

Session 8.3 - Polly Higgins' Story

Living in the Gift

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Charles Eisenstein: Hi everybody, I'm here with Polly Higgins. I consider her a dear friend. We don't see each other very much. She is an Earth lawyer, that's how I would describe her, an Earth lawyer, a tireless advocate for a law of ecocide to make ecocide the fifth crime against peace as defined by the U.N. Where that comes from is something that I deeply resonate with and that is part of my work too, the understanding that nature isn't just some thing valuable for it's use to us, but it has inherent worth, even sacredness. It deserves respect as a being and so the law of ecocide basically says, "yeah, if you destroy an ecosystem that's a crime. That's murder. You shouldn't do that not only because it will somehow in fifty years cause economic losses, but it deserves respect." So that's what Polly does and she's taken her work to the U.N. and all kinds of other places and this is the other thing that I wanted to start our conversation with. Now you're not somebody who sits around and wishfully thinks and hopes for miracles you're actually doing stuff in the 3D to serve a change in the world, yet you also seem to have access to synchronicities. It's like you have brought some kind of assistance into your work so that it doesn't just depend on your own efforts. Some of your stories you've told me are really inspiring and give me a sense that we're not alone here in doing this. Now I wonder if there are any of those you'd like to share.

Polly Higgins: Yeah, sure! You know, it's actually a really, really weird thing because sometimes stuff just boomerangs in at the moment when you really feel "I think this is where I need to go, this is what I need to do." For instance, I've just actually come back from Madrid and the Netherlands where I had a whole series of meetings over there. Almost everyday we were getting to a point where we're currently researching Shell as to whether or not they've committed ecocide. We decided that what we're going to do is see whether or not it is prosecutable under the existing crimes against humanity for their activities. Not just ecological ecocide, but also climactic ecocide. Everyday we were work shopping, a team of lawyers working with me and forensic experts, and we were coming to sort of conclusions at the end of the day, recognising ok, this is the legal argument that we are needing to put together here, this is the evidential basis that we need to build and almost within the next day the missing gap would suddenly be filled. Here I was in the Netherlands talking to one particular NGO (non-governmental organization) and they said, "we've done a whole body of research in that particular area for the last few years, you can have it." This was absolutely fantastic. We are lawyers specialized in this area and we can give you assistance with this particular part. What we're finding is that we are able to fast track things very, very quickly. I find myself thinking, "I really need an expert researcher who's Dutch so she can deal with Dutch documentation and research and I need someone who's already in this space in a really big way. The very next day I meet that person and I say to her, "I need you to be my researcher," and she says, "I would love to!" and it's just "Woo!" There seems to be an almost kind of like convergence when you're on the right path, suddenly everything comes together very, very fast and we're finding that we're able to build on existing bodies of evidence that have been put together either by lawyers, law firms or NGOs and the right people are coming forward to give us assistance with this. It's almost that thing of, you know, the attractor, it's like a (inaudible) it's met if it's right in the moment. That's not to say it works all the time for me. (Laughs) There's other times when it's like hitting a brick wall at one hundred miles per hour. "O.k., this is definitely the wrong way." I don't profess to be any great expert in working outside the normal rules of how the world operates, but when it works, it works

fantastically. Sometimes you're in this kind of fantastical realm. That can be really incredible when that happens.

C.E.: I wonder if that researcher who you randomly encountered the next day that was just the right person, I wonder if she was thinking, "boy I have all this knowledge, all this research, all this documentation, I wish I could run into the right Earth rights lawyer..."

Both: (Laugh)

P.H.: We actually had various organizations saying, "you need to speak to this woman, she's been feeding us information that other people can't get their hands on. She's phenomenal," and I'm thinking I have to meet this person. It was almost a mutually symbiotic moment where she has accumulated a huge amount of documented evidence that needs to be put to jolly good use and continue exploring more and here we require that. It's a marriage of sorts made in heaven if you like. Clearly we were meant to connect.

C.E.: I remember you told me a story once that just blew my mind where you were on vacation with your husband in some remote place and this is maybe early on in your work and you're like "boy I really need to get into the U.N." Then you were on a hike or something... Do you remember that story?

P.H.: Yeah. Yeah-yeah-yeah! This was incredible. This was very early days and this was actually when I was working on the precursor for Ecocide Crime that was a Universal Declaration of Earth Rights. This was actually ten years ago. I was turning forty and I had a really strong urge, months went by where's I just had to get up to the west coast of Scotland to an area that's very, very beautiful. It's where I spent my childhood holidays where you can go up into the hills of the west coast and there are markings on rocks, they're called cup and ring markings where there are various theories about it. They are very ancient, 8,000 years old. It's believed the ancient Celtic communities, I think, could actually read energy and these were very important energy portals if you will and I was taking my husband to see these places. Now they've got a little museum there and they've got maps and things, then there wasn't. There was no internet reception at all. No phone reception. I remember after a few days we were taking backpacks and picnics with us to walk up and find these places in the hills and saying to my husband, "here, I have this really big ideal for Universal Declaration of Earth Rights. I really need to get this to the United Nations. This is where it needs to go. How the heck do I do that?" We're having this conversation while sitting on these beautiful rocks that are marked with the cup and rings. A few days after that I thought, "you know I'll take my mobile phone and switch it to on and see," you know? Immediately it had full five bars reception. I even turned to my husband, "see! Look at this!" I didn't even finish the sentence and it rang. It was the United Nations?

C.E.: The United Nations?

P.H.: Yeah. It was like, how? How did that happen? I don't have a direct line to the United Nations, but clearly there was a direct line when you're affected by some other manner and means. I had this young girl on the phone saying, "yeah, we'd like you to come talk about, you know, the environment. Let's do a conference." Environmental law, or Women in Law I think it was, and I said "do you know what, no; this is what I want to talk about, a Universal Declaration of Earth Rights." She had no idea what I was talking

about so I said, “look, write it down. Go and find whoever’s in charge of whatever you’re doing and say to them this is what I want to come talk about, but you got to phone me back fast because I’m stuck up a Scottish hillside and it’s going to rain.” She phoned back fifteen minutes later and said with kind of awe in her voice, “H.Q. have said they want you as their primary speaker in six months time at their climate change conference.” “H.Q.? What do you mean H.Q.?” and she said, “the Security Council, they want you to be the main speaker and they want you to speak on that.” You know that... that was the beginning. I just treated it like a legal brief and researched my work for six months and then presented. It was a very big moment for me because in a way you’re kind of presenting your thoughts to a room where you think they’re going to think you’re absolutely whacky mad to talk about rights for the Earth, but it was literally within eighteen months that I had Bolivia taking it forward and working with other lawyers and handing it over and letting them run with it and indeed making it into their own legislation and turning it in to the U.N. It was clearly... I don’t know, how do you read it? Meant to be? I don’t know, but there was something happening bigger than self there.

C.E.: Yeah. One way I understand those things is that when we really commit to something in the world and make some kind of sacrifice in order to serve that thing better. Powers align to help us fulfil that service and sometimes I think they kind of have to know that we are serious about it and that’s why some kind of sacrifice, some kind of commitment is necessary. How much do you really care about this? Are you willing to do this? Are you willing to do that? Are you willing to give up your other career? Do you really want this? These choices that we make are kind of a prayer that attracts the aid of even the beings of nature that are invisible to us or more powerful than we think that they are. That circles back to the foundation of what you’re working on. It’s interesting that you’re working for recognition of nature as a being and in that perception nature acts as a being and helps you out. Here you are at this sacred spot in Scotland and it arranges a phone call.

P.H.: (Laughs) Exactly! Yeah, I think this is absolutely right and this is the wonderful kind of mystical element of connecting deep with nature.