

CRITICAL ANALYSIS OF THE HISTORICAL DEVELOPMENT OF ETHICAL-LEGAL DISCOURSE ON CLIMATE CHANGE MANAGEMENT

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Abstract: This paper has focused on the historical development of ethical and legal thought on climate change. The study has aimed to historically locate ethical and legal basis on environmental with the urge to overcome climate change, to establish the advent of climate change reality and the management mechanism, and finally bring about the intersection between ethics and law on climate change management. The study has traced philosophical ideas on the environment from ancient and classical times through the medieval, renaissance, modern, and contemporary periods. It has also explored the African perspectives on environmental issues and considered climate change science's legal and ethical dimensions from the 19th century to the present. Here various approaches to climate change management mechanisms such as anthropocentrism, ecocentrism, biocentrism, regenerative paradigms, climate justice, and holistic approaches have been discussed, thus placing into perspective what has been down. To achieve this goal, the study was guided by Husserl's Phenomenological Method and theory which has analyzed the climate change discourse throughout the discourse. The discourse has culminated with bringing out clarity on the complex web of ideologies, power dynamics, and institutional structures that shape responses to the climate change crisis and create sustainable mechanisms.

Keywords: Climate change, Anthropocentrism, Ecocentrism, Biocentrism, Regenerative paradigms, Climate justice and Holistic approaches

Introduction

The climate change is one of the most significant challenges of our day; it transcends country boundaries, cultural values, and academic disciplines. Its effects are complex and far-reaching, affecting everything from socioeconomic instability to environmental damage. In addressing this worldwide emergency, the conversation over climate change has progressed from scientific investigation to include both ethical and legal aspects. This chapter embarks on a critical interrogation of the development of ethical-legal discourse on climate change, tracing its evolution over time and examining the pivotal junctures that have shaped its trajectory. This is from early philosophical reflections on humanity's relationship with nature to contemporary legal frameworks targeting climate change management and brings about the intersection of ethics and law in this adventure.

The Classical Philosophical Epoch

Classical thinkers refer to philosophers and influential minds from various periods and regions. However, in our context, we refer to the thinkers of ancient Greece and Rome who laid the foundation for Western philosophy, literature, and political thought. Classical philosophy implicitly offers timeless insights into humanity's relationship with the environment which are highly related to the philosophy of nature, that is cosmology and their insightful ideas are as analyzed below;

The Pre-Socratics' main focus was on comprehending the essence of reality, which holds that the world was formed from one or a few fundamental components. For instance, Thales of Miletus is often considered the first philosopher who proposed that water was the first principle from which all things arose in his work he says

“Water is the principle, or the element, of things.”¹ We acknowledge that water is a fundamental component of nature and a natural resource. Thales also had a strong belief that “the world is full of gods,”² which indicates that natural phenomena are infused with spiritual significance.

His contemporary Anaximenes of Miletus disagreed with Thales and argued that air was the primary substance he asserts that “Air is the primary substance of everything.”³ He believes that air condensed to form water and earth, and rarefied to form fire. Anaximenes’ theory that air is an essential element in the universe and humans emphasizes the relationship between the entire universe and each human person.

In his various works, Plato a classical thinker also expressed profound thoughts on nature, that is the cosmos, and the natural order. To begin with, Plato asserts in *Timaeus*, “The earth, which is our nurse, compacted and welded together... which we may truly call our foster mother, as she is the parent of our nurture and the source of our food and drink, and of all other good things.”⁴ In this discourse, Plato presents to us the importance of nature to man and he presents nature as a mother who nourishes. He continues “We are a part of nature as a whole, whose order we follow,”⁵ and thus, we need to be interconnected with the nature of reality. Hence from *Phaedrus*, Plato writes, “Nature is teaching us that we must find the truth within ourselves,”⁶ and he thus presents nature as intelligible and holistically bounded interdependently together.

Plato in his work *In Laws*, asserts that;

He who is not a good servant will not be a good master, but no one is a good servant who is entirely forgetful of his duty to the gods and who does not hold in respect those who ought to be respected. The proper function of nature is to provide sustenance, warmth, and shelter, and it should be considered sacred and inalienable by men, to be used with moderation.⁷

In this regard, considering Plato’s perspective, we realize his profound appreciation of nature, emphasizing the importance of a harmonious relationship between humans and the natural world and the need to understand and respect the natural order. In *Ennead*, Plato’s notion of ideas was characterized by Plotinus as the entirety of the universe he states, “The whole organism is a complex unity of diverse parts, each having its place, but all working together in mutual dependence and relation, to form one complete and harmonious whole.”⁸ It therefore presents to us that according to Plato, there is a reciprocal link between both living and non-living components of ecosystems in natural settings.

Aristotle one of the ancient philosophers asserts that “In all things of nature there is something of the marvelous,” which is a statement expressing beauty as an innate quality of the cosmos. In *Laudato Si’*, Pope Francis uses this phrase, “Encountering God does not mean fleeing from this world or turning our back on nature. This is especially clear in the spirituality of the Christian East, Beauty, which in the East is one of the best-loved names expressing the divine harmony.”⁹ He uses the idea to imply that nature or environment has original beauty or harmony as its intrinsic qualities for its being. Later, Pope Francis used Aristotle’s virtue ethics to call for ecological conversion, borrowing the Aristotelian conception that, “we are what we repeatedly do. Excellence, then, is not an act, but a

¹ G.S. Kirk, J.E. Raven, and M. Schofield, ed. and trans., *Thales in The Presocratic Philosophers* (Cambridge: Cambridge University Press, 1983), 76.

² Kirk et al., *Thales in The Presocratic Philosophers*. 77.

³ G.S. Kirk, J.E. Raven, and M. Schofield ed. and trans., *Anaximenes in The Presocratic Philosophers*, (Cambridge: Cambridge University Press, 1983), 83.

⁴ Plato, *Timaeus*, trans. Donald J. Zeyl (Indianapolis: Hackett Publishing Company, 2000), 79a.

⁵ Plato. *Timaeus*. 47b.

⁶ Plato, *Phaedrus*, trans. Benjamin Jowett (New York: Dover Publications, 1993), 230d.

⁷ Plato, *In Laws*, Trevor J. Saunders, trans. (London: Penguin Books, 2004), 823d.

⁸ Plotinus. Bertram Samuel, Plotinus ed., *The Enneads*. Bertram Samuel Page, Stephen Mackenna Trans., (London: Faber, 1969), 179.

⁹ Claes Johnson, *The Clock, and the Arrow: A Brief Theory of Time* (New York: Claes Johnson.), 197.

habit.”¹⁰ That the attitude towards the environment is learned. Aristotle also comes out as one who believed that there are key and minor differences in the elements that comprise an ecosystem.

Lucius Annaeus Seneca the Younger was a prominent figure in ancient Rome and a Stoic philosopher who asserted that “True happiness is... to enjoy the present, without anxious dependence upon the future, not to amuse ourselves with either hopes or fears but to rest satisfied with what we have, which is sufficient, for he that is so wants nothing.”¹¹ This has been used as a maxim in Anthropocentrism which goes on to construct the utilitarian theory by emphasizing the importance of man and happiness which has been widely used in environmental ethics, but negatively bringing about environmental degradation.

In conclusion, because of their shared causality principles, the classical thinkers portray a deep and mutually beneficial interaction between people and their surroundings. They contemplated a peaceful and respectful interaction with nature, recognizing its spiritual, nurturing, and inherently valuable qualities. These enduring principles urge humanity to foster a harmonious and sustainable connection with the natural world, offering a philosophical foundation for contemporary environmental ethics.

The Early Medieval Philosophy Epoch

Early medieval philosophy, often influenced by Christian thought, also offers insights into environmental values and ethics. Here are some sample environmental-related quotes from early medieval philosophers and theologians. Augustine of Hippo asserts that;

People travel to wonder at the height of mountains, at the huge waves of the sea, at the long courses of rivers, at the vast compass of the ocean, at the circular motion of the stars, and they pass by themselves without wondering. [He adds] The world is a book and those who do not travel read only one page.¹²

Through his thoughts, Augustine clarifies that the environment is conceivable and is a living composite reality. He also brings into our awareness the therapeutic effect of nature.

Francis of Assisi highlighted the importance of treating both animate and inanimate with both respect and thus reverencing the holiness of the natural world. Pope Francis’s teachings on simplicity, humility, and connection to all living things have had a noteworthy effect on spirituality and environmental ethics. Saint Francis of Assisi marvels that “Praise be to you, my Lord, through our sister, Mother Earth, who sustains and governs us, and who produces various fruit with coloured flowers and herbs.”¹³ The above quote will in many centuries inspire Pope Francis to write *Laudato Si’*.

Moreover, the idea of natural law, which Aquinas developed, holds that moral principles are innate and control both human and natural activity. According to his definition of natural rules, which are derived from nature and he says “I answer that every human law has just so much of the nature of law as is derived from the law of nature. But if in any point it deflects from the law of nature, it is no longer a law but a perversion of law.”¹⁴ This perspective suggests that humans have ethical obligations towards nature, including the responsible use of resources and the preservation of biodiversity.

In this epoch by fusing philosophical ideas with observations on nature, religion, and human behaviour, medieval philosophers made significant contributions to environmental philosophy. They emphasise the role of God while highlighting the importance of environmental sustainability and preservation. They also laid the groundwork for our current understanding of how humans interact with the environment. They also serve as a further reminder of how

¹⁰ Francis. *Laudato Si’*. 235.

¹¹ Keith Seddon, Roger L'Estrange, *Seneca on Happiness, Virtue, and Philosophy as the Guide to Life*, (London: Keith Seddon, 2009), 30.

¹² Saint Augustine, *Confessions*, R.S. Pine-Coffin, trans., (New York: Penguin Classics, 1961), 216.

¹³ *Canticle of the Creatures*, in Francis of Assisi: Early Documents, vol. 1, (New York-London-Manila, 1999), 113-114.

¹⁴ Thomas Aquinas, *Summa Theologica*, Translation by the Fathers of the English Dominican Province (Benziger Bros. edition, 1947), I-II, Q. 94, Art. 2.

linked everything is and how our relationship with the natural world requires stewardship, humility, and a sense of gratitude.

The Renaissance Philosophical Epoch

The renaissance philosophical period between the 14th to the 17th centuries, saw a resurgence of interest in classical education, particularly the philosophical traditions of ancient Greece and Rome. Although the main concerns of renaissance thinkers were individuality, humanism, and the resurgence of classical ideas. While environmental philosophy as a distinct discipline did not exist during this period, Renaissance philosophers did contribute to the understanding of humanity's relationship with nature through their writings on ethics, cosmology, and metaphysics. Here are a few renaissance philosophers and their perspectives relevant to environmental philosophy.

Leonardo da Vinci a renowned artist and a keen observer of nature emphasized the importance of direct observation and empirical inquiry in understanding the sophistication of the natural world he claimed that,

Though human ingenuity may make various inventions which, by the help of various machines answering the same end, it will never devise any inventions more beautiful, nor more simple, nor more to the purpose than Nature does; because in her inventions nothing is wanting, and nothing is superfluous, and she needs no counterpoise when she makes limbs proper for motion in the bodies of animals.¹⁵

It becomes clear that through da Vinci's holistic approach to science and art, he thus laid the groundwork for later scientific inquiry into ecology and environmental science. He furthermore asserts that "Nature never breaks her laws,"¹⁶ which implies that there is a need to study nature and that all things have interconnectedness and an intrinsic beauty which is imperative to respect.

On an ethical consideration, Francis Bacon in his work *Novum Organum*, argued that "Nature, to be commanded, must be obeyed"¹⁷ thus calling for the responsible stewardship of the Earth and cautioning against the reckless exploitation of natural resources. He promoted the notion that "knowledge is power"¹⁸ and advocated using scientific advancement and technical innovation to harness nature's riches for the benefit of humanity. In our context, is understood that knowledge of nature in its positive advancement is power.

Niccolò Machiavelli in his *Discourses on Livy*, examines the interplay between people and their surroundings, stressing the influence of resources, and location on the formation of political structures and societies.¹⁹ In *The Prince*, also he sheds more light on how societal structure and human behaviours are influenced by external circumstances.²⁰ These works provide a foundation for understanding how Machiavelli viewed the interplay between human behaviour, societal structures, and external forces, which can be extrapolated to modern discussions on climate change and its societal impacts. Again, since his political theory through this responsibility is placed on the prince, the leader.²¹

In quite telling in *The Prince* moreover, Machiavelli illustrates how a good leader should act when faced with turmoil. He does that through a description of a typical severe storm which characteristically hurts climate, which in our learned guess was not thought to be and he states,

I compare fortune to one of those ruinous rivers that, when they become enraged, flood the plains, tear down trees and buildings, taking up earth from one spot and placing it upon another; everyone flees from them, everyone yields to their onslaught, unable to oppose them in any way. But although they are such a nature, it does not follow that

¹⁵ Jean Paul Richter, ed., *The Notebooks of Leonardo Da Vinci*, (New York: Dover Publications, 1970), 838.

¹⁶ Leonardo da Vinci, *Thoughts on Arts and Life*, Maurice Baring, trans., (Boston: The Marymount Press, 1906), 164.

¹⁷ Francis Bacon, *Essays on Nature and Science* (London: Smith Publishing, 2000), 25.

¹⁸ Francis Bacon, *Selected Works of Francis Bacon* (London: Smith Publishing, 2005), 100

¹⁹ Niccolò Machiavelli, *Discourses on Livy*, Harvey C. Mansfield and Nathan Tarcov, trans., (Chicago: University of Chicago Press, 1996), 62.

²⁰ Niccolò Machiavelli, *The Prince*, Harvey C. Mansfield, trans., 2nd ed. (Chicago: University of Chicago Press, 1998), 4.

²¹ Machiavelli. *The prince*. 4.

when the weather is calm, we cannot take precautions with embankment and dike, so that when they rise again either the water will be channelled off or their impetus will not be either so unchecked or so damaging.²²

Through this, it becomes clear that, despite climate change being a recent discourse, as a reality, it started a long time ago and it is imperative to take action and not to give up on a pragmatic action plan.

Giordano Bruno is renowned for his cosmological theories, which proposed an infinite cosmos with uncountable stars and possibly habitable planets which are beliefs extending beyond the Copernican model. In his work, *Cause, Principle, and Unity*, he emphasizes the unity of nature and the divine, suggesting respect for the natural world as a manifestation of the divine, he states “Nature is none other than God in things... he [God] is present in all places, in all things; the Creator and the creature are the same.”²³ Bruno’s view of nature and the cosmos can be taken to support a vision of interconnectedness that is crucial to contemporary environmental thought and the understanding of climate change, although in his days this was not the discourse.

Galileo Galilei, an Italian scientist, introduced a new scientific method based on systematic empirical observation, experimentation, mathematical analysis, and hypothesis testing. This approach laid the foundation for modern scientific inquiry.²⁴ This method has helped establish a “framework for understanding the natural world that continues to inform environmental science” and has been widely used by the IPCC. He further claims that “Nature is relentless and unchangeable, and it is indifferent as to whether its hidden reasons and actions are understandable to man or not”²⁵ which brings into play the reality that nature has its independent reason for existence which man should respect.

In conclusion, Renaissance philosophers profoundly influenced our understanding of the natural world and our role within it. Their insights laid the foundation for modern environmental thought, highlighting the importance of science, respect for nature’s inherent order, and responsible stewardship. These enduring principles still shape contemporary discussions on environmental ethics, climate change, and ecological sustainability.

The Modern Philosophical Epoch

Rationalistic philosophers are known for their emphasis on reason and rationality in understanding the world and have also contributed insights relevant to environmentalism. Baruck Spinoza did not directly address environmental issues in his writings, his philosophical ideas on pantheism, where he asserts that “Nature is none other than God in things.”²⁶ Similar to his ideas, Gottfried Wilhelm Leibniz, in *The Monadology*, presents his metaphysical system, which posits that the universe is composed of simple substances called monads. Each monad reflects the entire universe from its perspective, and all monads exist in a pre-established harmony with each other, orchestrated by God.²⁷ This harmony ensures that every part of the universe is interrelated coherently and purposefully. He claims that “the universe is a harmonious system in which every part is related to every other part.”²⁸ Their insights contribute to a broader understanding of humanity’s interconnected relationship with the natural world, the divine, and the ethical responsibilities that arise from it.

In regards to the views of Kant which do not explicitly address environmental issues, his philosophical ideas have implications for ecological ethics whereby his ethical framework provides a basis for considering the moral responsibilities humans have towards the environment. Moreover, by emphasizing principles such as the Categorical Imperative, respect for persons and nature, duty, and the inherent value of non-human beings, Kantian ethics offers insights that can inform our understanding of environmental ethics and guide ethical decision-making about the

²² Niccolò Machiavelli, *The Prince*, Peter Bondanella and Mark Musa, trans., (London: Penguin Classics, 1989), 82.

²³ Giordano Bruno, *Cause, Principle, and Unity*, Jack Lindsay trans., (New York: International Publishers, 1962), 118.

²⁴ Galileo Galilei, *Discourses and Mathematical Demonstrations Relating to Two New Sciences*, Stillman Drake, trans., (New York: Macmillan, 1914), 25.

²⁵ Saurabh Singh Chauhan, *Know About “Galileo Galilei”: The Father of Modern Science & The Father of Observational Astronomy*, (Mumbai: Saurabh Singh Chauhan publishers, 2022) 41.

²⁶ Benedictus de Spinoza, *A Treatise on Politics*, (London: Holyoake and Co., 1854), 16.

²⁷ Gottfried Wilhelm Leibniz, *The Monadology*, Robert Latta, trans., (Oxford: Oxford University Press, 1898), 272.

²⁸ Leibniz. *The monadology*. 222.

natural world, for example, his categorical imperative which requires actions to be universally applicable, respects the inherent dignity of individuals, and is driven by moral duty rather than personal desires or outcomes.²⁹

Jean-Paul Sartre, a major humanist activist, asserted that “Man is condemned to be free; because once thrown into the world, he is responsible for everything he does.”³⁰ He thus calls for the responsible exercise of individual human freedom. Sartre’s conception of the human person and freedom has been evoked in creating ethics or legal mechanisms for addressing environmental issues over time. Through his conception of subjectivity, he calls upon the need to consider the totality of reality in our decisions.

To conclude, rationalistic philosophers provide invaluable insights into the ethical and legal obligations associated with humanity’s relationship with the environment. Their ideas remain important in contemporary conversations on environmental ethics, guiding endeavours toward sustainable and conscientious stewardship of our environment.

The Contemporary Philosophical Epoch

Modern philosophers have also contributed valuable insights into environmental ethics and the relationship between humans and nature. To begin with, Henry David Thoreau an American philosopher extolled the unbridled beauty and untamed wildness of nature while advocating for the preservation of wilderness areas. He believed that wilderness provided essential spiritual nourishment and served as a refuge from the pressures of modern society he states, “In wildness is the preservation of the world.”³¹ Furthermore, Thoreau viewed nature as a wellspring of spiritual inspiration and rejuvenation. He believed that immersing oneself in the natural world could yield profound insights and a deeper comprehension of the human condition and that is why he wonders “What is the use of a house if you haven’t got a tolerable planet to put it on? - if you cannot tolerate the planet, it is on?”³² Through this, he advocates for a culture of cultivation that fosters a more intimate relationship with the natural world and encourages the responsible use of its resources.

John Muir was a passionate advocate for the defense of wilderness and natural beauty. His advocacy, as illustrated by his maxim which stated “The clearest way into the Universe is through a forest wilderness,”³³ had a major impact on the creation of National Parks in the United States. Muir believed that nature held intrinsic value and should be preserved for its own sake, not just for human use. While recognizing the potential for depletion of natural resources he called for the sustainable use of natural resources.³⁴ On the same token, he observed the negative effects of human actions like deforestation and overgrazing on ecosystems. Muir thus advocates alignment with the principles of sustainable development that are crucial in addressing climate change today.³⁵ Just like his peers he claimed, “When one tugs at a single thing in nature, he finds it attached to the rest of the world,”³⁶ whereby he too appreciates the interconnectedness of the ecosystem.

Aldo Leopold laid the groundwork for modern environmental ethics with his emphasis on ecological interconnectedness and human responsibility towards nature. He stressed the ecological interdependence of all living things within an ecosystem a situation whereby humans as part of nature, not separate from it. He urges “We abuse land because we regard it as a commodity belonging to us. When we see land as a community which we are a

²⁹ Immanuel Kant, *Groundwork of the Metaphysics of Morals*. Mary Gregor, trans., (New York: Cambridge University Press, 1998) 38.

³⁰ Jean-Paul Sartre, *Being and Nothingness: An Essay on Phenomenological Ontology*, Hazel E. Barnes, trans. (New York: Philosophical Library, 1956), 553.

³¹ Henry David Thoreau, *Walking* (Boston: Beacon Press, 1862), 24.

³² Henry David Thoreau, *Familiar Letters of Henry David Thoreau*, F.B. Sanborn, ed. (Boston: Houghton Mifflin, 1894), 304.

³³ John Muir, *Our National Parks*. (Boston and New York: Houghton Mifflin, 1901), 88.

³⁴ John Muir. *Our National Parks*. 154.

³⁵ John Muir, “On Conservation and Sustainable Development,” *Nature’s Advocate* (San Francisco: Sierra Club Press, 1901), 56-57.

³⁶ John Muir. *Our National Parks*. 35.

part of, we may begin to use it with love and respect.”³⁷ He brought an understanding of ecological balance and how human activity can upset natural systems and cause future environmental issues, such as climate change. He proposed a ‘*Land Ethic*’ with a proposition that “a thing is right when it tends to preserve the integrity, stability, and beauty of the biotic community. It is wrong when it tends otherwise.”³⁸ Through this, he expands ethical considerations beyond just humans to include the entire ecological community and emphasizes a sense of responsibility for the well-being of the land.

Arne Naess, a philosopher considered the father of Deep Ecology, had a profound radical shift in humanity’s relationship with nature regarding the environment and climate change. Naess believed in intrinsic value whereby all living things have inherent value, independent of their usefulness to humans which was against anthropocentrism, which prioritizes human needs.³⁹ He argues that “the ecological crisis is doing what no other crisis in history has ever done.”⁴⁰ He thus challenges us to a realization of a new humanity. Therefore, believing a shift in human values and lifestyles is necessary to address environmental issues. He went further to differentiate Deep versus Shallow Ecology where “shallow ecology,” focuses on preserving the environment for human benefit, and “deep ecology,” which emphasizes the intrinsic value of nature, promotes biosphere egalitarianism, and the interconnectedness of all life.⁴¹ Climate change, according to him, was a symptom of a deeper disrespect for the natural world and it disrupts natural balance, hence harming ecosystems.⁴² Naess’s ideas aimed to inspire a more profound connection with nature and a fundamental change in human behaviour to address environmental challenges like climate change.

In conclusion, modern philosophers’ discourse presents to us the awakening of the world and a very strong desire to bring about a good relationship between humanity and nature through the realization of interconnectedness. They further the understanding that there is a need to have a sustainable exploitation of natural resources. This heritage at this epoch is very useful in the ongoing efforts in environmental conservation and stewardship amid persistent environmental challenges.

The African Discourse on the Environment

Several African writers have offered insightful perspectives on environmental issues and humanity’s relationship with nature. Here are some environmental views from selected African writers.

The West African poet Chinua Achebe, in *Things Fall Apart* often depicts the close relationship between African communities and their natural surroundings. He portrays the environment as a fundamental aspect of the cultural and spiritual identity of African societies. Therefore, he values the environment and recognizes its significance in African life. He uses humanistic qualities on nature such as, “the harvest was sad’, ‘rain was less violent,”⁴³ where in this case both harvest and rain are given human emotive qualities. John Mbiti also holds this opinion in the doctrine of vitality, that sacred vital force is diffused throughout the totality of all beings which suggests an appreciation for the interconnectedness and sanctity of all living beings. Mbiti states,

In African religion, the world of the living is not separate from the world of the dead, nor is the material universe divorced from the spiritual cosmos. Rather, the two worlds exist together and are in continuous interaction. The spiritual world is as much part of this vital force as is the physical world.⁴⁴

According to their conception, the environment is both sacred and life-giving, and it also manifests the presence of God. This perspective implies recognizing the inherent value and sacredness of the environment, beyond its

³⁷ Aldo, Leopold, *Sand County Almanac and Other Writings on Ecology and Conservation* (Oxford; Oxford University Press), 240.

³⁸ Leopold. *Sand County Almanac and Other Writings on Ecology and Conservation*. 240.

³⁹ Naess, Arne. “Ecology, Community and Lifestyle.” *Inquiry* 16.1 (1973): 95-100.

⁴⁰ Naess. “Ecology, Community and Lifestyle.” 1973.

⁴¹ Naess. “Ecology, Community and Lifestyle.” 1973.

⁴² Naess. “Ecology, Community and Lifestyle.” 1973.

⁴³ Chinua Achebe. *Things Fall Apart*, (New York: Anchor Books, 1959), 18.

⁴⁴ John S. Mbiti, *African Religions and Philosophy* (Oxford: Heinemann, 1969), 50.

usefulness or practical benefits to humans. It promotes positive ethical interpretations regarding the preservation and responsible care of the environment.

Ngũgĩ wa Thiong'o a Kenyan Novelist while voicing his opinion on the problem of climate change states that, Our lives are a battlefield on which is fought a continuous war between the forces that are pledged to confirm our humanity and those determined to dismantle it; those who strive to build a protective wall around it, and those who wish to pull it down; those who seek to Mold it and those committed to breaking it up; those who aim to open our eyes, to make us see the light and those who wish to draw curtains to plunge us back into darkness.[He adds]The roof leaks, but I don't care. So long as the four walls hold up, I don't mind the rain coming in. And if the rain drives me out, I will go on living under the trees.⁴⁵

Wangari Maathai a renowned Kenyan environmentalist and a Nobel Peace Prize winner believes there is a need for immediate action on environmental conservation, she states "It is the little things citizens do that is what will make the difference. My little thing is planting trees"⁴⁶ Her legacy on environmental conservation can be summarized as "the environment is where we all meet; where we all have a mutual interest; it is the one thing all of us share"⁴⁷ continues to inspire ethical and legal framers to address environmental challenges through collective action, empowerment, and advocacy for a more just and sustainable future.

African discourse on either environment or climate change generally embeds itself deeply into the Indigenous lives and their close attachment to being people and how intertwined with their reality.

The 19th Century up-to-date Climate Change Discourse

The increasing understanding of Earth's climate system and the recognition that human activities significantly contribute to global environmental changes form the basis of the historical challenge posed by climate change. Since ancient civilizations noticed variations in weather patterns, seasons, and natural calamities, there has been a long-standing awareness of climate change. The 19th and 20th centuries, however, saw the start of systematic scientific climate observations and measurements. The foundation for our knowledge of the greenhouse effect is "The process by which some gases trap heat in the Earth's atmosphere"⁴⁸ as established by researchers like Svante Arrhenius and John Tyndall. Arrhenius in particular proposed that burning fossil fuels and other human activities could intensify this impact and cause global warming. Roadmap for Carbon Neutrality 2050(RNC2050) report states in this regard,

The scientific community has been raising the warning level on climate change since 1988. The Swedish scientist Arrhenius published in 1896 in the Royal Swedish Academy of Sciences, the first attempt to quantify the greenhouse effect, specifically, the increase in the concentration of carbon dioxide in the atmosphere over the global temperature of the planet. Previously, the absorption property of infrared radiation from some gases had been experimentally confirmed in 1859 by John Tyndall. The Arrhenius quantification barely unveils the possibility of the global effect of increasing combustion of fossil fuels on the planet. Arrhenius believed that doubling greenhouse gases in the atmosphere would lead to an increase in global temperature of 5° Celsius. However, he also thought such levels would be reached over millennia. His conclusions were disputed by many physicists.⁴⁹

Throughout the 20th century, advancements in climate research have deepened our understanding of Earth's climate system and its vulnerability to threats. The establishment of organizations like the Intergovernmental Panel on Climate Change (IPCC) has promoted international collaboration and knowledge exchange on climate issues.

⁴⁵ Ngũgĩ wa Thiong'o, *Decolonising the Mind: The Politics of Language in African Literature* (Nairobi: East African Educational Publishers, 1986), 3.

⁴⁶ McKinney Michael L., *Environmental Science: Systems and Solutions*, (Burlington: Jones and Bartlett Learning LLC, 2019), 589.

⁴⁷ Maathai. *Unbowed: A Memoir*. 67.

⁴⁸ The Royal Society, *National Academy of Sciences, Climate Change: Evidence and Causes*, (Washington, D.C.: National Academies Press, 2014), 20.

⁴⁹ ROADMAP FOR CARBON NEUTRALITY 2050(RNC2050), "The Scientific Basis of Climate Change" accessed at <https://descarbonizar2050.apambiente.pt/en/decarbonization2050/basis-scientific/> on 14/5/2024.

Scientific evidence linking human activities to climate change became increasingly clear in the latter half of the century, highlighted by IPCC assessment reports detailing risks such as higher temperatures, sea level rise, extreme weather events, and impacts on ecosystems and human societies.⁵⁰ Furthermore, we observe that the reality of problematic climate change has become increasingly urgent due to its related disasters which have become more frequent and severe.

The increasing acknowledgment of climate change as a critical global challenge has spurred efforts to tackle it through international cooperation and legal measures. It is crucial to recognize that initiatives to combat climate change have intensified. Key milestones in this ongoing battle include the adoption of the Kyoto Protocol in 1997, the establishment of the United Nations Framework Convention on Climate Change (UNFCCC) in 1992, the signing of the Paris Agreement, and subsequent agreements aimed at curbing global warming and advancing sustainable development.⁵¹ Sadly, despite scientific consensus on the reality and significance of climate change, efforts to mitigate its impacts and adapt to them have been hampered by political disputes, financial interests, ideological differences, vested interests, varying levels of scientific literacy, and public doubts among others.

Legal Climate Change Science Discourse Considerations

The legal framework surrounding climate change has evolved significantly over time, reflecting growing recognition of the urgency and complexity of addressing this global challenge. These legal instruments, alongside continuous negotiations and commitments, constitute the foundation of the international legal framework on climate change. They guide endeavors to reduce greenhouse gas emissions, adapt to climate impacts, and foster sustainable development globally. The primary catalyst for these frameworks was the United Nations Conference on Environment and Development (UNCED), also known as the Earth Summit, held in Rio de Janeiro, Brazil, from June 3 to 14, 1992. UNCED aimed to bring together nations to discuss and develop solutions for sustainable development and environmental challenges.⁵² One of the key outcomes of this historic event was the adoption of Agenda 21 which would bear much fruit. It states that,

Agenda 21 is a comprehensive action plan that addresses sustainable development on a global scale. It is a blueprint for achieving environmental, social, and economic sustainability by the 21st century. The document covers a wide range of interconnected issues, including biodiversity conservation, poverty alleviation, pollution prevention, and sustainable consumption and production. The primary goals of Agenda 21 are to promote a balance between economic growth, social equity, and environmental protection, ensuring that development meets the needs of the present without compromising the ability of future generations to meet their own needs. It emphasizes the importance of international cooperation and partnership between governments, civil society, and the private sector in addressing global challenges.⁵³

It further gave a narrative elaborating that;

Agenda 21 consists of 40 chapters, each focusing on specific areas of sustainable development. These chapters outline strategies and actions to be taken at the local, national, and international levels to achieve sustainability goals with the following themes. First, is an integrated approach recognizing the interconnectedness of environmental, social, and economic issues and the need for integrated strategies to address them. Secondly, the Participation and engagement thus Encouraging the active involvement of stakeholders, including local communities, indigenous peoples, and marginalized groups, in decision-making processes. Thirdly, is the Strengthening of the capacity of countries, especially developing nations, to implement sustainable development policies and initiatives. Fourthly is the Facilitation of the transfer of environmentally sound technologies from developed to developing countries to

⁵⁰ IPCC. "Climate Change 2021: The Physical Science Basis. Contribution of Working Group I to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change." Geneva: IPCC, 2021.

⁵¹United Nations Framework Convention on Climate Change. "Paris Agreement." 2015. https://unfccc.int/sites/default/files/english_paris_agreement.pdf.

⁵² United Nations. "UN Conference on Environment and Development (UNCED)," *Global Environmental Governance* (New York: Oxford University Press, 2007), 102-105.

⁵³ United Nations. "Agenda 21." *United Nations Conference on Environment and Development*, Rio de Janeiro, Brazil, 3-14 June 1992. Accessed on 27/5/2024 at <https://sustainabledevelopment.un.org/content/documents/Agenda21.pdf>

support sustainable development efforts. And finally, is the Promotion of sustainable management of natural resources, including land, water, forests, and biodiversity, to ensure their long-term availability and integrity.⁵⁴

Through this extensive agenda, a blueprint was made on where formal, and legal framework would be based and an expression of the global community's realization of the call for act faced with problem of the climate change. It thus gave birth to various international treaties as discussed below in their historical development:

The United Nations Framework Convention on Climate Change (UNFCCC)

The United Nations Framework Convention on Climate Change (UNFCCC), which was signed in 1992, was the first international accord to address environmental challenges. The convention's major resolution was,

The Stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system. This level should be achieved within a timeframe that allows ecosystems to adapt naturally, ensures food security, and enables sustainable development.⁵⁵

3.7.1.2 The Kyoto Protocol

Secondly, as an extension of the UNFCCC, the Kyoto Protocol was adopted in 1997. This marked the first binding international agreement to reduce greenhouse gas emissions, setting legally binding emission reduction targets for developed countries.⁵⁶ Subsequently, to operationalize this protocol there was various subsidiary instruments, decisions, and protocols were adopted under the UNFCCC process to further clarify and enhance climate action, including the Marrakech Accords and the Doha Amendment.

The Marrakech Accords are a set of agreements reached during the Seventh Conference of the Parties (COP7) to the United Nations Framework Convention on Climate Change (UNFCCC), held in Marrakech, Morocco, in 2001. These accords aimed to provide detailed guidelines and procedures for implementing the Kyoto Protocol, which had been adopted in 1997, as outlined below;

1. The approval of emission trading which allows countries to buy and sell emission allowances to meet their targets.
2. The outlining of operational rules for the Clean Development Mechanism, which enables developed countries to invest in emission reduction projects in developing countries as a way to offset their emissions.
3. The establishment of a compliance mechanism that includes procedures for reporting, review, and enforcement.
4. The creation of the Adaptation Fund, which aims to finance adaptation projects and programs in developing countries particularly vulnerable to the impacts of climate change, thereby facilitating international cooperation in addressing climate change.⁵⁷

The Doha Amendment, a subsidiary convention and extension of the Kyoto Protocol, was adopted in Doha, Qatar, in 2012. It amends the emission reduction targets set out in the Kyoto Protocol and introduces a second commitment period for these targets for developed countries. This second period covers the years from 2013 to 2020, following the expiration of the initial commitment period from 2008 to 2012. The Doha Amendment also

⁵⁴ United Nations. "Agenda 21." *United Nations Conference on Environment and Development*, Rio de Janeiro, Brazil, 3-14 June 1992.

⁵⁵ United Nations. *United Nations Framework Convention on Climate Change*. Article 2, p. 2. 1992. Accessed May 21, 2024.

⁵⁶ United Nations Framework Convention on Climate Change. "Kyoto Protocol to the United Nations Framework Convention on Climate Change." 1998. <https://unfccc.int/resource/docs/convkp/kpeng.pdf>.

⁵⁷ United Nations Framework Convention on Climate Change. "Marrakech Accords." 2001. <https://unfccc.int/resource/docs/cop7/13a01.pdf>.

permits governments to meet their emission reduction targets through various flexibility mechanisms, such as emissions trading, Clean Development Mechanism projects, and joint implementation projects.⁵⁸

The Paris Agreement

The third major conference was the Paris Agreement, adopted during the 21st Conference of the Parties (COP21) to the UNFCCC in Paris in 2015. This agreement aims to strengthen the global response to climate change by keeping the global temperature rise well below 2 degrees Celsius above pre-industrial levels and pursuing efforts to limit the temperature increase to 1.5 degrees Celsius.⁵⁹ It later had the Katowice Rulebook as a supplementary tool. The United Nations Framework Convention on Climate Change (UNFCCC) 24th Conference of the Parties (COP24), which took place in Katowice, Poland, in 2018, and it approved a comprehensive set of principles and rules known as the Katowice Rulebook. The Paris Agreement was enacted during COP21 in 2015, and the purpose of the Rulebook is to operationalize its provisions.⁶⁰

The Katowice Rulebook covers various aspects of the Paris Agreement, firstly, establishes common rules and guidelines for transparency and accountability, ensuring that countries report their greenhouse gas emissions, mitigation efforts, and progress towards their climate goals transparently and consistently.⁶¹ Second, it offers instructions for creating, disseminating, and revising Nationally Determined Contributions, or each nation's commitment to reduce greenhouse gas emissions and manage climate change.⁶²

Thirdly, the Rulebook describes how to carry out the global stocktake, which is a collective assessment of how well the Paris Agreement's objectives are being met, taking into account mitigation, adaptation, including aid given to developing nations.⁶³ Fourthly, it included recommendations for improving climate change adaptation, including how to design, carry out, and track adaptation initiatives, especially in communities and nations that are at risk.⁶⁴ Fifth, the Rulebook covers financial issues about climate action, such as raising funds, helping developing nations, and ensuring that money flows are transparent.⁶⁵ Lastly, it contains provisions that encourage technology transfer and capacity building to help developing nations tackle climate action.⁶⁶

The Ethical Climate Change Science Discourse Considerations

Ethical views on climate change have evolved with advances in science and increasing public awareness of the issue. Despite the growing adoption of 'sustainable' practices, global ecological conditions continue to deteriorate. Therefore, ethical considerations have been crucial in shaping attitudes toward climate change and guiding social, policy, and individual responses.

Anthropocentrism

The prevailing anthropocentrism has been identified as the source of this above stated dilemma. Anthropocentrism is an ethical perspective on environmental issues often centred on prioritizing human interests above all other considerations. The definition of anthropocentrism according to J.B. Callicott is that "only humans are worthy of

⁵⁸ United Nations Framework Convention on Climate Change. "Doha Amendment to the Kyoto Protocol." 2012. <https://unfccc.int/resource/docs/convkp/kpeng.pdf>.

⁵⁹ United Nations Framework Convention on Climate Change. "Paris Agreement." 2015. https://unfccc.int/sites/default/files/english_paris_agreement.pdf.

⁶⁰ United Nations Framework Convention on Climate Change (UNFCCC). Report of the Conference of the Parties Serving as the Meeting of the Parties to the Paris Agreement on its Fourth Session, Katowice, Poland, from 2 to 14 December 2018. FCCC/PA/C/2018/10/accessed May 21, 2024 at <https://unfccc.int/>

⁶¹ UNFCCC. Katowice, Poland.

⁶² UNFCCC. Katowice, Poland.

⁶³ UNFCCC. Katowice, Poland.

⁶⁴ UNFCCC. Katowice, Poland.

⁶⁵ UNFCCC. Katowice, Poland.

⁶⁶ UNFCCC. Katowice, Poland.

ethical considerations and other things are mere means to human ends.”⁶⁷ Joan Pablo asserts that some of the main characteristics of anthropocentrism are “it is linear thinking, its fragmented understanding of the world, and a human-nature dualism, which reinforces a categorical separation between humans and non-humans.”⁶⁸ Under this worldview, he adds that “it is assumed that there are no growth boundaries, natural resources are free and unlimited, and humans have the right to reign over other species.”⁶⁹ Moreover, the concept of utilitarian value is closely linked to economic and financial indicators, disregarding the inherent worth of all life forms, irrespective of their usefulness to humanity, and prioritising the optimisation of the general welfare of humans or particular groupings.⁷⁰ For instance, when nations exploit natural resources at the expense of other nations or the natural environment, anthropocentric premises come into play. These premises focus on profit maximization, with corporate strategies driven by shareholders’ interests. Actions aimed at achieving higher profits are central to this business model, reinforcing the idea of endless consumption-based human economic growth.

Anthropocentrism contends the centrality of the human person as advanced by the Genesis creation narration at this moment man is the only creature with the image and likeness of God thus setting him apart from other creations (Gen 1:27). Therefore, it conveys the idea that taking care of human issues need to come before environmental preservation. In contrast, on the plus side, since ecosystems serve as humans’ “life-support system,”⁷¹ anthropocentric motivations limit themselves to situations in which people are aware of how their actions will directly benefit them.

It is our understanding that there is generally a negative attitude created by anthropocentrism which can easily lead to a sloppy fall on environmental exploitation at the expense of the human person which has heavily been associated with climate change. It is on this thinking that T. Hayward argues “that ontologically seeing humans as the center of the world which significantly, at the expense of nonhumans’ makes anthropocentrism, at least in this definition, akin to speciesism and human chauvinism.”⁷² But again there is also a need for positive admission of legitimate human concerns which must first be addressed, love begins with the self.

Chapin places some level of negative ideologies on anthropocentrism and blames particular over-exploitive elites rather than a general bracket blame of biodiversity loss on all humanity.⁷³ David Kidner asserted in a similar manner that anthropocentrism and reasonable concerns for human well-being are related. He argues that “not anthropocentrism but rather ‘industrocentrism’, or centeredness on industrial neoliberal ideology, is at the root of both human and environmental suffering.”⁷⁴ According to both authors, there are inconsistencies between “humanity as a whole” and subgroups of humans who hold particular worldviews, such as industrial centrists, therefore the term ‘anthropocentrism’ is insufficient to characterize human agency in environmental degradation. The difficulty of reaching a consensus, taking a close look at those who have signed or did not to different conventions, and self-serving interests.⁷⁵ A practical case of these inequalities has essentially been created by the Western powers who seem to have greatly assumed this attitude.

A positive anthropocentrism can easily metamorphose into convergence theory. It is a theory advocated by B. G. Norton. Norton’s ‘convergence theory’ contends that “human and environmental needs coincide because maintaining the environment for human material benefit is the strongest pragmatic motivation for nature

⁶⁷ J. B. Callicott, Conservation values and ethics. In M. J. Groom, G. K. Meffe, & C. R. Carroll, Eds., Principles of conservation biology, (Sunderland: Sinauer. 2006). 119

⁶⁸ A call to rethink the human-nature relationship in the Anthropocene (22 November 2022) by Juan Pablo Casadiego accessed at <https://dobetter.esade.edu/en/call-rethink-human-nature-relationship-anthropocene> on 30/4/2024

⁶⁹ Casadiego, “Rethink Human-Nature Relationship.”

⁷⁰ E. Katz, Envisioning a de-anthropocentrism world: Critical comments on Anthony Weston’s ‘The incomplete eco-philosopher’. Ethics, Policy and Environment, (1999). 14, 97–101.

⁷¹ T. Hayward, “Anthropocentrism: A misunderstood problem”. *Environmental Values*, 6(1), (1997). 60.

⁷² Hayward. Anthropocentrism. 50.

⁷³ M. Chapin, A challenge to conservationists. *World Watch*, (2004). 17–31.

⁷⁴ Kidner, David, “Why ‘anthropocentrism’ is not anthropocentric “*Dialectical Anthropology*, vol 38 (December 2014), 465-480, 0.1007/s10624-014-9345-2.

⁷⁵ J. Elliott, *An Introduction to Sustainable Development*, (London: Routledge, 2013). 45.

protection.”⁷⁶ An example of this conception is the World Charter for Nature statement by the United Nations General Assembly (UNGA 1982), which calls for the non-wasteful use of natural resources and emphasizes that humanity benefits from healthy ecological processes and biological diversity. This aligns with the anthropocentric goal of ensuring environmental protection for the benefit of humanity.⁷⁷

Therefore, for complementation of anthropocentrism, Hayward states that “positive concern for human well-being need not automatically preclude a concern for the well-being of non-humans, and may even serve to promote it.”⁷⁸ The alternative side continues as Hayward observes that “what is objected to under the heading of anthropocentrism in environmental ethics and ecological politics is a concern with human interests to the exclusion, or at the expense, of interests of other species.”⁷⁹ Which has heavily been blamed for climate change whose negative impacts we are facing.

Ecocentrism and Regenerative Paradigm

Pablo noted that many of the anthropocentric conceptualizations of the environment were inadequate and thus he suggested a move towards ecocentrism.⁸⁰ He explains that the term ecocentrism refers to ecosystem-centered ethics, derived from the Greek words ‘*oikos*’, which means house, and ‘*kentrom*’, which means center. According to this perspective, individuals, social institutions, biodiversity, and the biophysical environment are all interdependent and connected, and living things have intrinsic value.⁸¹ Furthermore, ecocentrism opposes the hierarchical ordering of species in which people rule over the natural world and acknowledges that socioeconomic activities are entrenched within ecological limitations. Ecocentrism goes ahead to recognize humans’ calibration and connection with other living organisms rather than a predominance over them.

The discussion of regenerative sustainability then emerged as a means of putting ecocentrism theory’s destroyed ecology into practice and restoring it. The basis for the idea that the relationship between humans and nature is one of mutual benefit and co-evolution is laid by the regenerative paradigm.⁸² As stated by Chrisna du Plessis, the ultimate goal of the regenerative paradigm is to “restore and regenerate the global social-ecological systems [. . .] to create conditions under which humans and other life can thrive.”⁸³ Regenerative sustainability, nature-based solutions, and systemic views seem to be promising paths to address the socio-ecological challenges of anthropocentrism. It also emphasizes the interconnectedness of all life forms and advocates for a fundamental shift in human consciousness toward recognizing nature’s inherent worth. Such that in the assertions of Chief Seattle that humanity should come to the awareness that, “humankind has not woven the web of life. We are but one thread in it. Whatever we do to the web we do to ourselves. All things are bound together. All things connect.”⁸⁴

The Holistic Approach

A holistic approach brings to light the ideals that make protecting the planet’s biodiversity and species variety of great importance. According to Marc Berkoff, Ecology teaches us that to preserve holistic ecosystems over time,

⁷⁶ B. G. Norton, Environmental ethics and weak anthropocentrism. *Environmental Ethics*, 6(2), (1984). 131–148.

⁷⁷ UNGA. “World Charter for Nature,” *United Nations Document*, A/RES/37/7, 28 Oct. 1982, Available at: <http://www.un.org/documents/ga/res/37/a37r007.htm>.

⁷⁸ Hayward. *Anthropocentrism*. 52.

⁷⁹ Hayward. *Anthropocentrism*. 52.

⁸⁰ Casadiego, “Rethink Human-Nature Relationship.”

⁸¹ Casadiego, “Rethink Human-Nature Relationship.”

⁸² Jaime Ojeda, Anne K Salomon, James K Rowe, and Natalie C Ban, “Reciprocal Contributions between People and Nature: A Conceptual Intervention”, *Bioscience*, Volume 72, Issue 10, (October 2022) Pages 952–962, <https://doi.org/10.1093/biosci/biac053>

⁸³ Dominique Hes and Chrisna du Plessis, *Designing for Hope: Pathways to Regenerative Sustainability*, (London: Taylor & Francis, 2014), 28.

⁸⁴ Hes - du Plessis. *Designing for Hope*. 27.

“systems thinking” is necessary. This approach resonates with “compassionate conservation,” which protects species and their habitats with the main objective being the preservation of the entire planetary rich diversity.⁸⁵

UNGA in 1982 also states that every form of life warrants respect “regardless of its worth to man, [and that according to such respect requires us to be] guided by a moral code of action.”⁸⁶ The same kind of thinking that gave rise to anthropocentrism as a dominant ideology in the first place is unlikely to be driving this moral code of conduct. Bearing in mind the famous assertion made by Albert Einstein that, “No problem can be solved from the same consciousness that created it.”⁸⁷ Therefore, in the presence of anthropocentrism, profound reform is not conceivable. Under the existing value system, it has been proposed that the most promising way to preserve significant biodiversity is through ecologically conscious self-interest; however, this idea becomes meaningless when there are risks or when exclusive self-interest is pursued. H. Washington et.al. contend that adopting ecocentrism values would guarantee nature’s survival even more and the ecosystem services that humanity depends on, which would be more sustainable in and of itself.⁸⁸

The Climate Justice

The phrase ‘climate justice’ refers to a movement and terminology that connects the climate crisis to social justice, highlighting the fact that those who bear the least responsibility for climate change frequently experience its most severe effects and advocates for justice.⁸⁹ Just to have this in perspective Shiva asserts, “The industrialized North owes an ecological debt to the South, particularly the most vulnerable in the South, who are already paying with their lives and livelihoods for the impact of the North’s pollution.”⁹⁰ Through her claim, she makes pragmatic climate justice. In response to the disproportionate impacts of climate change on vulnerable populations, the concept of climate justice has gained prominence within the field of environmental ethics.

Climate justice emphasizes the moral responsibility to address the root causes of climate change and to ensure that mitigation and adaptation efforts are equitable and inclusive. Shiva often highlights how climate change takes advantage of existing social inequities, disproportionately affecting those who are least responsible for environmental degradation. She argues with climate justice in mind that “industrialized countries and corporations that have benefited the most from fossil fuel exploitation bear a greater responsibility to address the crisis.”⁹¹

Climate justice, therefore, advocates for fair treatment of all people and calls for redistribution of both benefits and burdens associated with climate change management mechanisms. It is with such climate justice in mind, that the Rulebook addresses financial matters related to climate action, including the mobilization of financial resources for poor nations, the provision of support to developing countries, and capacity building to support climate action in developing countries.⁹² At the heart of climate justice is essentially placing responsibility on the right subject and developing the rightful legal framework on what, when, and how to happen in praxis. Subsequently, to put in practice climate justice, interdisciplinary approaches have developed and this is because increasingly, ethical discussions on climate change have become interdisciplinary, drawing on insights from fields such as philosophy, economics, political science, and sociology. This interdisciplinary approach allows for a more comprehensive understanding of the ethical dimensions of climate change and informs policy responses that are both scientifically

⁸⁵ Marc Berkoff, Ed., *Ignoring Nature No More: The Case for Compassionate Conservation*, (Chicago: University of Chicago Press, 2013), 223.

⁸⁶ H. Kopnina, H Washington, B. Taylor, et al. “Anthropocentrism: More than Just a Misunderstood Problem.” *J Agric Environ Ethics* 31, 109–127 (2018). <https://doi.org/10.1007/s10806-018-9711-1>

⁸⁷ Hes - du Plessis. *Designing for Hope*. 23.

⁸⁸ Washington. “Anthropocentrism: More than Just a Misunderstood Problem.” 109–127.

⁸⁹ Schlosberg David, and Lisette B. Collins, “From Environmental to Climate Justice: Climate Change and the Discourse of Environmental Justice,” *Wiley Interdisciplinary Reviews: Climate Change* 5, no. 3 (2014): 362 <https://doi.org/10.1002/wcc.275>.

⁹⁰ Vandana Shiva, *Earth Democracy: Justice, Sustainability, and Peace* (Cambridge, MA: South End Press, 2005), 43.

⁹¹ Shiva. *Earth Democracy: Justice, Sustainability, and Peace*. 54.

⁹² United Nations Framework Convention on Climate Change (UNFCCC). *Report of the Conference of the Parties Serving as the Meeting of the Parties to the Paris Agreement on its Fourth Session*, Katowice, Poland, from 2 to 14 December 2018. FCCC/PA/C/2018/10/ accessed May 21, 2024 at <https://unfccc.int/>

sound and ethically justifiable. Overall, the historical development of ethical considerations on climate change reflects an evolving understanding of humanity's relationship with the natural world and the moral imperatives associated with addressing climate change, one of the most pressing challenges of our time.

Conclusion

In conclusion, the examination of the historical development of ethical-legal discourse on climate change illuminates the intricate interplay between morality, law, and environmental stewardship. Through a critical lens, we have traced the evolution of this discourse from early philosophical reflections to contemporary legal frameworks, revealing the complex web of ideologies, power dynamics, and institutional structures that shape responses to the climate crisis. As we reflect on the past, we are confronted with the stark reality of the present, a world shaky on the brink of irreversible and catastrophic environmental damage, with marginalized communities bearing the brunt of climate injustice. Yet, amidst the challenges lie opportunities for transformative change. Interestingly, by interrogating prevailing norms and advocating for more inclusive, equitable approaches to climate governance, we can make way for a just and sustainable future. Thus, as we navigate the complexities of the climate crisis, let us heed the call to integrate questions of justice, equity, and intergenerational responsibility into our ethical and legal frameworks, ensuring that our collective response to climate change upholds the dignity and rights of all beings, present and future.

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