons challenged the king of England in the 13<sup>th</sup> century, we have been gaining human rights. In the 18<sup>th</sup> century, in the United States, we codified into law inalienable rights of life, liberty and the pursuit of happiness, representative government, freedoms of speech, press, religion and assembly; in the 19<sup>th</sup> century, men without property won the right to vote, and blacks were freed from slavery; the 20<sup>th</sup> century saw women's suffrage after 75 years of agitation, and new Civil Rights Laws; and the 21<sup>st</sup> C saw social rights for LGBTQIA plus communities.

Those were social justice rights. Now let's look at the human struggle for economic rights, because this is where the analogy to the rights of nature movement is so compelling. The building blocks—the resources—of any economy are land, labor and capital. From the point of view of the economy, labor is a cost. But labor is human life, and a long struggle ensued to recognize that fact. To reduce work hours and gain legal rights to organize unions took all of the 19<sup>th</sup> C and half of the 20<sup>th</sup>. Eliminating child labor, requiring minimum years of schooling, minimum wages, paid vacations,



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pensions, social security—none of that happened before the mid 20<sup>th</sup> century. It was hard fought and took a hell of a long time. Recognizing health care as a right is still not established in the US.

Similarly to labor, land is an abstraction, a cost, a resource to be used to create wealth. But in the late 20<sup>th</sup> century, a new movement for rights was born, a Rights of Nature movement. Enter lawyers around the world, and nations like Ecuador and New Zealand, and local communities like Santa Monica, and filmmakers like our guests tonight whose consciousness mirrors that of Indigenous peoples worldwide, all arguing for giving “standing” to trees, to rivers, to Nature, to be seen as alive, as more than resources, as humans are now seen as more than labor.

And that brings us to our program for tonight on the Rights of Nature.