



# Loretto Earth Network News

Earth: A Sacred Heritage

Summer 2009

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## Thomas Berry: In Memoriam A Commentary on a Theological Pioneer

By Maureen Fiedler SL

The news came quietly over email. The Rev. Thomas Berry, a Catholic priest of the Passionist Order, had died. He was 94. Rev. Thomas Berry... that name may not mean anything to you now, but some day, I predict, Thomas Berry will be honored as one of the great theological and ecological pioneers of our age, on a par with his intellectual predecessor, Teilhard de Chardin.

As early as 1989, *Newsweek* described him as “the most provocative figure among the new breed of eco-theologians.” In fact, he called himself a “geologist,” an Earth Scholar. He saw human beings, not as superior creatures designed to dominate the earth or the universe, but as interdependent with nature, part of the larger cosmos. As he saw it, human beings have a special and profound spiritual responsibility to care for the natural world because they would not be who they are without it.

He once wrote: “Without the soaring birds, the great forests, the sounds and coloration of the insects, the free-flowing streams, the flowering fields, the sight of the clouds by day and the stars at night, we become impoverished in all that makes us human.”

For him, the universe presented a sacred, evolving story. For him, literal readings of the book of Genesis were inadequate. He embraced the theory of evolution from the Big Bang forward as a magnificent outpouring of the work of God over billions of years. He called it *The Great Work*, the title of his most famous book. And he said that human beings are called to continue that great work.

As scientists warned about the potential ravages of global warming and climate change, he framed those issues – not merely as a natural crisis – but as a spiritual crisis. For him, the great spiritual virtues are “enchantment” and “amazement.”

He leaves a rich legacy. His work and his writings spawned a new theological approach to the universe, sometimes called “the new cosmology.” An entire generation of theologians, environmentalists and ordinary believers have been inspired by his work to become active in work to save the planet.

And so Thomas Berry lives on. In death, he is perhaps a deeper part of the universe he so loved. Rest in your new enchantment, Thomas, your new amazement.



**I would suggest that we see these early years of the twenty-first century as the period when we discover the great community of Earth, a comprehensive community of all the living and nonliving components of the planet.**

**We are just discovering that the human project is itself a component of the Earth project, that our intimacy with Earth is our way to intimacy with each other. Such are the foundations of our journey into the future.**

***Evening Thoughts***

**A**s this issue of *Loretto Earth Network News* (LENN) moves forward, I am thinking of a line from the poet Rainer Maria Rilke, "If we surrendered to Earth's intelligence we could rise up rooted, like trees." The death of Thomas Berry on June 1 led us to include within these pages a special acknowledgement of the important role Thomas Berry played and continues to play in developing an Earth-conscious Loretto Community.

## Editor's Note Mary Ann Coyle SL



Way back in 1993, *Loretto Magazine* featured a lead article written for us in which Berry challenged Loretto to be aware of and reflect on the single sacred community of the entire universe. He wrote, "Throughout the natural world there is an intimacy of things with each other. The intimacy of the wind and the soaring raptors, the rain and the vegetation, the sea and the shore. So too the intimacy of the bee with the flower, the intimacy of the bluebird parents with the newly hatched young." He indicated that we will see a renewal of existing religious communities and the rise of new ones as soon as "we recognize and dedicate ourselves to the Great Work before us, the renewal of Earth as the presence of the Divine." Thus we dedicate this issue, in deep gratitude, to Thomas Berry CP, whose thought and spirit will be our guide as we participate in the emerging Ecozoic Era.

Maureen Fiedler and Pat Siemen had the work of Thomas very much before them as they wrote articles for this issue. We are inspired by Maureen's thoughts at the time of Thomas' death and find that Pat's work is very much in sync with that of Thomas. In his millennial declaration, Thomas said that "the natural world...gets its rights from the same source that humans get their rights, from the universe that brought them into being." Extrapolating further, we might say rivers have river rights, fish have fish rights, and humans have human rights. Pat's article on the legal consideration of nature expands and introduces us to the global impact of Thomas' thought.

Those of us with Midwest roots will read with great interest the article by Matt Rota, who follows the course of the mighty Mississippi from its headwaters down to the Gulf, where he now works tirelessly for a healthy gulf and the restoration of the Louisiana wetlands.

Joining our pages this time are a couple of younger writers, Molly Kammien and Liz Godar. Molly brings us a global perspective focusing on the plight of water refugees as observed during her internship at the Loretto NGO office at the UN. Liz is in the midst of a campaign to ban the use of plastic bags in the St. Louis area. Go Green, St. Louis!

We welcome a new author from Santuario Sisterfarm in this issue. Faced with the corporate emptying of our nation's aquifers, Elise describes the struggle of a citizens' group in San Antonio to save the Edwards Aquifer from developers and city councilors whose short sightedness allowed them to sell out to dollar signs rather than to fight the long-range planetary change likely to result from their actions. In contrast, Sheila Norris from Denver gives us a healthy dose of "soul nourishment," so essential in bringing balance to our lives.

I am grateful for our regular contributors, Nancy Wittwer and Karen Cassidy. Nancy was especially moved by the story of the Pacific Island of Tuvalu, and Karen has a plan for harvesting rainwater that could be duplicated wherever you are.

Please share your issue of LENN with others. I am happy to add others to our mailing list.

### Coordinators of LEN

Beth Blissman  
Karen Cassidy  
Libby Comeaux  
Mary Ann Coyle  
Maureen Fiedler  
Maureen McCormack  
Nancy Wittwer

Mary Rhodes Buckler  
Emerita



### Loretto Earth Network News

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Editor: **Mary Ann Coyle SL**  
3126 S Osceola Street  
Denver, CO 80236-2332

Email: [macoyle303@comcast.net](mailto:macoyle303@comcast.net)  
[www.lorettocommunity.org](http://www.lorettocommunity.org)

Layout: **Nancy Wittwer SL**

# Legal Consideration of Nature: Beginning to Bud

By Patricia A. Siemen OP, J.D.

*But we have only begun  
to love the earth.  
We have only begun  
to imagine the fullness of life.  
How could we tire of hope?  
— so much is in bud.*

Denise Levertov

I am delighted to reflect on the budding emergence of the field of Earth jurisprudence, first envisioned by Thomas Berry. Also called “Wild Law” (Cormac Cullinan’s 2003 book), Earth jurisprudence re-envisioned law and governance from an Earth-centered, rather than human-centered perspective. In *The Great Work*, Berry regarded humans as obliged to respect the rights of every component of the Earth community: “In each case the basic rights would be for habitat and the opportunity of each being to fulfill its role in the natural systems to which it belongs.”

Earth jurisprudence recognizes that it is nature, not humanity, that is the primary architect of law and governance. Human governance systems should stem from and be consistent with the geological, biological and ecological laws (and limits) of nature. Foundational sources of Earth jurisprudence are the customary laws of indigenous peoples and other ancient traditions, as well as contemporary science, environmental ethics and a spectrum of legal disciplines including environmental, international, and human rights. Multiple initiatives are moving the field of Earth jurisprudence from bud to tender blossom.

## Earth Jurisprudence Resource Center

The Gaia Foundation recently created the Earth Jurisprudence Resource Center (EJRC) at [www.earthjurisprudence.org/](http://www.earthjurisprudence.org/). Its mission

is to make accessible materials that “advocate and embed Earth Jurisprudence at community, law and policy levels around the world” as well as nurture and support an international and interdisciplinary network of Earth jurisprudence practitioners. The EJRC facilitated, in collaboration with the United Kingdom Environmental Law Association (UKELA), the publication of “Wild Law: Is There Any Evidence of Principles of Earth Jurisprudence in Existing Law and Legal Practice?” [www.gaiafoundation.org/documents/wild-law-report.pdf](http://www.gaiafoundation.org/documents/wild-law-report.pdf). The Center for Earth Jurisprudence (CEJ, see below) contributed the US analysis.

## New Ecuadorian Constitution

“Nature or Pachamama, where life is reproduced and exists, has the right to exist, persist, maintain, and regenerate its vital cycles, structure, functions, and its processes in evolution. Every person, people, community or nationality, will be able to demand the recognitions of rights for nature before the public bodies.” So states the first national constitution to protect the rights of nature (Ecuador, September 28, 2008). [www.celdf.org/Default.aspx?tabid=548](http://www.celdf.org/Default.aspx?tabid=548).

Ecuador has a 65% mestizo-indigenous population. This may be one reason the majority of voters understood the need to provide legal protection to nature. Ecuador also has been embroiled in a bitter 15-year lawsuit against Chevron for clean up of more than 18 billion gallons of toxic waste from an oil concession in the Amazon. Damages are estimated at up to \$27.3 billion

## Australian Conference on Earth Jurisprudence

The first Earth Jurisprudence conference in Australia will take place in October 2009. Sponsored by the



**A Tree has Tree Rights**

Friends of the Earth Adelaide, in partnership with the Conservation Council of South Australia and the University of Adelaide, the event has the active support of both UKELA and the Center for Earth Jurisprudence. [www.adelaide.foe.org.au/?page\\_id=233](http://www.adelaide.foe.org.au/?page_id=233)

## Courses at Schumacher College, Devon, England

Last September Schumacher College offered its first course in Earth Jurisprudence. Two members of the Center for Earth Jurisprudence attended this course along with 25 other international participants. One outcome was the establishment of an international network of wild law activists. Another course is scheduled for September 21-25, 2009. It will explore how communities in Africa are moving to revive communities and ecosystems in today’s context of climate change and the continuing scramble for land and resources. [www.schumachercollege.org.uk/courses/short-courses](http://www.schumachercollege.org.uk/courses/short-courses)

## Universal Declaration of Planetary Rights

Another outcome of the first Schumacher course emerged at the November 2008 United Nations Climate Change Conference. There, participants Polly Higgins and Cormac Cullinan initiated a call for a Universal Declaration of Planetary Rights. Former British Ambassador to the UN, Sir Crispin Tickell, lent his support at the June 23, 2009, conference and momentum is building. [www.treeshaverightstoo.com](http://www.treeshaverightstoo.com).

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# Harvesting Water: Rain Barrels and Other Water Saving Ideas

By Karen Cassidy CoL

Lawn and garden watering make up nearly 40% of a total household water use during the summer. Did you know that almost half of the water used in the United States is used to water lawns and gardens? Water harvesting may help you keep the garden green and the flowers blooming.

And besides, water harvesting is easy. All you need is rain and a place to put it. One way of harvesting water is to use a rain barrel. The barrel becomes part of a system that collects and stores rainwater from the roof that might otherwise be lost to runoff and diverted to storm drains and streams. Usually, a rain barrel is composed of a 55-gallon drum, a vinyl hose, PVC couplings, and a screen grate to keep debris and insects out. It is relatively simple and inexpensive to construct and can sit conveniently under any residential gutter down spout.

Safe storage of the harvested water is an important consideration. It is impractical if it must be stored for more than several months. Water stored for long periods of time will stagnate and become a health hazard. If you want to see a beautiful rain barrel now in use, check on the one maintained by Susan Classen CoL and Jo Ann Gates CoL at Cedars of Peace at Loretto Motherhouse in Nerinx, Kentucky.

If a rain barrel is not a practical option for you, challenge yourself to think outside the tap! How much water runs down the drain when you are waiting for water to heat up from the faucet? Do you leave the water running when you rinse vegetables? Rinse them in a bowl of water instead. Do you leave the water running when you brush your teeth? Turn it off and you can save three gallons per day. Shorten your shower by one to two minutes and you can save five gallons per day. Never put water down the drain when there may be another use for it! Kitchen



**Jo Ann Gates dipping into her rain barrel outside Knobs Haven Retreat Center at Loretto Motherhouse**

sink disposals require lots of water to operate properly. Start a compost pile as an alternate method of disposing food waste instead of using a garbage disposal. Garbage disposals also can add 50% to the volume of solids in a septic tank which can lead to malfunctions and maintenance problems.

Rain, rain, go away? Not for me!  
Rain, rain, come today! I'll catch you  
in my rain barrel

Resources  
[dot.tucsonaz.gov/stormwater/downloads/2006WaterHarvesting.pdf](http://dot.tucsonaz.gov/stormwater/downloads/2006WaterHarvesting.pdf)  
Manual from Tuscon AZ regarding water harvesting.

[academic.evergreen.edu/g/grossmaz/palmbajp/](http://academic.evergreen.edu/g/grossmaz/palmbajp/)  
A beautiful website produced by students of geography at the University of Wisconsin, called Water is Life, contains lots of good hyperlinks.

[www.rainwaterharvesting.org/Rural/whim\\_tradi.htm](http://www.rainwaterharvesting.org/Rural/whim_tradi.htm)  
Interesting site from India with rainwater calculator, maps, and rural/urban issues. Good international flavor.

## Legal Consideration ...

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**Center for Earth Jurisprudence**  
CEJ continues developing programs, publications and curriculum, while teaching at St. Thomas and Barry Law Schools. It recently hosted conferences on the precautionary principle in local government. Two new approved courses strengthen the development of a *Juris Doctor* concentration in Earth jurisprudence. The Center produced its inaugural issue of *Groundswell*. A monograph series "*Resonances: Soundings from Law and Theology toward an Earth-centered Jurisprudence*" addressing "The Intrinsic Value of Nature" will be ready for production in August. Another major project is the first teaching anthology on Earth jurisprudence. See [www.earthjuris.org](http://www.earthjuris.org) and let us know if you want to be added to our contact list.

Despite the escalating processes of environmental destruction, numerous buds of "blessed unrest" are rising up. We face both the promise and the peril of the future with Thomas Berry in *The Dream of the Earth*:

"...the basic mood of the future might well be one of confidence in the continuing revelation that takes place in and through Earth.... There is reason to believe that this same guiding process is precisely what has awakened in us our present understanding of ourselves and our relation to this stupendous process. Sensitized to such guidance from the very structure and functioning of the universe, we can have confidence in the future that awaits the human venture."

*Pat Siemen is a Dominican Sister and founder of the Center for Earth Jurisprudence. She is located in Florida at St. Thomas and Barry Law Schools.*

# Rising Oceans and Climate Refugees

By Nancy Wittwer SL

When I hear predictions of rising oceans due to climate change, I travel back in time to the year 2001 when I had the opportunity to participate in a Prep Comm (Preparatory Commission) at the United Nations prior to attending the World Summit on Sustainable Development in Johannesburg, South Africa, in September 2002. A lasting image from that UN Prep Comm was witnessing the Ambassador from the tiny South Pacific island nation of Tuvalu stand and plead with world leaders to fight global warming and save his nation from disappearing under the sea. At the time I had never heard of Tuvalu, but I was deeply touched as Ambassador Enele Sopoaga spoke of the loss to the Tuvaluans not only of their homeland but of their 3,000 year history, culture, and way of life. I later learned that one year earlier, on September 5, 2000, the flag of Tuvalu was raised for the first time in the midst of the 188 Member States of the UN and that the major international priority for this newest and second-smallest nation in seeking admission to the UN was to promote concern about global warming and the threat from rising sea levels.

Over the next century, sea levels are predicted to rise by more than 80 centimeters (2.6 feet). Tuvalu's highest elevation is 4.6 meters (15 feet), but most of it is no more than a meter above the sea. So the nation of Tuvalu is truly fighting for its life. Tuvaluans face the possibility of being among the first climate refugees as the prospect of the island becoming completely inundated and uninhabitable is fast approaching reality.

The Tuvaluans, a Polynesian people, have continued the struggle to make their voice heard about the threat that climate change poses to the world and most especially to this tiny nation of coral islands in one of the most remote spots in the Pacific Ocean.

But things move slowly at the UN. Consequently, the government of Tuvalu has publicly accepted the possibility of inundation and forced resettlement and is negotiating with nearby nations to find a place to evacuate its people.

Fast forward to the spring of 2007 when the UN Security Council held a special session to take up the issue of climate change. For the first time the Security Council was defining global warming as a threat to the security of nations—every bit as dangerous as war or nuclear weapons.

Among those who spoke at this special session was Afelee Pita, the new Ambassador of Tuvalu. “The world has moved from a global threat once called the Cold War, to what now should be considered the Warming War. Our conflict is not with guns and missiles but with weapons from everyday lives—chimney stacks and exhaust pipes.”

Indeed, it is these “weapons from our everyday lives” tucked away in our consumptive lifestyle and our addiction to the comforts of the good life that have now become a threat to all life. The scientific community confirms that the major cause of climate change is anthropogenic (human induced.) But isn't that difficult for us humans to understand? We have a tendency to underestimate the danger of rising sea levels or other possible threats that we've not personally experienced and that seem far away in time and place. Without some calamitous, precipitating event we seem unable to address long-term challenges. How else explain the results of a recent Pew Research Center poll ranking the most important priorities for Americans. Climate Change was No. 20 on the list. Yes, it ranked the very last.



Even as we are inundated with facts and images of polar bears stranded in the Arctic Ocean due to the accelerated melting of glaciers, for the most part we tend to continue on our way, feeling bad, of course, but not bad enough to make the necessary changes. Why is it that when it comes to addressing the problem of climate change it is so easy to become paralyzed by the belief that the problem is too big and our actions are really too small and insignificant to make a difference?

The next time you might be tempted to think you are too small and your actions too inconsequential to make a difference, remember the tiny nation of Tuvalu as it continues to fear that ocean waters will rise, cyclones will grow more intense, people will be forced to evacuate to other countries, and Tuvalu, along with its way of life, will disappear. Know then with certainty that your efforts, however small, CAN make a difference for them and for us all.

# WE ALL LIVE DOWNSTREAM

**By Matt Rota**

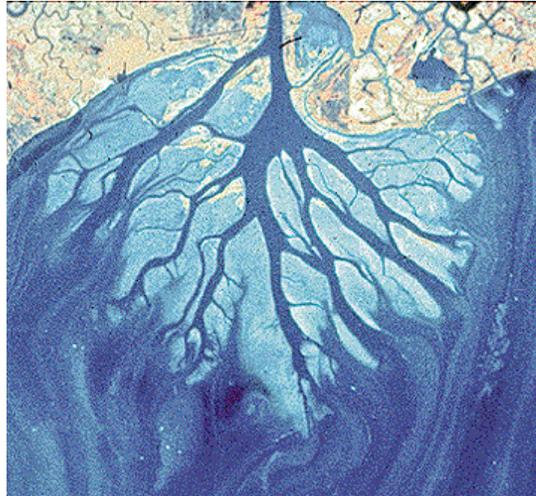
**Water Resources Program Director  
Gulf Restoration Network**

**M**y first real experience with witnessing firsthand the power and might of the Mississippi River came in the summer of 1993. I grew up in Southern Illinois, and remember vividly the floods that came down the river that year. In a lot of ways it was surreal. I would drive across the river to St. Louis with my family to see the ever-rising waters. Thousands of people would gather under the Arch to “watch” the flood. But, as surreal as that was, my neighbors and family saw it as an immediate threat. The town next to (and down the bluff from) mine was Valmeyer, and there I spent time filling up sand bags to hold back flooding but all the sand bags were not enough. The levee broke above Valmeyer on August 1 and flooded the entire town. This demonstrated not only the might of the Mississippi, but also the might of the people who live around it. Today, the entire town of Valmeyer has moved to higher ground atop the bluffs, learning from the dangers of living in a flood plain.

Currently, I live in New Orleans, and the river is less than 1000 yards from my door. From my guestroom, I can see ships pass by, towering over the levee and floodwall; and it feels that my life has come full circle, as I advocate for a clean and healthy Mississippi River and the land that it has created. As Water Resources Program Director for the Gulf Restoration Network, I work to make sure that there are strong policies and practices in place to help assure that our wetlands, rivers, and Gulf are healthy for this and future generations. This responsibility requires me to think about how the Mississippi, Louisiana, and the Gulf of Mexico all operate together in a system. And right now the system is broken.

## ***Louisiana and the Mississippi River***

Louisiana is a product of the Mississippi and the Midwest. Over the centuries, the Mississippi has carried sediments from the fertile



Midwest to the Gulf, and especially during high water events, the river overflowed its banks and deposited these sediments, creating the land that is now Southeastern Louisiana. However, these floods also had the potential to cause widespread destruction for developed areas along the river, including New Orleans. So we built levees, cutting off natural flooding, thus cutting off the lifeblood of the Louisiana wetlands. Without this regular source of fresh water and sediment that comes with the Mississippi overflowing its banks, our coastal wetlands have been dying due to sinking land and infusion of salt water from the Gulf.

Now our coast is in crisis. Due to restricting the Mississippi River with levees, digging of oil and gas canals, a subsiding landscape, and the intrusion of salt water, Louisiana loses a football field of wetlands every 45 minutes! These wetlands are vital to Louisiana and the nation. They

act as a barrier that can slow down hurricanes, as nurseries for our fish and shellfish, as habitat for migratory birds, and as filters for pollutants. It is vital that we re-introduce the Mississippi back into the wetlands of Southern Louisiana, and re-inject sediment and fresh water, instead of allowing it to flow down the leveed river, which literally dumps tons of sediment off the continental shelf every year.

## ***The Gulf of Mexico and the Mississippi River***

The Mississippi drains 42% of the nation. During the spring and summer, nitrogen and phosphorus pollution flows from agricultural fields, animal feedlots, and sewage treatment plants. This pollution ends up in the Mississippi and ultimately the Gulf. This pollution in turn causes massive algal blooms; the algae die and sink, where they are eaten by bacteria. This process uses up the oxygen at the bottom of the ocean, creating the Dead Zone, an area off the coast of Louisiana the size of New Jersey, where the oxygen gets so low, sea life must swim away or suffocate. The primary cause of the Dead Zone is agricultural pollution, where fertilizer applied to fields ends up in the water, and ultimately the Gulf.

## ***The Nation and the Mississippi River***

The good news is that a sustainable Mississippi River, Louisiana Coast, and Gulf of Mexico system is possible. This can be achieved by the entire nation working together to take care of our common resources. However, we need the federal government to enforce existing laws and provide incentives so that farmers will implement better farming practices; we need to re-introduce the Mississippi River into Louisiana’s

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