

(IN)JUSTICE OF ENVIRONMENTAL PROTECTION

A brief reflection on a major topic

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"It was not this spring morning men thought sacred and worthy of consideration not the beauty of God's world, given for a joy to all creatures, this beauty which inclines the heart to peace, to harmony, and to love, but only their own devices for enslaving one another."

L. N. Tolstoy, Resurrection

I.

The world is in a state of permanent crisis. The international neoliberal order, capitalism and democracy are experiencing their most profound, and therefore most challenging crisis. The crisis is more alarming in the last decade as we have not experienced any qualitative shifts in improving the state of those most disadvantaged among us — the poor. When, for example, John Rawls argues that the social and economic inequalities “should be of the greatest benefit to the poorest members of society”¹, having in mind the differences of almost metaphysical proportions between rich and poor, that sounds like some “soft thoughts” on liberal socialism. If at any point, then in this crucial segment, the neoliberal order has proven to be extremely inefficient, negligent and ultimately unjust. In that sense, Fukuyama was right when he spoke of “the end of history.”

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1 John Rawls, *Politički liberalizam (Political Liberalism)*, KruZak, Zagreb 2000, p. 5.

And while the advocates of the neoliberal order continue to claim, “It has never been as good as today” we rightly have to ask the question, “Yes, but for who?” Swiss sociologist and former UN Reporter on the right to food, Jean Ziegler, dramatically warned us of a reality “Today, the misery has reached a more horrific level than in any other period of history.”² Is this the real picture of the society boastful with its words of equality, freedom, justice and human rights? That “huge and unnecessary catastrophe”, as Nobel laureate Paul Krugman characterised crisis in 2008, seems that it did not become a “sobering moment”, much less a “wake-up call” despite its “shock therapy” effects³. Once again, it is proven that ideologically (quasi) argumentation of the necessity of the crisis in the neoliberal capitalist order has gone through a kind of “collective amnesia” which has led us to lose sight of two crucial facts. First of all, capitalism is a crisis—producing system. It merely lives of the crisis. The crisis is an integral part of it. Another important fact is that neoliberal capitalism is a powerful generator of inequality that, apparently still very successfully, suppresses any effort to improve the position of the poorest members of society. Thus, the production of crisis and poverty represent a constant and real threat to modern society.⁴

These are the threats that might provide the key to the understanding of the current “structural violence”, both real and potential. How else should we interpret the constant threats of total destruction of everything we know by the great nuclear powers, increasingly clashing over the fundamental urge of man — the instinct for survival? It would suffice to mention the example of India and Pakistan, two nuclear powers that constantly clash over — the water. The potential consequences of such violence can be incomprehensible, even fatal, to a human and his/her home, environment. If the war over water broke out, it could very quickly turn into a nuclear conflict

2 Jean Ziegler, *Imperij srama (L'empire de la honte)*, Izvori, Zagreb 2007, p. 31.

3 See Paul Krugman, *Odmah okončajmo ovu krizu (End this depression now)*, Algoritam, Zagreb 2014, p. 10.; Slavoj Žižek, *Druga smrt neoliberalizma (First as tragedy, then as farce)*, Fraktura, Zagreb 2010, p. 30.

4 See Boris Kagarlitsky, *Novi realizam, novi barbarizam: Socijalistička teorija u eri globalizacije (New Realism, New Barbarism: Socialist Theory in the Era of Globalization)*, Jesenski i Turk, Zagreb 2009, p. 13.; Alex Callinicos, *Protiv Trećeg puta: Antikapitalistička kritika (Against the Third Way: An Anti-Capitalist Critique)*, Jesenski i Turk, Zagreb 2009, p. 9. We understand the notion of “objective scarcity” the way Jean Ziegler is using it. He says that “organising scarcity, lack of service, capital and goods... is the primary activity of the masters of the empire of shame” (J. Ziegler, *L'empire de la honte*, p. 31) We add to that organising a crisis and neglecting its effects. It is important to point out that Amartya Sen has interpreted exhaustively and based on arguments (See Amartya Sen, *On Ethics and Economy*, Blackwell Publishers, Oxford 1987) the “serious departure” of economy and ethics, which continues to be one of the major shortcomings of contemporary economic, political and philosophical theories.

that could “lead to what scientists have been warning about for decades: nuclear winter and global hunger.”⁵ Here, we see another important feature of “structural violence”, which is not only a consequence of demographic and environmental factors but also of psychological ones. We live in constant fear of what *might* happen to us.⁶

There is, in fact, a threat that could summarise almost the entire 21st century in two words — climate change. Climate disruption on our planet could, as Joshua Busby notes, attract and divert more attention and resources, and have a more significant impact on the global economy and international relations than any other affairs in the world. We have entered an era that Katharine Hayhoe labels as an era of “global wonder” in which strange weather patterns could appear anywhere. A total of three hundred billion dollars of damage due to the climate disaster in the USA in 2017 alone, is a sufficient warning of the extent of the damage we are potentially dealing with. China has already spent around forty-eight trillion dollars to secure drinking water supplies in the north of the county.⁷ Climate changes have ceased to be a potential threat of the future, as it poses a real danger that requires a decisive and immediate response of yesterday.

While most people think about climate change as a way of prevention or procrastination, there are few to raise questions about the fairness of such efforts. No one seriously doubts today that we have distorted our environment so much that we are in danger of complete self-destruction. Have we all contributed equally to this? Should we all participate equally in finding a solution? What about those who have contributed the least to the destruction of our environment and suffer most from its consequences? Political and social crises often undermine the ability of specific societies to cope with the devastating effects of climate change adequately. It would suffice to mention problems such as drinking water issues, droughts, the destruction of forests and wildlife, which all reduce the chances of human survival in the affected areas. Such environments, and even entire societies, have no choice but to accept the fate of being “climate refugees” since they cannot cope with their consequences alone. Once again, Pope Francis’ claim that

5 Noam Chomsky, *Globalno nezadovoljstvo: Razgovori o sve većim prijetnjama demokraciji* (*Global Discontents: Conversations on the Rising Threats to Democracy*) Naklada Ljevak, Zagreb 2018, p. 175.

6 See John Horgan, *Kraj ratovanja* (*The End of War*), Naklada Jesenski i Turk, Zagreb 2014, p. 69.

7 See Joshua Busby, „Warming World: Why Climate Change Matters More Than Anything Else“, *Foreign Affairs* 97 (2018) 4, pp. 49–51 (<https://www.foreignaffairs.com/articles/2018-06-14/warming-world>, 9 May 2019). Although ecologists reject probabilistic thinking (“what if”), it seems undeniable that speculation about what could go wrong is increasingly focused not only on the political but also the economic consequences of the environmental crisis (for example, *Climate Economics* by Richard S J Tol)

they are not the causes but victims of ecological crisis proves to be right.⁸ Perhaps, the most direct.

Such and similar issues on the relation between in(equality) and environment are increasingly being raised worldwide in panel discussions. The discourse of “environmental (or ecological) justice” dates back to the late 1970s and early 1980s, although the philosophical theory of justice, in which procedural, distributive, and corrective aspects of law and politics are central, is far older and more comprehensive. Whatever dimension of justice we discuss, the society that insists on a strong sense of collective action — protection of the environment — must find a way to nurture in members concern for the whole, a commitment to the common good, and in this particular case — care for our shared home. No matter how diverse or big society is, must nurture the solidarity and sense of mutual responsibility required by the principle of justice.⁹ This issue is increasingly present not only in our politics but in sociological, philosophical and ethical discourses, to which we would like to make this modest contribution.

II

The problem of human–environment has become one of the most important issues of science and society today. From the mere biological analysis of the term during the 19th century, contemporary ecological problems are a matter of interest of those sciences that have human and human future as a central object, as they concern in any aspect — political, economic, cultural and biological — human survival. Yet, when it comes to human survival, it

8 Pope Francis, *Migrants and Refugees Challenge Us: The Response of the Gospel of Mercy* (http://w2.vatican.va/content/francesco/en/messages/migration/documents/papa-francesco_20150912_world-migrants-day-2016.html, 14 May 2019) Environmentalist Norman Myers, in an article from 1997, stated that there were more “climate” than “normal” refugees (25 million vs. 22 million) in the world at the time, with the projection that their number could double by 2010. Their number will grow more and more precisely because of the increasing effects of climate change (See Norman Myers, „Environmental Refugees“, *Population and Environment* 19 (1997) 2, p. 167. DOI:10.1023/A:1024623431924) In addition, in 2005 the United Nations Environment Program (UNEP) made similar prediction that in 2008, then President of the UN General Assembly, Srdjan Kerim, would say that the UN predicts between 50 and 200 million climate refugees by 2010 (Axel Bojanowski, „UN Embarrassed by Forecast on Climate Refugees“ [<https://www.spiegel.de/international/world/feared-migration-hasn-t-happened-un-embarrassed-by-forecast-on-climate-refugees-a-757713.html>]).

9 See Michael J. Sandel, *Pravednost: Kako ispravno postupiti? (Justice: What's the Right Thing to Do?)*, Algoritam, Zagreb 2013, p. 261. For a comprehensive account of ethical dilemmas in the context of contemporary climate change, the following is recommended: Stephen M Gardiner, *A Perfect Moral Storm: The Ethical Tragedy of Climate Change*, Oxford University Press, Oxford — New York 2011.

seems that we are still facing the “unknown indeterminate” of human transition in the 21st century. Environmentalists emphasise that the greater the problem is, it is less likely to know anything about it. In those cases, we are not able to ask questions, and we are unable to imagine the possible consequences. “Therefore, fighting climate change,” Canfin and Staime point out, is a “civilisation issue” of paramount importance. In doing so, we need to respect and be aware of the lack of human ability to understand.¹⁰

For the last fifty years, there has been intense talk about the need for global involvement in possible remediation of our only home, as we have not enabled any other (although some predict that this might happen long before expected). Justice to our home and environment and justice to human are two kinds of “discussions” that take place in parallel but often in diverse “areas”. The interconnectedness of the state of Earth and everyday human life is often ignored in contemporary environmental discussions, but at this historical moment, we cannot afford to ignore it. It is simply not possible to separate the care for the Earth from the concern for the human because the problems that affect the environment also affect the people who live in it.

At the time of the creation of the word (in 1873), predominant concern was with “ecological” state of (working) class and the living vs working condition of only one part of the population, while today the word “ecology” covers the area of global and cultural crisis affecting the world’s total population. Ecology is not, Leonard Boff says, “the luxury of the rich (...) something that concerns only the Northern Hemisphere,” but, “a matter of life and death for humanity and entire planetary system.”¹¹ We could, therefore, state that environmental issues have moved from a fragmented to a total, from a selective to a universal and everyday theme, from its scientific and intellectual beginnings in the 19th century to the modern “monster” of environmental problems. Human beings are changing the face of our planet so radically and rapidly, in ways that are damaging not only to contemporary humans but for future generations and other known and less known forms of life.¹²

10 See Frank Furedi, *Poziv na teror: Rastuće carstvo nepoznatog (Invitation to Terror: the expanding empire of the unknown)*, Naklada Ljevak, Zagreb 2009, p. 114.; Pascal Canfin; Peter Staime, *Klima: 30 pitanja za razumijevanje Konferencije u Parizu, (Climate — 30 questions to understand the Paris Conference)* TIMpress, Zagreb 2015, p. 14. In a series of articles in the early 1990s, Norman Myers, a British ecologist, tried to describe the “horror that may be forthcoming”, warning that the world was facing environmental problems that were still an “unknown indeterminate” to us.

11 Leonardo Boff, „Ecologia: politica, teologia e mistica“, in: L. Boff, *Ecologia, mondialità, mistica: L'emergenza di un nuovo paradigma*, Cittadella, Assisi 1993, p. 21.

12 See Dale Jamieson, „When Utilitarians Should Be Virtue Theorists“, *Utilitas* 19 (2007) 2, p. 160. doi.org/10.1017/S0953820807002452

It is absurd that the global environmental problems today most affect (directly or indirectly) (again) one but very numerous social group — the poor — of which, according to recent United Nations data in 2015, 836 million of them are extremely poor.¹³ The dialectic of human and environmental crisis shows all its absurdity — those who have contributed the least to the crisis face the gravest consequences that are potentially devastating for them and their future. However, Branko Milanovic, a World Bank economist, points out that not the class, but the area is responsible for inequalities. The area is “responsible for two-thirds of all inequalities”. His conclusion was, “Either poor countries will become richer or poor people will migrate to rich countries.”¹⁴

III

In a recent study on the impact of global warming on increase of social inequalities,¹⁵ the authors emphasise that over the past half-century climate change has increased inequality among countries slowing the growth of the poorest countries while enhancing the growth of those most developed. The gap between the poorest and richest countries (among which are the ones that contributed most to global warming), due to the global warming, is now about twenty-five per cent larger than in the scenario without the increase of the temperature. While the poorest have suffered enormous damage due to climate change, the richest have benefited. On the other hand, the richest feel the effects of climate change the least, while the poorest are the most direct victims. We know today that climate change is not only “a multiplier of threats” but is exacerbating existing ones.

While some will be tending to mitigate the effects of these impacts, others have to accept them with all their negativities or perhaps leave the places

13 The numbers are actually even more frightening if we put them in a comparison to, “One percent of the richest people in the world in 2015 were in possession of property worth more than 99 percent of the remaining residents. The assets of the world’s richest multi-millionaires exceed 50 percent of the world’s population. In 2015, there were 1826 billionaires in US dollars, and in 2016 almost 3 out of 7.4 billion people (...) survived with \$2 a day, and often with less. The World Bank’s bureaucrats modestly call these unfortunate people the extremely poor” (Jean Ziegler, *Putevi nade, Pobjede i porazi u zajedničkim bitkama (Chemins d’espérance: ces combats gagnés, parfois perdus mais que nous remporterons ensemble)*, Timpres, Zagreb 2018, p. 38).

14 See Paul Mason, *Postkapitalizam: Vodič za našu budućnost (PostCapitalism: A Guide to Our Future)*, Fokus komunikacije, Zagreb 2015, pp. 330–331.

15 See Noah S. Diffenbaugh; Marshall Burke, „Global warming has increased global economic inequality“, *Proceedings of the National Academy of Sciences of the United States of America* 116 (2019) 20, pp. 9808–9813. doi.org/10.1073/pnas.1816020116

where they have lived for various socio-economic reasons. Therefore, there is an underlying reason for the fact that very few countries have disappeared since 1945. But, in the forthcoming century, climate change may make the disappearance of nations as a well-known phenomenon.¹⁶ Climate change is not arbitrary. It has quite tangible results worldwide. But the ability to deal with them is not universal. People who are socially, economically, culturally, politically, institutionally or in some other way marginalised are particularly vulnerable to climate changes, as stated by the United Nations. The vulnerability in question concerns especially droughts, shortages of water, floods, other extreme conditions, reduced crops and food production scarcity of fertile land in the lowland and desertification of island, loss of biodiversity, the spread of diseases and the like. Although these effects are not “reserved” exclusively for the poor, they have a reduced ability to cope with them. These are the most challenging issues of social justice.¹⁷

However, the importance of everyday and complex problem of the dialectic of the ecological crisis is evident by the fact that we are all (mostly informed superficially and selectively by media) facing a radical crisis of the environment that threatens human survival and modern society continues to do the things that lead to this crisis, with one significant difference. Today, as Naomi Klein rightly notices, it is as if we are making even greater efforts to deepen and ignore the environmental crisis, whose potentially close (predicted in ten years) catastrophic consequences were described back in 1969 in a report by The Club of Rome entitled “The Limits to Growth”.¹⁸ Although, we were aware for a long time of the danger of further complications to the crisis of all life in “our shared home”, the modern human continued to live in a certain cognitive dissonance by applying “occasional ecological amnesia”, that is, forgetting that climate change grows into the existential crisis of humanity in its totality. Most people are too preoccupied with current problems to deal with visions of the future, culture theorist Terry Eagleton will say, adding that we are mostly occupied with what we need today. In doing so, we often forget that the dialectic of the ecological crisis, and nature

16 See J. Busby, „Warming World: Why Climate Change Matters More Than Anything Else”, p. 52.

17 See Haley Hansel, „How Social Justice and Environmental Justice Are Intrinsicly Interconnected“ <https://blog.pachamama.org/how-social-justice-and-environmental-justice-are-intrinsicly-interconnected>, 15 February 2019).

18 See Donella H Meadows [et al.], *Granice rasta: izvještaj istraživačke skupine Massachusetts institute of technology za nacrt Rimskog kluba o dilemama čovječanstva (The Limits to Growth: A report for the Clu of Rome's project on the predicament of mankind)*, Stvarnost, Zagreb 1974.

as a whole, painfully and daily reminds us that “our destiny is inextricably linked to the fate of the Earth” (Boff).¹⁹

“Human activity,” Andre Gorz will say, “finds in its nature outer boundaries, and not respecting those boundaries inflates revenge”.²⁰ That “revenge” unlike the time Gorz referred to it (in 1978), is no longer “discrete” but “catastrophic” because it came much faster than scientists have predicted (already mentioned “The Limits of Growth” prediction or later “Our Common Future” in 1987 are the most prominent). Today, better than two hundred years ago, “we see that modern industry, technology and science are by no means only beneficial in its effectiveness. Our world is more populated and richer than ever, but it is also close to ecological disaster.”²¹

A kind of social catastrophe accompanies this ecological catastrophe because it is easy to see that the global development of the economy has not reduced inequalities not even improved the living conditions of the poorest. Not only that the fruits of progress are not distributed by justice, but as Pascal Bruckner says, they are poisonous, harmful, wasted, and he concludes “The difference in the income of the rich and the poor (...) is gradually taking the scale of almost metaphysical differences as if some inexorable theology spared one and rejected the others.”²² We wonder, by right, if we do live at the end of time.

IV

Referring back to an ecological disaster, we might make that “Badiou’s step back” and ask, “How did it all begin?” We might discover some laws and solutions at that beginning. Some authors will emphasise that the trigger for the development of the current ecological crisis began with the fossil economy in Britain in the first quarter of the 19th century. That was the time of the so-called “energy change”, “switching from one economic system dependent on one or a series of energy and technological sources to another”. The contemporary ecological crisis is directing us towards another energy switch “sustainable energy”. However, this energy alteration should also take place

19 Leonardo Boff, *Grido della terra, grido dei poveri: Per un'ecologia cosmica*, Cittadella, Assisi 1996, p. 31. See Josip Berdica, „Ekologija, pravедnost i siromaštvo: Poticaj ekološkoj problematici enciklike *Laudato si*“ (*Ecology, Fairness and Poverty: Environmental Issues in Encyclical Letter Laudato si*), *Vjesnik Đakovačko-osječke nadbiskupije*, 144 (2016) 4, pp. 16–17.

20 Andre Gorz, *Ekologija i politika (Ecologie et politique)* Prosveta, Beograd 1982, p. 42.

21 Anthony Giddens, *Sociologija (Sociology)*, Nakladni zavod Globus, Zagreb 2007, p. 631.

22 Pascal Bruckner, *Bijeda blagostanja: Tržišna religija i njezini neprijatelji (Misere de la prosperite — la religion marchande et ses ennemis)*, Algoritam, Zagreb 2004, p. 14.

on previously known substances in history prevalent during the establishment and early development of “fossil economy”. First, the transition was slow. Second, it was driven by prices. Third, it required new technology. If we add to this human capital, scientific discoveries, collaborations and narrow-minded personal interests, the future transition to “sustainable energy” should have the same or at least similar features. The difference is that the transition that will now have to occur will be driven by the urgent need to stop or at least reduce catastrophic climate change.

However, there is something called a “key constraint” to replace “fossil economy” with a “sustainable economy”, and that is “resistance to personal interests”.²³ While the country is a complex system, the economy is quite “a simple machine with investments and products, the energy needed to create and rational control — market.”²⁴ That also explains the persistent struggle between climate science and its conclusions on the one hand, and capitalism with its dominance of the economy on the other. Climate change is related to the stagnant, fragile economic model that has problems with equal distribution of both impact and cost within the global system. Perhaps it is overrated to say at this point that capitalism, as we know it, is finished if climate changes are real. Even if capitalism would be history, it does not mean it will affect growth. “Fighting for a new society,” Gorz points out, “is futile without a fight for new technology,” not only changing tools but also values are the essential prerequisites for changing society, ultimately protecting this only home we have.²⁵ The emphasis here is on the part that relates to the issue of values, that is, our focus on values that will not only form but also enable a new society in a healthy natural environment. Yet, to speak of values today means to expose yourself to potential conflicts and quarrels with those who focus their minds on the (personal) gain, earnings or profit.

Thus, “environmental justice” is beyond capitalism and its “fossil economy” because it presupposes “restoring spiritual connection with the earth, with nature, and therefore with itself.” It is a form of “awareness”, a combination of conscience and consciousness, that includes “consequences that unequal power-wealth relationships leave on people’s lives and their material existence.”²⁶ The awareness that the poorest will face the worst impacts of climate change brought by wealthiest is no news to us, but little is said

23 See Andreas Malm, *Fossilni kapital (Fossil capital)*, Institut za političku ekologiju — Fraktura, Zagreb 2018, pp. 23–25.

24 P. Mason, *Postkapitalizam: Vodič za našu budućnost (Postcapitalism: A Guide to Our Future)*, p. 317.

25 Andre Gorz, *Ekologija i politika (Ecologie et politique)*, p. 49.

26 See John Blewitt, *Razumijevanje održivog razvoja (Understanding Sustainable Development)*, Naklada Jesenski i Turk, Zagreb 2017, pp. 161–162.

and even less done about it. We can only guess what the consequences of this will be (not might, but will be) in the near future!

The environmental movement was initially concerned with the ecology of the “natural world”, but in the 1980s a movement for “environmental justice” appeared, which became the “determining principle and logic (...) of a new movement dealing with ecology-related class problems, ethnicity, race, gender, socioeconomic inequalities, and discrimination in the distribution of environmental impacts and their costs.” The concept of “environmental justice” facilitated rephrasing of the term “ecological”, whereby homelessness, poverty, hazardous working conditions, health and safety in the workplace and surrounding communities became essential elements of “ecological” discourse and brought it closer to the idea of sustainability.²⁷ That implies that the environmental damage caused by “rising consumption is affecting the poor the most.” It is they who are most harmed by adverse effects.²⁸ Therefore, the concept of “environmental justice” is based “on the principle that all people have the right to be protected from environmental pollution and to live and enjoy a clean and healthy environment”. It “means equal protection and meaningful engagement of all people concerning the development, enactment and implementation of environmental laws, regulations, rules and the fair distribution of environmental benefits.”²⁹

On the other hand, there are growing complaints from those who will justifiably warn that the concept of “sustainable development” neglects the specific needs of poorer countries, that is, it focuses only on the needs of the richer countries, which loses sight that high consumption in the richer countries is most often met to the detriment of those poorer. “There is widespread concern,” Giddens points out, “that the explosion of consumption has bypassed the poorest fifth of the world’s population.”³⁰ There is an impression that it is most expected from the poorest, although the belief that the problem of “environmental protection” can be most effectively addressed by those who created it has been increasingly spread. That is the darkest point of what Timothy Morton describes as “dark ecology”, that is, dark-depressing environmental consciousness.³¹

27 See J. Blewitt, *Razumijevanje održivog razvoja (Understanding Sustainable Development)*, p. 159.

28 See A. Giddens, *Sociologija (Sociology)*, p. 612

29 See J. Blewitt, *Razumijevanje održivog razvoja (Understanding Sustainable Development)*, p. 158.

30 A. Giddens, *Sociologija (Sociology)*, pp. 611–612.

31 See Timothy Morton, *Tamna ekologija (Dark Ecology)*, Sandorf & Mizantrop, Zagreb 2018, p. 19.

Therefore, it would be too superficial, Amartya Sen points out if we were to understand environmental protection exclusively as a “state of nature” that is best protected if it is not touched, for two important reasons. First, the value of the environment must not only relate to what currently exists but also of the opportunities that the environment could provide in future. “The environmental impact on human lives,” he said, “must be one of the main factors in assessing the value of the environment.”³² The environment is therefore closely linked to their lives in general and human lives in particular. It is for this reason that environmental sustainability will be defined as “preserving and enhancing the quality of human life”. In 1987 sustainable development was defined assuming that the “development should meet the needs of the present without compromising the ability of future generations to meet their needs.”³³ Second, the environment is not only a matter of passive conservation but also of active labour, that is, creation. Despite devastating consequences, humans also have the ability to “enrich and improve the environment in which we live.” The environment is, therefore, not merely a passive maintenance of pre-existing natural conditions because it can also include the results of human creation.

According to Robert Solow, sustainability is the demand that the next generation must be left “everything necessary to achieve a standard of living as good as ours and taking care of their next generation in the same way.” In addition to environmental protection, one of the most respected economists of our time introduces another important dimension into contemporary debates about “sustainable development” and that is meeting the needs or living standards. Likewise, sustainable development is not exhausted in the present because attention must be focused on “the interests of all future generations by ensuring that each generation takes care of the next.”³⁴ These are brand new, so to say, the ethical implications of climate change, summarised in what Rob Nixon will call “slow violence” — through the ecosystem, extended over extremely long periods.³⁵

But are “meeting the needs” or “living standards” crucial to deciding whether or not to preserve our environment? For example, how some of the indisputable facts relate to our living standards — for instance, in 2012 the

32 Amartya Sen, *Ideja pravednosti (The idea of justice)*, Naklada Jesenski i Turk, Zagreb 2017, p. 238.

33 A. Sen, *Ideja pravednosti (The idea of justice)*, p. 238 The concept of “sustainable development” was first used in the mentioned book *Our Common Future* (known as the *Brundtland Report*), authored by the United Nations World Commission on Environment and Development (WCED).

34 A. Sen, *Ideja pravednosti (The idea of justice)*, p. 239.

35 Usp. A. Malm, *Fossilni kapital (Fossil capital)*, p. 18.

world's carbon dioxide emission level was 58% higher than in 1990, butterfly populations in North America embarked on dangerous journey to North to escape the mounting heat, the Arctic ecosystem is quickly approaching a whole range of critical boundaries etc.³⁶

There are environmental considerations that have little to do with the human standard of living, much less to gross national income, but rather our sense of worth and recognition of our fiduciary responsibilities. Since we are more powerful than other species, we have a specific obligation to them that is tied to this asymmetry of power. The importance of human life lies not only in our standard of living and meeting our needs but also in the freedom we enjoy. By preserving nature, humanity also protects its own freedom (including the freedom to satisfy our needs). "Sustainable freedom" includes "the preservation and (where possible) extension of the substantive freedoms and capabilities of contemporary people without compromising the ability of future generations to enjoy similar — or greater — freedom."³⁷

V.

Environmental problems in practice reveal uneven criteria and consequent inequalities. The issue of preserving living standards is highlighted by a 1983 study by the US Office of the Chief Financial Officer, which found that three-quarters of south-eastern toxic wasteland fields are located among African-American communities.³⁸ Paradoxically, the burdens suffered by poor communities are for the most part produced in wealthier quarters, so the concern for the living standards and meeting the needs of the developed emerges as externality affecting the poor.

If we extend the issue of the interests of the powerful and the weak to the global level, we can observe how the relations of inequality are embedded in the principle of the mechanism of resolving problems. The Kyoto agreement³⁹ should reflect the concern for environmental sustainability but

36 Usp. A. Malm, *Fossilni kapital (Fossil capital)*, p. 11.

37 Usp. A. Sen, *Ideja pravednosti (The idea of justice)*, pp. 240–241.

38 David Schlosberg, Lisette B. Collins, „From environmental to climate justice: climate change and the discourse of environmental justice“, *Wiley interdisciplinary Reviews: Climate Change* 5 (2014) 3, p. 360. doi.org/10.1002/wcc.275

39 The agreement was ratified by the Croatian Parliament in 2007 as the Kyoto Protocol to the United Nations Framework Convention on Climate Change (see International Documents NN5/2007, https://narodne-novine.nn.hr/clanci/medunarodni/2007_05_5_71.html 28 May 2019).

is a factor of further deepening inequality by financialisation⁴⁰ of fossil capital. It is visible from proclamation principles of the Kyoto Protocol, Article 2, Paragraph 1, which focus on improving energy efficiency in essential sectors of the national economy and reducing market imperfections, fiscal incentives and support in all sectors that oppose the objective of Convention that there is a market premise in resolving climate change. As in the case of African— American communities in the US, the market mechanism also benefits the wealthier and more developed by setting up trade-in reduction units (ERU), allowing countries which claim quota to repurchase them from those signatories that own excess by clean development mechanisms (CDM) and CO2 transfer (ETS)⁴¹.

Carbon markets are evolving by raising needs and copying of financial processes⁴², which is a common path through market and advertising for new commercial products. Aspects of nature and the environment are transformed into commodities. In the old carbon economy that happened with carbon dioxide emissions, and in the new carbon economy the same process has been spread to carbon offset pools (for example, forests) and leads to the commodification of the earth.⁴³ The consequences are not “Merton’s unintended, but rather perverted in Boudon’s sense. The economy of offsetting, through estimating the costs of growth, leads to an increase in the value of carbon, biofuels and other offsets⁴⁴ and further deepens inequalities. In all forms, from the moral to the carbon market, the market and economy are efficient for one and exploitative for the other. Here, too, the global economy shows an asymmetrically interconnected world of the information economy and global division of labour⁴⁵ based on the premise of ecology and environmental protection.

Environmental justice is an attempt to respond to environmental risks and inequalities, but what happens when its instruments are structured like the Kyoto Protocol? What solution can market mechanisms truly offer in achieving environmental justice if environmental issues themselves are a

40 Philippe Descheneau „The currencies of carbon money and its social meaning“, *Environmental Politics* 21 (2012) 4, p. 606. doi.org/10.1080/09644016.2012.688356

41 Kyoto Protocol, article 6.

42 See Philippe Descheneau; Matthew Paterson, „Between Desire and Routine: Assembling Environment and Finance in Carbon Markets“, *Antipode* 43 (2011) 3, pp. 662–681. doi.org/10.1111/j.1467–8330.2011.00885.x

43 See Gavin Bridge, „Resource geographies 1: Making carbon economies, old and new“, *Progress in Human Geography* 35 (2011) 6, pp. 820–834. doi.org/10.1177/0309132510385524

44 See James Fairhead [et al.], „Green Grabbing: a new appropriation of nature?“ in: *Journal of Peasant Studies* 39 (2012) 2, pp. 237–261. doi.org/10.1080/03066150.2012.671770

45 Manuel Castells, *Uspon umreženog društva (The Rise of the Network Society)*, Golden Marketing, Zagreb 2002, p.178.

consequence of laissez-faire environmental relations? In this case, the agreement is transformed into a means of reinforcing inequality through exploitation⁴⁶, evident in the relationships between the developed and underdeveloped world, the centre and the periphery. Land in undeveloped countries that has a lower cost and practical value is used to diminish the externalities caused by CO2 emissions from developed countries. The consequences are not only shown at the state level but also at communal levels.

It is the local communities that have contributed most to the growth of the environment protection through movements such as “Not in my backyard.”⁴⁷ The use of carbon offset often involves the adoption of land in less developed parts of the world and countries where foreign investors are the leading players. Hidden behind ecology and environmental narratives, their goals easily remain unfathomable to the local population. The global legitimacy of ecology gives them a wide margin of manoeuvre in which the state has yet to cope. One such example occurred in Uganda in 2012 when Norwegian company Green Resources was licensed to establish and operate forest plantations. The local population of Bukaleba fed on farming, gathering and fishing. With the arrival of investors, there has been a gradual restriction of their former forest use rights, with some families even suffering the destruction of homes, threats from local police and private security companies.⁴⁸ The environment has suffered from pesticide pollution, while the mass planning of non-domicile monocultures has disrupted the ecosystem.

The holism of “environmental justice”, as Castells calls it, takes an entirely different view. The new world of ecology is a world where money grows on trees. Some consequences are already visible, but it is useful to look back and think about what else we could expect. In the situation where monetary value is continuously attached to more areas of nature, the question is who will own it in the future. Will nature and the environment become the issues of utmost importance that will be addressed primarily by powerful corporations and states? What has happened in England in the past with the enclosure of agricultural land today is happening globally through markets, no longer by the will of kings but rationally, under the justification of ecology. Will we be alienated from nature in the future as well? Environ-

46 See Charles Tilly, *Durable Inequalities*, University of California Press, Berkeley — Los Angeles — London 1999, p 86.

47 Manuel Castells, *Moć identiteta (The power of identity)*, Golden Marketing, Zagreb 2002, p. 122.

48 Frédéric Mousseau; Shannon Biggs (ed.), *The Darker Side Of Green: Plantation Forestry and Carbon Violence in Uganda*, Oakland Institute, Oakland 2014 (https://www.oaklandinstitute.org/sites/oaklandinstitute.org/files/Report_DarkerSideofGreen_hirez.pdf, 15 May 2019)

mental protection is becoming a new area of struggle in which local people, international corporations and state clash.

VI

Those who have experienced the direct effects of climate change may be the best people to listen to on this topic. One of the dangers of the moment is that by starting to invest in tackling climate change, there is a real risk that those actions could exacerbate inequalities. For example, to build seashores, drainage systems and new infrastructure is expensive. Many places will do it better or worse than others or may not have the strength at all to undertake such endeavours. We have reached the point where most people believe that climate is changing, and they think that it is mostly related to human behaviour. It seems that the other contemporary issues of concerns are perceived as more significant problems than climate change. Unemployment, access to health care, crime, abortion, immigration — all of these things will take precedence when, for instance, people vote on elections. Yet, injustice here shows all its hypocrisy. “Environmental injustice” overwhelms our everyday lives, in which some parts of the population are generally more affected than others, those already recognised as the most vulnerable. It seems that environmental disasters “if not addressed, will not only perpetuate themselves but also lead to other environmental, economic and social problems.”⁴⁹ “Either we will restrain climate disasters, or we will face greater dangers”⁵⁰ of whom will suffer those already endangered.

Is there any room for debate about justice then? Justice should include the protection of the common good, that is, the protection of our common environment, which is currently neglected, and which enables particular local communities more or less comfortable living. The environmental mechanisms mentioned above clearly do not help on that path. It is unnecessary to ask who they serve. Considering the fact that justice is “the first virtue of social institutions, as truth is in systems of thought” (Rawls), and that laws and institutions that would be unjust need to be reformed or abolished, we should honestly think about how much the current mechanisms of preserving the common environment contribute to establish and maintain justice as a fundamental virtue of all our common (social) institutions. Let us also add that justice as the crown of all virtues is not and cannot be the subject of

49 See J. Blewitt, *Razumijevanje održivog razvoja (Understanding Sustainable Development)*, p 161.

50 P. Canfin; P. Staime, *Klima: 30 pitanja za razumijevanje Konferencije u Parizu (Climate — 30 questions to understand the Paris Conference)*, p. 15

political bargaining or the calculation of social institutions to pursue some social interest.⁵¹

For this reason, contemporary environmental discourse will increasingly emphasise the problem of equitable “distribution of environmental impacts and their costs”. Climate changes — these “external shocks” that we try to overcome by reducing carbon dioxide consumption — burden the entire global system, which will either lead to an “orderly replacement of a market economy” (based on the use of fossil energy) or “their unorderly collapse in rapid stages”. “In the poorest countries, the combined impact of population growth (especially older), industrial corruption, distorted development and climate change will leave tens of millions of poor people without a land, whose most logical choice would be to move out.”⁵² That is the real challenge of caring not only for our common home but also for the crown of all the virtues of institutions — justice.

Searching for the causes of the ecological crisis, Pope Francis rightly emphasises that it has not only economic and financial, but its roots are primarily ethical and anthropological. “Since this is a crisis of man, a crisis that destroys man”, Francis points out, “it is a crisis that takes away ethics from man.” If in public life, there is no ethics that should be a landmark and stronghold, then anything is possible and everything is allowed. It is precisely the lack of ethics in everyday life, and even among Christians themselves, that does much harm to the whole of society, and therefore to our shared home.⁵³ The goal of caring and protecting the environment is to provide every person with the dignity, that presupposes freedom, equality, solidarity and justice. That also makes the care for “our shared home” the quintessence of care. Those are the two classes of caring that must go “hand in hand today”. Ultimately, we cannot and should not discuss justice by abstracting our goals and relations.

51 See Josip Berdica, „Pravednost kao prva vrlina društvenih institucija: Propitkivanje s Rawlsom“ (Justice as the First Virtue of Social Institutions. Rethinking with Rawls), *Filozofska istraživanja* 33 (2013) 4, pp. 667–668.

52 P. Mason, *Postkapitalizam: Vodič za našu budućnost* (*PostCapitalism: A Guide to Our Future*), pp. 332–333.

53 See Josip Berdica, „Ekologija, pravednost i siromaštvo: Poticaj ekološkoj problematici enciklike *Laudato si'*“ (*Ecology, Fairness and Poverty: Environmental Issues in Encyclical Letter Laudato si'*), p. 23.

Summary

(IN)JUSTICE OF ENVIRONMENTAL PROTECTION

A brief reflection on a major topic

Environmental issues are among the most critical scientific and social problems of today. The human environment is an environment of inequality and crisis, and a platform for debate on the fairness of social order. The crisis is the result of human behaviour, which reflects the failure of development and unjust distribution of consequences. The gap between rich and poor on a global scale is evident in the disproportionate climate change impacts on countries and their ability to cope. In this respect, the economic and political inequalities between First and Third World countries are fortified by ecological ones. The development of international environmental mechanisms such as the Kyoto Agreement is instrumental in this kind of change. The pursuit of tackling and controlling climate change has its unforeseen consequences, whereas in specific communities the existent inequalities are emphasised in new forms. If mechanisms developed for the environment, such as the market of carbon emissions and the carbon balance, lead to environmental injustice and disproportionately affects vulnerable groups, it raises the question of their purpose. On the path of Rawl's idea on the fairness of social institutions, such system demonstrates itself as contradictory and unjust.

KEYWORDS: Carbon market, Ecology, Justice, Kyoto agreement, Social inequalities