Womb Rights: A Reflection on Bolivia’s Proposed Law of Mother Earth

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Climate justice march “Defending our Mother Earth” at Cancun, Mexico, December 2010

Introduction

On December 4th 2010 the work of 1,500 representatives of Bolivia’s active social movements representing the voices of the 36 indigenous groups, the membership of which accounts for 60% of the 10 million citizens of the Plurinational State of Bolivia, culminated in a radical and historic proposal.

This proposal, presented at the Cancun World Climate Summit, called for a law on “Mother Earth” founded on the indigenous principle of “vivir bien” (living well). It aims to establish harmony, balance and a communitarian economy based on the principles of solidarity, reciprocity and fairness. It is expected to pass into state legislature shortly and stands as a particularly evocative legal landmark in a region where the indigenous national consciousness never strays far from the memory of exploitative colonial mineral extraction.

The proposal is one of many signs of Bolivia’s explicit resistance to the Western capitalist economic model which has been tarnished as exploitative, destructive and irresponsible. It forms a significant plank in the Indigenous Movement’s own reassertion of agency as part of a decolonising project which has grown significantly in momentum since the country’s first
indigenous president, Evo Morales, came to power in 2006. The proposal claims that it is “time to stop Mother Earth’s agony and treat her wounds…reverse all the damage caused…and re-establish harmony and balance between all living beings." It is based on the accord of intrinsic rights to Mother Earth as a living being who is “sacred, fertile and the source of life that feeds and cares for all living beings in her womb…she is the home of all living beings, ecosystems, biodiversity, natural societies and their individual components”.

Rights of Mother Earth

These thirteen new rights for nature are (Proposal for a Law on Mother Earth, 2010):

- Right to life and to exist
- Right to be respected
- Right to continue her vital cycles and processes free from human alteration
- Right to maintain her identity and integrity as a self-regulating, interrelated and differentiated being
- Right to pure water as a source of life
- Right to clean air
- Right to a healthy environment
- Right to not be polluted and contaminated with toxic and radioactive waste
- Right to not have her cellular structure modified or be genetically altered. This would threaten her vital and healthy functioning and integrity
- Right to full and immediate restoration and decontamination due to human activity
- Right to be reforested
- Right to ensure the responsible and sustainable management of nature’s blessings
- Right to not be affected by mega infrastructure and development projects that affect the balance of ecosystems and the local inhabitant communities

Speaking from almost 4000m above sea level, Vice-President Alvaro García Linera’s assertion that the proposed law "makes world history…establish(ing) a new relationship between man and nature, the harmony of which must be preserved as a guarantee of its regeneration" (Garcia Linera, 2011), can be set in contrast with the urgency of President Mohamed Nasheed of the Maldives. He asserts that, in the face of the reality that the Indian Ocean islands will be submerged by rising sea levels by the end of the Century, we “cannot cut a deal with Mother Nature” or “have negotiations with planetary boundaries” (President Mohamed Nasheed, 2009).

However, both leaders are addressing the urgency of a radical re-evaluation of the way in which humankind develops in relation to Mother Earth, noting both historical breaches, the consequences of which we are currently subject to, but also the present imbalances which threaten life on the planet and which will lead, according to the overwhelmingly consistent scientific view, to catastrophic future changes.

So how can we view the emergence of such a legal framework protecting the rights of Mother Earth? What can be said theologically and, importantly, missiologically in the face of such important civic and political processes?
Locating Theological Reflection Within a Socio-historical Context

Throughout much of human history there is record, through religious and cultural narratives, of ways in which man’s interface with his environment has been mediated; for example, through cultural (often very localised) myth-telling and religious belief systems, such as animism and, notably Hinduism. Implicit in these narratives were communitarian frameworks for life based on rules and regulations which influenced our engagement with the Environment.

Whilst we might rightly wish to re-evaluate these frameworks and discard some of the inherent (as opposed to inerrant!) “wisdom” as unsuitable for the modern context, there is little doubt that these narratives offered some protective function for the Environment. In contrast, Lynn White in his landmark essay on the history of the environmental movement, noted the distinct part played by later Western Christianity’s interpretation of the creation narrative in opening the door to a hierarchical relationship with nature which paved the way to the possibility of a more exploitative relationship (White, 1967). He does, however note the positive contribution of St. Francis of Assisi who demonstrated an alternative Christian engagement with fauna and flora which, though deemed heretical by the religious gatekeepers of his day, has greatly informed Christian theological reflection on environmental issues today.

With reference specifically to Bolivia’s proposed new laws it is important to understand them in a number of ways. Firstly, they are borne out of an Andean indigenous worldview which locates humanity in an explicitly interdependent, indeed even dependent, relationship with the rest of creation. Secondly, legislation could be regarded as a somewhat clumsy modern tool of largely Western-style democracy which inevitably fails to capture the interpretive nuances of this worldview.

This means that there is something of a mismatch between the spirit of the indigenous environmental narrative (or world-view), articulated and re-invigorated by this new proposal and its legalised wielding within the Westernised democratic processes of the modern plurinational state. Thirdly, the proposal has an explicitly political and external function to control and reform the relationship of Bolivian land (and the people who inhabit it) with those who seek to use the power of “imperial capitalism” within the nation’s borders. It recognises the deep connection of people to the land and the Environment, and as such the accord of rights to Mother Nature may serve to emphasise both the rights and the responsibilities of humans.

As Christians we value and understand the biblical injunction to intercede and act on behalf of the vulnerable. The recent Micah statement to world leaders preceding the Copenhagen Summit enunciated the “moral, spiritual and economic imperative to tackle climate change” (Micah Statement, 2009) which is recognised to affect most adversely, and immediately, the poor. However, to support the accord of rights to Mother Earth may be for some a step too far. For many of us there is a disconnect between human rights and the accord of intrinsic rights to Mother Earth and yet, for most people living in the majority world today, the connection of people and their environment is very strong.

If the land becomes a desert, the people perish, and so on. We know only too well that the ones who suffer most (and hugely disproportionately) the effects of environmental
degradation and climate change are those whose resources do not provide viable alternatives if their connection to the land is discontinued, be it through flooding, dam-building displacement, mining or pollution. Thus, there is a need to locate the discussion first and foremost in the reality of all of humanity’s dependency on Mother Earth’s life-sustaining resources.

If we look at the biblical framework for humans’ location within, and relationship to the rest of creation, we see in the creation narrative, a strong connection with the land (Genesis 2:7). There is depicted, in addition, a mutuality and interdependency of man and the rest of creation (Genesis 1:26, 29 & 19). We can accord creation intrinsic value because God created it and deemed it “good”. His word of commissioning to creation was one of letting life multiply. In the light of this, it is not absurd to suggest that creation has the intrinsic right to remain “good” in the same way that we humans have been accorded the right to retain “goodness” in dignity and worth.

Furthermore, God’s value of creation as being good and worthy of redemption is linked explicitly with the value of man made in his own image and worthy of redemption, as I will address below. It is against this backdrop that we are invited to regard the whole of creation as a participant in the shalom of the God of the Bible, shalom being the fullest expression of life and of “living well” within the Great Economy (Kingdom of God). Indeed, this Judeo-Christian concept of shalom resonates deeply with the Andean concept of “vivir bien” which also holds an eschatological dimension.

A Missiological Conclusion

Mother Illimani with Intis, Awichas and Children by Roberto Mamani Mamani, Bolivian Artist
Whether we can assert, theologically, that the earth should be accorded rights as part of a moral *modus operandi* may, in fact, be a secondary question, to the primary missiological one which asks whether in fact all of creation is part of the redemptive plan?

Romans 8 certainly does articulate a redemptive liberation from bondage and decay for *all* of creation (Romans 8:21), and the gospel of Mark 16:15 connects the whole of creation with the redemptive focus of The Great Commission. In addition, we read in prophetic scriptures of the alluding to a time when “the wolf will live with the lamb, the leopard will lie down with the goat, the calf and the lion and the yearling together; and a little child will lead them” (Isaiah 11:6).

This transcendentally sublime and non-coercive, non-predatory vision seems to surpass the necessity of legalised rights and obligations. In the spaces of hope between the present reality and the fullness of the new heavens and new earth, laws and rights may appear as inept mechanisms. However, it seems to me, that until we are truly free, we remain a risk and a liability to ourselves, to each other and to the rest of creation. The tension, which the apostle Paul perceived between freedom (permissibility) and responsibility (consequences) is one which has historically necessitated the intervention of law, to direct, guide, correct and mediate at many levels (1 Corinthians 10:23).

So then, missiologically, the redemption and renewal of all creation is an important and often downplayed part of the Grand Design of the Kingdom of God. As such we can view the attempts to cherish and steward creation in tension with the sustainability of human life as an important aspect of missiology. In actual fact, for those anthropocentric thinkers who remain entirely unconvinced by a vision of environmental missiology we need only consider our utter dependence on our life-sustaining environment to know that to fail to protect her, be it legally or in other ways is to fail to sustain hope for our own future.

If we consider further, using the Andean allegory that Mother Earth is indeed the womb of all life, then we can see that to accord her rights (specifically life-enhancing ones) can only benefit the life-fulfilling aspirations of those borne and sustained in her womb. For example, to accord a pregnant woman the right to a balanced diet or protection against violence, or overwork, consistently improves the life, both present and future, of the child borne in her womb. The Millennium Development Goals recognise maternal rights as crucial life-sustaining objectives (MDG 5: improving maternal health).

The womb of Bolivia must sustain first and foremost the people of Bolivia, not the multinational “extra-terrestrial” extraction companies which have historically siphoned off resources with payment of very low taxation revenue to the country. Christian Aid’s report (October 2010)on the Bolivian perspective of the World Bank energy strategy notes a “wrong vision of unlimited growth” and cites the following statement made at the 2010 World People’s Conference on Climate Change and the Rights of Mother Earth in Cochabamba, Bolivia:
The development model we advocate is not destructive or unlimited development. Countries need to produce goods and provide services that satisfy the basic needs of their population, but under no circumstances can they continue a development path where the richest countries have left an ecological print five times bigger than the planet can support.

Maybe it is time to affirm that a legally-protected Environmental “womb” will enhance rather than limit the rights of all humanity to flourish?

References


Mohamed Nasheed (2009) *We will not die quietly*, speech delivered at the Climate Vulnerable Forum and published by Carnegie Council, accessed online 24/06/11 at http://www.policyinnovations.org/ideas/innovations/data/000152//:pf_printable


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