

RIGHTS OF NATURE

Professor Salzman (salzman@ucsb.edu)

July 7-10

9am-12pm, 210 Oakes Hall

Can law save the planet? This course investigates a legal movement known as the Rights of Nature. Beginning from the premise that existing environmental law is inadequate to the problems of climate change, mass extinction, and habitat loss, this movement proposes strategies that include granting rights to nature through legal personhood and assigning property rights to wildlife. The course explores both the promise and problems with this mode of thought while also excavating the field's origins, which lie in many places, including, importantly, in Indigenous Law.

Assignments and Grading: Your principal work for this course is the careful reading of course materials and preparation for class discussion. Class participation will be worth 30% of your grade. You will also prepare for and conduct a Nature Summit. Before the Summit, you will submit a short white paper and constitutional amendment. These work products, plus your participation in the Nature Summit, will be worth 40% of your grade. There will also be a very straightforward final exam, worth 30% of your grade. It will cover course material and also give you a chance to reflect on the Nature Summit.

Attendance: Because we only meet four times, attendance is mandatory absent permission from the Dean of Students.

The Nature Summit: During the course, we will prepare for and hold a constitutional convention for the State of Vermont to consider amendments relating to the Rights of Nature. Imagine that Vermont voters approve a referendum calling for a convention to propose amendments to the state constitution providing for the natural world. This convention is to be held in July 2025. Its aim is to propose and vote on amendments to the Vermont constitution.

Every student will be assigned a delegation. Each delegation will represent either a human or a nonhuman entity. Every delegation will draft a white paper describing and explaining your particular group's interest in and views toward rights of nature by presenting legal and historical evidence. You will also propose an amendment for the Nature Summit. At the Summit, you will argue for its adoption. Other delegations will be proposing amendments. Every delegation must join at least one coalition of mutual support, advocating a slate of amendments, and must also oppose at least one coalition's agenda.

Syllabus: All readings are either available on the web (just click on the blue underlined text) or on the Canvas course website on the Home page.

July 7. The Rights of Nature and the Nature of Rights

- [Aldo Leopold, *Thinking Like a Mountain*, 1949](#)
- Christopher Stone, “Should Trees Have Standing?” (1972), Read pages 1-9
- *Sierra Club v. Morton*, (1972), Read majority opinion (Stewart) and dissenting opinion (Douglas).
- Lake Erie Bill of Rights, 2019
- Skim Sunil Amrith, *The Burning Earth*, 2024, Introduction and Epilogue

Come to class with three delegation suggestions. These could range from the Cape Cod Seashore to Amtrak. I will email your delegation assignments Monday afternoon.

Optional Watching

- [The Lorax, 1972](#)

WRITING ASSIGNMENT:

Start preparing White Paper for your delegation

July 8. Judicial Protections

- [Ecuador Constitution, 2008](#), Read Articles 71-74
- [Los Cedros Court decision](#), Read paragraphs 1-63, 337-349
- [Why We are demanding halt to deforestation](#)
- [Salim v. State of Attarakhand](#)
- Surf the Eco Jurisprudence Monitor [website](#) and come prepared to describe a case in Ecuador and a case in another country

Optional Watching

- [Does nature have the right to be protected? | WILD HOPE, Nature on PBS, 2023](#)

WRITING ASSIGNMENT:

Draft White Paper for your delegation, submitted in class on Wednesday

July 9. Statutory Protections

- [Te Tiriti O Waitangi | The Treaty of Waitangi](#), 1840, Read in English
- Whanganui Hearing Report, 1999
- Whanganui River Claims Settlement Act, Read paragraphs 69-88
- [Granting Mar Menor legal status](#)
- [Wrong Turn with RoN movement](#), Read pages 1-7, 46-54

Optional Watching

- [This river can sue you](#)

WRITING ASSIGNMENT:

Prepare amendments for your delegation and post by 4pm

July 10. Alternate Approaches

- Jill Lepore, “The Elephant Who Could Be a Person,” The Atlantic, 2021
- Kristen Stilt, "Rights of Nature, Rights of Animals," 2021
- Mono Lake case

WRITING ASSIGNMENT:

Prepare Nature Summit opening statement for your delegation

July 12. Take Home Examination