

DOES WILD LAW ALREADY EXIST IN LAW?

In 2009, UKELA published the report 'Wild Law, is there any evidence of Earth Jurisprudence in Existing Law and Practice ?

It looked selectively at environmental laws around the world and concluded that while some contained elements of Wild Law, none could be completely described as "wild." However, environmental law is evolving, Wild Law has moved on. Laws that recognise Nature's inherent rights to exist, thrive, and renew her natural cycles exist in the following places:

UN Level:

The UN has a [Harmony with Nature Programme](#) to promote Rights of Nature. In 2010 people from all over the world gathered in Bolivia and presented a [Universal Declaration for the Rights of Mother Earth](#). Since then there have been various UN resolutions moving in this direction, such as [the General Assembly Resolution 70/208 of 22 December 2015](#), which formally recognises the principles of Earth Jurisprudence.

Other documents at Supranational level:

[The Earth Charter](#) was adopted in 2000 under the global initiative of several civil society groups, advocating the respect for "Earth and life in all its diversity". Although not deeply enshrined in Law, it is widely recognized as a strong ethical standard.

National level:

Ecuador adopted a [new constitution in 2008](#), recognising the Rights of Nature and the holistic concept of "wellbeing"; [Title II Chapter 7](#) in particular deals with Rights of Nature.

[Bolivia](#) recognises [Rights of Mother Earth](#), and proposes an alternative economic framework and an Ombudsman for Mother Earth through Law (see also [The Guardian, 10 April 2011](#)).

In New Zealand, a National Park has the same rights as a legal person: "Te Urewera is a legal entity, and has all the rights, powers, duties, and liabilities of a legal person" ([Te Urewera Act, I.3.11](#)); the [Whanganui River](#), of cultural and spiritual importance to Maori people, was also given rights as a legal entity.

Argentina has [proposed a Law](#) to support Rights of Nature.

Earth Jurisprudence has also gained ground through National Court Decisions.

Local / Municipal level:

Over 36 USA municipalities, including Santa Monica in their Sustainability Rights Ordinance, Pittsburgh, New Mexico State (<http://www.earthlawcenter.org/local-communities/>), as well as Mexico City and a municipality in Spain, have created by-laws and ordinances that recognise the inherent Rights of Nature. In the USA, these laws recognise the rights of communities and the rights of ecosystems side by side, and they subordinate corporate interests. Such laws in the USA have successfully banned fracking locally.

Customary Law:

Some Customary Law concerning indigenous governance and sacred sites has been given legal recognition, mainly in Africa. For example the Benin Sacred Forest Law 2012 protects the *living law* and promotes community ecological governance.

More information can be found [here](#) on positive and case law that move in the direction of Wild Law.