

“Challenges and Opportunities Facing the Earth Charter Initiative”

By Steven Rockefeller

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As we begin our deliberations about the Earth Charter and an “Ethical Framework for a Sustainable World,” I would like to share with you some reflections on the issues, challenges and opportunities that face the Earth Charter Initiative in the years ahead. At the outset, I will make a number of general comments on why the Earth Charter remains profoundly relevant to the effort to educate global citizens and to build a sustainable world community as we enter the second decade of the 21st century.

I The First Pillar of a Sustainable Way of Life

The dangerous environmental trends, the extreme poverty and gulf between rich and poor, and the other critical social problems that prompted construction of the concept of sustainable development over twenty-five years ago continue to cast a dark shadow over the human future. Progress has been made on some fronts, but by and large the forces that threaten the health of Earth’s ecosystems and human security and well-being have not been effectively countered and transformed. Sustainability has remained an elusive goal. At the same time the interdependence of all peoples continues to grow and deepen. We are well on our way into the era of global history. Humanity has the potential to build a well ordered world community and to create a promising future, but to realize that possibility the world’s peoples must come together and cooperate as never before and make the hard choices necessary to redirect the course of events.

Given the human situation in 2010, the need for a widely shared, inclusive ethical framework to guide the transition to a sustainable future is more urgent today than ever. The Earth Charter which is the product of a decade-long, worldwide, cross-cultural dialogue on common goals and shared values provides such an ethical vision coupled with a call to action. No United Nations or civil society declaration has replaced the Earth Charter to date. Further, those declarations that have appeared are not the product of the kind of multiyear, inclusive, participatory process that produced the Earth Charter and that has given the Charter its legitimacy as a guiding ethical framework. This is not to deny that some significant new declarations have appeared, and I will comment on some of them shortly.

There is a consensus today at the United Nations and at intergovernmental meetings that there are distinct but interrelated social, economic and environmental dimensions of sustainable development. They are often described as the three pillars of sustainable development. This understanding is sound as far as it goes, but it does not go far enough or deep enough. There is a fourth pillar. It is the global ethical and spiritual consciousness that is awakening in civil society around the world and that finds expression in the Earth Charter. This global ethical consciousness is in truth the first pillar of a sustainable way of life, because it involves the internalization of the values of sustainable human development and provides the inspiration and motivation to act as well as essential guidance regarding the path to genuine sustainability.

The careers of Gandhi and Martin Luther King, Jr. are prime examples of the critical importance of ethical and spiritual vision and commitment in the process of social, economic,

and political transformation. There is a saying that the dream drives the action. At the heart of a compelling dream is a vision of what is good, right, and just, and the dream impels action when it inspires commitment and hope. The lack of progress in the transition to sustainable development is often attributed to a lack of political will. What is not generally acknowledged is that the lack of political will reflects a lack of ethical vision and moral courage among our leaders and to some degree among most of us--we, the people. The Earth Charter recognizes the ethical and spiritual as well as the environmental, social, and economic dimensions of the sustainable development challenge.

At this juncture it may be helpful to clarify just what is meant by ethics and ethical values. The ethical values of an individual or community concern what they judge to be good and bad, right and wrong in human conduct and relationships. In his book, Gandhi's Truth, Erik Erikson makes an important distinction between moralism and ethics. He writes: "Ethics...is marked by insightful ascent to human values, whereas moralism is blind obedience; and ethics is transmitted with informed persuasion, rather than enforced with absolute interdicts." (Norton & Company, 1969, pp 251, 429) Our ethical understanding of what is good and right in our relationships will be influenced by custom and tradition, but it develops and matures with rational reflection, deepening self-knowledge, and experiential insight. Our ethics reflect what kind of persons we choose to be and what quality of community life we choose to sustain.

Before leaving this discussion of the Earth Charter and the emerging global ethical and spiritual consciousness, I want to highlight the major elements of this global consciousness. It is global because it is shaped by a deepening awareness of our increasing global interdependence,

which involves the interdependence of humanity and Earth's ecosystem as well as the interdependence of all peoples. The Earth Charter, therefore, declares that we have a threefold ethical responsibility that extends to one another, to the greater community of life, and to future generations.

The Earth Charter emphasizes that people are part of the greater community of life and that a healthy environment is the foundation of human well being. Further, the Earth Charter reflects the realization that without an expansion of humanity's sense of ethical responsibility involving a willingness to give other life forms moral considerations, it will not be possible to achieve the goal of environmental protection and sustainable development. An anthropocentric world view that regards the larger natural world as just a collection of resources to be exploited by people is one root cause of our ecological and social crises.

The first principle of the Earth Charter is, therefore, the imperative: "Respect Earth and life in all its diversity." It is followed by a closely related second principle: "Care for the community of life with understanding, compassion and love." The ethical life begins with respect. We will only care for what we truly respect and regard as having value quite apart from its utilitarian value for people. The Earth Charter is a world affirming, life centered document that views caring for Earth and caring for people as two interrelated aspects of one great task.

Regarding the spiritual dimension of the new global consciousness, the Earth Charter affirms a number of universal spiritual values, including a sense of belonging to the universe, reverence for the mystery of being, gratitude for the gift of life and humility regarding the human

place in nature. These spiritual attitudes support and strengthen commitment to the ethical values set forth to the Earth Charter.

It is the ethical and spiritual vision in the Earth Charter that illuminates the deeper challenge inherent in the concept of sustainable human development as a guiding socio-economic ideal. Sustainable development is often viewed as business as usual with a variety of green adjustments such as increased energy efficiency. However, if the dangerous trends in our patterns of production and consumption are to be reversed, a more radical understanding of what sustainable development and a green economy means is required. The Earth Charter's ethical framework helps to clarify the values, goals, and strategies that genuine sustainability supports and advances. For example, the Earth Charter's principles envision a major overhaul of the global economy and the way free markets operate.

II The Text of the Earth Charter

Periodically questions arise as to whether it is possible to revise the text of the Earth Charter or to add amendments and whether it would be a good idea to do so. Questions of this nature have come up more frequently this year, and the Earth Charter International Council has been considering these questions in the course of its Earth Charter +10 strategic review and long range planning. The current situation is as follows.

First of all, it is the Earth Charter Commission that has sole authority over the text of the Earth Charter. The Commission oversaw the drafting process, approved the final text of the

Earth Charter, and launched the Charter in 2000. Following the launch of the Earth Charter the Commission turned over responsibility for the Earth Charter Secretariat and promotion of the Earth Charter first to a Steering Committee and then in 2006 to the Earth Charter International Council. However, the Commission retained its authority over the text of the Charter.

Up until this year the prevailing wisdom has been that the text of the Charter remains basically sound. In addition, since it has been widely circulated around the world, translated into over 40 languages, printed in thousands of brochures and hundreds of publications, including encyclopedias, and endorsed by thousands of organizations, it could create great confusion if a new revised Earth Charter text were issued by the Commission under the same name.

The addition of amendments rather than revisions of the existing text could avoid this problem to some degree. However, the Earth Charter is the product of a lengthy worldwide consultation process, and any amendments would probably require new international consultations. If a revised text were approved by the Commission, ECI would probably also have to start the endorsement process all over again. In the light of these considerations, if there were compelling reasons to make significant amendments to the text, one could argue that the best approach would be to start a new international consultation and drafting process in an effort to produce Earth Charter II or a document with an entirely different name.

What are some of the issues that lead people to raise questions about altering the text or adding amendments? There follow several examples.

1. The Earth Charter does not explicitly mention global warming and climate change. This was discussed at length during the drafting process. However, there was much concern to keep the Earth Charter text as short and concise as possible. It was decided, therefore, that it was sufficient to describe “The Global Situation” in the Preamble in very broad and general terms and not to list all the specific problems such as global warming, ozone depletion, deforestation, the collapse of fisheries, etc. The long range solution to the problem of global warming is the transition to a sustainable way of life, and the Earth Charter’s ethical vision makes clear what this requires in the way of basic values, patterns of production and consumption, and social and economic justice. The Earth Charter principles do provide general guidelines for building a green economy and mitigating climate change, and they call for the kind of international cooperation that is being considered under the heading of adaptation in connection with global warming. (See especially Principles 5, 6, 9, 10 and 12 together with their supporting principles.) In short, the Earth Charter’s ethical framework can serve as a guiding framework for nations and organizations grappling with how to deal with global warming.

The Earth Charter International Council and Secretariat has made an effort over the past two years to relate the Earth Charter to the international effort to negotiate a new comprehensive climate change agreement in accord with the UNFCCC.

Recommendations designed to strengthen the ethical dimension of the long range vision for cooperative action being drafted by governments were circulated by ECI, and several Council members attended the COP15 summit in Copenhagen last December.

Since the expectations for COP16, which will take place in Cancun, Mexico, later this year, are fairly low and since the Cancun meeting will probably be focused on rebuilding trust and a good process and on a number of technical issues, ECI has decided not to devote much time and effort to this meeting. It appears that adoption of a new comprehensive climate agreement is at least two or three years off.

2. In April 2009, the United Nations General Assembly adopted a resolution renaming International Earth Day International Mother Earth Day. From the moral and spiritual perspective of the Earth Charter, this acknowledgement by the UN that Earth is the mother of the human family is certainly a significant development. In addition, earlier this year the government of Bolivia began circulating a Draft Universal Declaration on the Rights of Mother Earth. In the light of these developments, Leonardo Boff, who is a member of the Earth Charter Commission and a leading Latin American liberation theologian, has recommended that we rename the Earth Charter “Carta de la Madre Tierra” or “The Charter of Mother Earth.”

The first official draft of the Earth Charter did refer to Mother Earth in a principle on the rights of indigenous people. However, conservative Christian groups charged that this language indicated support for pantheism. In an effort to avoid controversial language, it was decided to drop reference to Mother Earth but to use the planet’s name, Earth with a capital E.

Leonardo Boff's argument is that the United Nations General Assembly's adoption of Madre Tierra or Mother Earth has dramatically altered the situation. He also finds that James Lovelock's Gaia hypothesis, which is supported by a number of scientists, provides further justification for renaming the Charter "The Charter of Mother Earth." While this proposal would probably be supported enthusiastically by most indigenous peoples and by many in Central and South America, I do not know how it would be received elsewhere. The deeper question is whether it is a good idea to start down the road of making alterations in the text.

3. Over the past few years there has been increasing interest in the concept of the rights of nature and, more specifically, the legal rights of ecosystems and all living beings in addition to human beings. The appearance this year of the Bolivian Draft Universal Declaration on the Rights of Mother Earth has intensified interest in this issue. These developments have led some individuals to suggest that the Earth Charter be revised to include explicit support for the rights of nature. In addressing this issue, I would like to begin by providing a bit more information on the origin of the Draft Universal Declaration on the Rights of Mother Earth.

Under the impact of global warming the glaciers in the mountains of Bolivia are melting, threatening the nation's water supply. This situation together with the larger challenge that global warming presents the developing world has led President Evo Morales to try to mobilize international support to pressure the developed nations to take strong action on climate change. Towards this end he hosted last April the World People's Conference

on Climate Change and the Rights of Mother Earth. The Conference brought together 30,000 people from many different nations. Agreement on a draft of the Universal Declaration on the Rights of Mother Earth was part of the agenda of the World People's Conference, and the assertion of the rights of Mother Earth is part of Bolivia's strategy to promote international action that dramatically reduces greenhouse gas emissions and provides technical and financial assistance for developing nations as they address mitigation and adaptation. The Bolivian government is seeking support for this new universal declaration among Latin American governments and the members of the G-77 with the goal of eventually securing endorsement by the UN General Assembly.

Led by the environmental philosopher, Thomas Berry, a number of groups urged the drafting committee to incorporate language about the rights of nature in the Earth Charter. However, the Earth Charter Commission and drafting committee concluded that there was not a wide consensus on extending the use of rights language in international and national law, and, therefore, the Charter does not adopt this approach. It is important, however, to recognize that the Earth Charter is very clear in addressing the fundamental ethical issue that motivates advocates for the legal rights of all living beings. The Charter affirms respect for Earth and reverence for life and asserts that all living beings should be given moral consideration. The drafters of the Universal Declaration on the Rights of Mother Earth were well aware of the Earth Charter and its significance in this regard. Cormac Cullinan, the lead drafter of the Universal Declaration, explains in his commentary on the text that "the Declaration is intended to complement rather than supersede the Universal Declaration of Human Rights and the Earth Charter." He notes

that the Declaration is “wholly compatible with the fundamental principles reflected in the Earth Charter.”

The debate over the concept of the rights of Mother Earth is over whether the best way to promote respect and care for the greater community of life is to use rights language as a legal mechanism to enforce compliance with these and other ethical principles that call for the protection of the larger natural world. The Earth Charter establishes the ethical foundation for doing so even though it does not endorse this particular legal strategy.

The advantage of using language about the rights of all living beings in the law, as well as in environmental philosophy, is that it is a readily understandable and potentially a very effective way of clarifying and implementing the practical meaning of the principle of respect and care for the community of life and the concept of the intrinsic value of all life forms. There are, of course, other entirely workable legal approaches to regulating human relations with the larger natural world, and one finds them already well established in existing legal systems, such as treaties on the protection of endangered species and laws prohibiting cruelty to animals.

A serious international debate over using rights language to protect animals and ecosystems is only just beginning. The major contribution the Earth Charter can make is to help marshal and secure international support for the underlying ethical principle of respect for Earth and all life. If the Earth Charter were to be amended so as to support the idea of the legal rights of nature, it would greatly complicate the effort to win wide governmental and business support for its ethical vision. Further, under the present

circumstances, it is easy for a person to support both the Earth Charter and the rights of Mother Earth, if they choose to do so.

Regarding the Universal Declaration on the Rights of Mother Earth itself, it is my view at this juncture that ECI should encourage the careful study of it and a full international dialogue on the advantages and disadvantages of using the concept of legal rights as a mechanism to protect Earth's ecological integrity and promote care for the community of life.

The Earth Charter Commission and ECI Council will continue to address questions that may arise regarding the text of the Earth Charter, and this topic is on the agenda of the upcoming ECI Council meeting in Ahmedabad that follows this conference.

III New Declarations and the Earth Charter

I have commented that no new charter or declaration issued by the United Nations or by a civil society initiative has replaced the Earth Charter. However, some significant documents have appeared. We have already discussed the draft Universal Declaration on the Rights of Mother Earth, and I would like to comment briefly on a few others.

1. United Nations Millennium Declaration (2000)

The UN Millennium Declaration was issued five months after the Earth Charter was finalized, and those who drafted the Declaration were aware of the Earth Charter. One objective of the Earth Charter Initiative has been to encourage the UN General assembly to reaffirm the principle of respect for nature and what many philosophers term the intrinsic value of all life forms. These principles are set forth in the World Charter for Nature, which was adopted by the UN General Assembly in 1982. However, the World Charter has received no recognition since then by any major summit on sustainable development, including the 1992 Rio Earth Summit. It is significant, therefore, that the UN Millennium Declaration does affirm the principle of respect for nature as a fundamental guiding value for the international community. However, it gives an anthropocentric justification for the principle and does not recognize the intrinsic value of non-human species.

The Millennium Declaration also contains the Millennium Development Goals (MDGs). From the perspective of the Earth Charter, the significance of the MDGs is that they establish targets and time tables for governments that constitute major steps toward implementation of fundamental sustainable development principles including principles on poverty eradication, gender equality, and universal access to education.

2. The UN Global Compact (2000)

The Global Compact was drafted and launched by the United Nations in 2000 as part of an effort to enlist the support of corporations in advancing implementation of fundamental international law principles on human rights, environmental protection, fair labor practices, and prevention of corruption. This project is entirely consistent with the Earth Charter's ethical vision. However, the Global Compact, which has been endorsed by many international corporations, is a relatively brief document with ten very general principles, and it is far less demanding than the Earth Charter. It is significant, therefore, that the Global Reporting Initiative is offering the corporations with which it works on the triple bottom line the opportunity to go beyond the Global Compact and to work with the Earth Charter's ethical framework.

3. The Johannesburg Declaration (2002)

The Johannesburg Declaration, which was issued by the World Summit on Sustainable Development in 2002, affirms in very general terms the broad ethical vision found in the Earth Charter, and in doing this it uses language that is almost identical to wording found in the Earth Charter Preamble. More specifically, the Johannesburg Declaration states that "...we declare, through the Plan of Implementation and this Declaration, our responsibility to one another, to the greater community of life and to our children." (See paragraph 6) This is the first time that an international law document has made a reference to the "community of life" and declared that people have a responsibility "to," as well as "for," the greater community of life. From the perspective of the Earth Charter, this again is a significant development. However, the Johannesburg Declaration

does not elaborate on what this broad declaration of responsibility means in a fashion comparable to what is found in the Earth Charter.

4. United Nations Declaration on the Rights of Indigenous Peoples (2007)

In several principles (12, 12a, 12b) the Earth Charter explicitly recognizes the fundamental rights of Indigenous Peoples and calls for the end of discrimination against them. After more than twenty years of negotiations that included Indigenous Peoples as well as state governments, the UN General Assembly adopted in 2007 the United Nations Declaration on the Rights of Indigenous Peoples. This was a major victory for the 370 million Indigenous Peoples in Africa, the Americas, Asia, Europe and the Pacific, many of whom are among the most impoverished and frequently oppressed people in the world.

5. The Charter of Compassion (2009)

Led by Professor Karen Armstrong, The Charter of Compassion was launched in 2009 as a civil society project. It involved a six week international consultation process on the internet and was crafted by the Council of Conscience, a group of spiritual and ethical leaders. The Charter is a relatively short document of about 350 words that emphasizes the profound importance of compassion as a universal religious and ethical value that is essential to human fulfillment and the creation of a just economy and a peaceful global community. The Charter, which equates compassion with the spirit of the golden rule, endeavors to “to restore compassion to the centre of morality and religion.”

The Earth Charter calls for caring for the community of life “ with understanding, compassion and love,” and the spirit of compassion pervades its ethical vision. Rabbi Awraham Soetendorp, who is a member of the Earth Charter Commission, participated in the drafting of The Charter of Compassion. Earth Charter International fully supports this initiative as entirely consistent with the Earth Charter and the effort to awaken and sustain a new global ethical consciousness.

New declarations will continue to appear as the world community and different cultures respond to the evolving human situation and new challenges. This is to be encouraged. One only hopes that these new declarations will reflect the ongoing development of the global ethical and spiritual consciousness expressed in the Earth Charter.

IV Earth Charter International

I would like now to share with you a brief report on Earth Charter International and some of ECI’s plans for the future. The ECI Council, which currently has 22 members from Africa, Asia, the Americas, Europe and the Pacific, meets once or twice a year. As the ECI Council enters the second decade since the launch of the Earth Charter, serious consideration is being given to creating regional networks, and perhaps eventually regional councils, to help oversee, catalyze and support the expanding Earth Charter Initiative.

The ECI Secretariat remains a small efficient operation with seven staff members and a tight budget. A network of Council members, Commissioners, partner organizations, affiliates,

and task forces provide on a volunteer basis a wide range of assistance in support of the Secretariat at no cost to ECI, which significantly expands the capacity and outreach of the Secretariat.

Among ECI's most important partners is the University for Peace in Costa Rica, which provides a home for the Secretariat and a number of support services. In return the Secretariat directs the Earth Charter Center for Education for Sustainable Development at UPEACE and offers courses for University students. I am very pleased to report that as a result of an extraordinarily generous gift from Ruud Lubbers, who has been a leader of the Earth Charter Initiative from the beginning and serves as an Earth Charter Commissioner, ECI will be building next year a new LEED certified headquarters for the Secretariat at UPEACE.

The Secretariat manages the international website and many national websites, and it produces important resources and coordinates many activities in support of the larger Earth Charter Initiative. However, the Council has made a decision to keep the Secretariat small, recognizing that a rapid, worldwide expansion of activity in support of the Earth Charter can only be accomplished by a decentralized, self organizing initiative. Independent task forces have been launched in an effort to help catalyze formation of volunteer, decentralized action projects in the field of business, education, the media, religion and the UN, and a global youth network has been organized. Many people are doing highly creative things in support of the Earth Charter and all of us on the ECI Council thank you. I urge everyone here to use your imagination and contribute in innovative ways to this worldwide effort. A new version of the Earth Charter

Initiative Handbook, which is available on the ECI website, has useful information and guidelines on how an individual or group can participate in the Earth Charter Initiative.

Ever since the launch of the Earth Charter in 2000, one goal of the Earth Charter Initiative has been to seek formal recognition of the Earth Charter by the UN General Assembly, which would enhance the Earth Charter's standing as a soft law document and guiding ethical framework. A major effort to achieve this goal was made at the Rio+10 Summit in Johannesburg and a number of governments actively supported formal recognition. Rio+20, which will take place in Brazil in 2012, provides another opportunity to secure UN recognition. ECI is making this a high priority for 2011 and 2012. In order to support this initiative, ECI will be preparing and issuing two papers that will clarify how the Earth Charter is related to the major themes that have been selected for RIO+20 and how the Charter can help to advance the economic, social and environmental goals of the Summit. These papers will be posted on the ECI website next year.

The success of this undertaking will depend on support from a number of influential governments, including India. Toward this end, ECI and its partners and supporters will be contacting these governments, and it will also be encouraging the active support of civil society organizations, which can help to solidify the commitment of governments. A few months ago, for example, the European Economic and Social Committee, which is the voice of civil society in the European Union, issued a report on RIO+20 which include a recommendation that the EU support recognition of the Earth Charter at the UN Summit. We need your active involvement in this endeavor.

Over the past two or three years there has been a growing dialogue between different groups about promoting more collaboration among civil society organizations working for environmental protection, justice and peace, and there is discussion about the possibility of organizing a well coordinated global citizens movement to advance the transition to sustainability. In recent decades the emerging global civil society has often been described as a third force alongside government and business. However, the argument is that if global civil society is to become a real third force that drives the rapid social and economic change urgently needed, new levels of cooperation and coordination are essential. This is an important discussion in which the Earth Charter Initiative is participating, because it is about developing the means to achieve the Earth Charter vision.

In conclusion, I want to emphasize that documents like the Universal Declaration of Human Rights and the Earth Charter are especially valuable as educational instruments. Education has a critical role to play in the transition to a just and sustainable world community, and the Earth Charter can be used in both formal and informal educational programs to clarify the critical choices facing humanity and the urgent need for commitment to a sustainable way of life. It can help to awaken and strengthen the global ethical consciousness that Gandhi embodied so beautifully and effectively and that is the first pillar of sustainable human development.