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The Legal, Social and Economic Framework of a Green New World

1. A Green New World to Come

Article 2 of the Johannesburg Declaration on Sustainable Development (2002) says: „We commit ourselves to building a humane, equitable, and caring global society, cognizant of the need for human dignity for all.” Article 5 of the Declaration says: „We assume a collective responsibility to advance and strengthen the interdependent and mutually reinforcing pillars of sustainable development – economic development, social development and environmental development – at the local, national, regional and global levels.” According to Article 7 of the Declaration: „Recognising that humankind is at a crossroads, we have united in a common resolve to make a determined effort to respond positively to the need to produce a practical and visible plan to bring about poverty eradication and human development.” A new era is to come in the world policy: an era of green thinking not solely in philosophy, but also in the field of law and economics. What we now witness, is a global transformation of the existing econo-technical shape of the world. Legal changes are immanent. George Soros announced in *Népszabadság*, on October 27th, 2009: „A new war cannot be allowed to ourselves, as our civilisation is already on the brink of failure; and we live in the shadow of a climate catastrophe and of the nuclear weapons.” (*Népszabadság* 2009a: 17.) Soros predicts the upcoming of China and the eclipse of the USA. One might not know whether it will be so or not. Many economists think in a similar way. In June 2009, the World Bank prognosticated that China’s economy would grow by 7.2 % in 2009. (*Népszabadság* 2009b: 8.)

Legal tools have to be **legitimate** alike. What is *jure definitum*, is not necessarily *legitimum*. The *omni populo accepta lex* is the proper legal tool of a democracy of plural ethics. A law made by parliament might not pass the test of a plural democracy when most people are against it. Environmental problems are to be solved by social cooperation and legitimacy. In countries like Hungary, it is unquestionable that laws are made by socially accepted state organs and, thus, **legitimacy** is concomitant with **legality**. China may come up only when her state and society will be separated from each other and the human rights will be considered not just *in theoria*. In this way, the Chinese economy may really produce an environment-conscious welfare state. It is still a long way to run. Up to then, the role of world leader stays with the USA and the European Union. China, India, and Brazil are on the right way to become leading political and economic powers of the Earth, however, this is not an evolution, rather a special, not European type of revolution. More time is needed for these giant countries to achieve a miraculous but also democratic transfiguration into a new state order and a new socio-economic structure. It is certain that China dictates in Asia, and Brazil has emerged in South-America.

2. Splendors and Miseries of Environmentalism

John Dewey wrote in his *Reconstruction in Philosophy* in 1920: „Man differs from the lower animals because he preserves his past experiences. What happened in the past is lived again in memory. About what goes on today hangs a cloud of thoughts concerning similar things undergone in bygone days. With the animals, an experience perishes as it happens, and each new doing or suffering stands alone. But man lives in a world where each occurrence is charged with echoes and reminiscences of what has gone before, where each event is a reminder of other things. Hence he lives not, like the beasts of the field, in a world of merely physical things but in a world of signs and symbols.” (Dewey 2004: 1.)

The legal systems of our globe are various. The cause of environmental protection urges states to harmonize their legal and ethical rules. Despite the fact that, on the level of ethics, there is an understanding among states, in terms of law, there are still some discrepancies. For a greener future, legal systems ought to be much more compatible than today. The upcoming countries try to express their green thinking via new law products, nevertheless, theory is sometimes shadowed by practice. It is not enough to speak about environmentalism: the new giants of the Earth – like China, Brazil, India etc. – should learn

from the historical mistakes of the USA, the UK, France and Germany in the field of environmental policy. The new giants, replying to the criticism of the developed world, tend to plead the example of France, the UK or that of the USA, though, they ought to avoid those countries' miseries and keep only their splendors. Present days' developed countries rightfully await a more environmentalist approach on the part of the developing world. It is also true that the new participants of the world economy should be given more subsidies and informal help. If a gap is generated between the developed and the developing world, the hope of a global accord on environmental topics will be dissipated.

Harmonising the British law with the continental law, or approaching the Tswana law to the USA's legal system would be really difficult. International covenants on first and second generations of human rights and documents on the environmental rights and duties of the states are to be correctly implemented. Hans Kelsen wrote in his *Pure Theory of Law* in the 1930s: „The contradiction between international law and national law has nothing to do with contradiction in logic. It is only a special case of conflict between higher and lower level norms.” (Kelsen 2001: 80.) International law is, when constitutional, a norm higher than national law. Most states retain their right to decide whether an international norm is constitutional or unconstitutional. International law might be refused by states, though, it might only happen on the grounds of the rule of law. In unfortunate cases, international environmental norms remain unaccepted by certain states. When it happens, it is a defeat suffered by the whole international community. Environmental protection should not be exposed to normative insufficiency.

The right to environment is considered to belong to a so-called third generation of human rights, since this right appeared as a human right not earlier than after 1966 (the year of admission of the International Covenant on Economic, Social and Cultural Rights and that of the admission of the International Covenant on Civil and Political Rights). Anyway, an innovative environmental law is needed in each and every country of our sociosphere, so as to keep the evolution procedure of green law in the hands of law-makers. Legal regulations are a must and there is also a need to transpose the international environmental law into inner law. On national levels, we could see environmental cases emerging long before nature protection was launched. In law products, nature protection started with international public law, then nature protection appeared on the level of national legislation too. Today, we have an international and a supranational (EU) environmental law alike. One must not forget that this legal evolution lasted over a century and that it has still not come to an end. The innovative

environmental law prospects a never ending dynamism of all sorts of environmental norms: i.e. of the legal ones, the ethical ones, the natural ones, the artistic ones, the religious ones, and the scientific ones.

3. Pluralism in Green Law and Green Ethics

The legislative formulae of environmental law are either of a singular or of a plural character. In Hungary, the legislators opted for a plural mode of regulation. I.e. environmental law is regulated by several laws and oriented by some passages of the Constitution. This is the most frequently used method to cover environmental questions by means of law. Mainly in the past, we could see singular environmental codes, by which the totality of the environmental law was intended to be covered. Singular codes looked like mini green „constitutions” and they functioned with an infinitesimal practical profit. Nowadays, most countries have their separate environmental private law, environmental criminal law, environmental administrative law, environmental labour law, environmental constitutional law, etc. The singular code on environmental law has lost its function, mainly in those countries where a green Constitution is in force. In Hungary, the act on environmental law, i.e. the act No. LIII of 1995 is more than a secondary constitutional law containing the basic framework of environmental law. Other acts - like the act on nature protection, the act on animal protection, the act on forests, the act on the protection of wild life, the act on waste disposal, etc. – also express fundamental rights, though these rights are not yet to be found in the text of the Hungarian Constitution. A new wording of the Constitution or an amendment to the Constitution is thus needed. The Hungarian environmental law is of a plural character. Despite the original intention of the legislators, the act No. LIII of 1995 is not a singular code on environmental law. Several other acts of the parliament also postulate environment-related basic rights. Plural environmental law and plural environmental ethics are fundamental for a sustainable development. Ethical pluralism is to be expressed by law and environmental law cannot be expressed by one singular act of the parliament. The competing ethical approaches of environmental topics may be truly mirrored by a both formally and substantively plural environmental legal system.

A singular code on environmental law could also give voice to different views, however, legislators usually conceive one act according to one single view, so as to preserve the congruence of the normative texture. It is an informal effect that the existence of

numerous acts conceals a greater possibility for distinct aspects to be expressed. Every law product is made with a special regard to the former and to the now existing regulations and the procedure of *legis latio* is under a constant influence of social and economic changes. Legislation happens in time and in space. Fortunately, the space stays unchanged, however, the various time periods of law-making may have a significant impact on the text of the environmental norms. *Locus constans et tempus mobile* are characteristic features of the modern developed world. Territories must not be touched, nevertheless, in temporal dimension, political and ethical courses rotate. Thus, environmental law is from time to time amended, but new ideas are mostly added to it by means of newly conceived acts and orders. Due to this phenomenon, the material scope of the environmental law is under expansion.

4. The Shape of the Environmental Positive Law (The Case of China)

Stunning facts show us the negative environmental outputs' impact on the biosphere involving humanity. It is not only the risk of a hypothetic and faraway climate catastrophe that we fear - the actual warning facts already speak for themselves. The male fertility of humans has been constantly and quickly diminishing all over the world of the 20th century. The reasons have certainly been multifactorial; and too many of them are considered by experts to be of environmental origin.

Countless animal and plant races vanish, though, the urban people remain insensitive toward these phenomena. Diseases kill more and more urban inhabitants, but the linkage between environmental harms and public health stays unperceived by the healthier ones. It is not solely the declining environmental quality that kills people, but also the people's indifference toward environment and toward each other. Is it not a civilisational side effect? The word „civilisation” has always had a positive connotation, notwithstanding, the negative corollaries are also to be taken into account.

Environmental law is becoming more and more „technical”, due to the overwhelming environmental and legislative technicity. Environmental protection is based on facts and data of sciences, so law is supposed to follow this way of development. Law-makers feel it necessary to imply the scientific results in the legal norms, as much as possible. It is also important to closely define how these norms are to be applied in practice. The highly theoretical character of the environmental acts makes it necessary to determine the implementation's „what and how” by lower level legal tools. Some legal experts think that it

is a sort of degradation of the environmental law; others believe it is the positive *modus* of codifying the relevant *lex naturalis*.

The above mentioned stunning facts make - or should make – the state and the society cooperate in hope for a better future. And all that not only for the next generations, but also for the present generation. The Chinese model of not separating state from society may be fruitful in a short historical perspective. The coworking of state and society is a basic conception of a true environmentalism. Environmental protection and political order are in strong relationship. The short-term environmentalism of the Chinese model cannot measure up to the plural democracy's environmentalist efforts. Whereas environmental protection is an aim in a plural, green thinking democracy, it is just a means in a Chinese political model. The cooperation of the state and of the local municipalities with the civil social strata serves the aim of preserving and ameliorating the natural and the civilisational environments. Without a similar synergy of state and society, the lack of competing social actors pushes aside such long-term and abstract values as the protection of environment. And all these are perfectly reflected by the contrast of the environmental legal materials and the everyday's environment-consciousness. One should only remember the environmentalist efforts made before and during the Olympic Games in 2008 and the situation of Beijing's environment after the end of the events.

According to Article 26 of the Constitution of the People's Republic of China (1982): „The state protects and improves the living environment and the ecological environment, and prevents and controls pollution and other public hazards. The state organises and encourages afforestation and the protection of forests.” Article 9 of the Constitution says that „the state ensures the rational use of natural resources and protects rare animals and plants”. What the developed world expects from China in the field of environmental protection is transposing the existing text of law into practice. Legalising environmental protection is at a halfway point between environmentalism and disregarding the environmental quality. We shall see whether the model of a state gobbling up the society can achieve this transposition; whether China could really show an alternative example of environment-consciousness.

5. Environmental Piracy or: How to Save Jonas?

Environmental aspects are to be found in almost every normative text of the developed legal systems. Though, it is not the level of development of the concerned legal system to

determine whether one may speak about a green state or not. A green state could exist on the foundations of a less developed normative environment too. Where the state is not environmentalist enough, it is the civil sphere's task to draw the attention of the negligent state to environmental questions. Where this civil sphere is under the pressure of the governing authorities, environmentalism necessarily submerges. In this latter case – which is unusual in Europe and in North-America -, the ethical obligation to make steps is incumbent on the international community. The environment of the planet cannot be protected if the international and the national environmentalist efforts of the majority of countries gave opportunity to pirate countries to take an undecent profit from the interim situation. Such interim situations, along with the environmental piracy, are to be effaced as soon as possible. This is an exceptional and legitimate occasion for the international community to intervene in the affairs of a sovereign state. It is also an opportunity to detach society from state and to strengthen the civil sphere for a higher respect of global environmental goals.

Lawyers and scientists are sometimes in debate with each other. Whereas lawyers are mostly against the nuclear energy, scientists are mostly for it. The lawyers' opinion is backed by politics: they threaten the people with nuclear catastrophes and nuclear weapons of mass destruction. See Max von Sydow in the *Winter Light* by Ingmar Bergman. In Bergman's cult film, Jonas (Max von Sydow) commits suicide for fear of atomic bombs. Scientists – not all of them, of course - tend to say that the peaceful utilisation of the atomic energy should be kept as a possibility. I think it could save the world, since fossilic energy sources will certainly run out before they could be substituted by renewable energy. The legal technocracy negating nuclear energy is far too narrow-minded to be sustained. The legal answer of the governing power should be nuanced by scientific aspects. When some countries, like Iran or North Korea, develop nuclear weapons, they do not do it in the interest of their societies. In these cases, state has already consumed society; and we must not feel obliged by such countries. The politically civilised world should not be misled by a false nuclear and environmental policy. A syringe may be a means of healing in the hands of physicians, though, it may be a weapon in the hands of a murderer. We should not incarcerate the physicians together with the murderers.

Using nuclear energy for unacceptable purposes is a kind of environmental piracy; and the pirates' claims are not to be fulfilled. The peaceful utilisation of atomic energy is, for lots of top scientists, an acceptable risk. Nevertheless, politicians tend to underline that atomic energy is to be eliminated together with fossilic energy. In fact, those who really want to

develop nuclear weapons will always have the opportunity to do so. Atomic energy is considered to be cheap, economical and environment-friendly when properly used. One must not forget the obvious risk of an atomic catastrophe, though this latter one is not in the same rank as a climate catastrophe. Climate problems are unavoidable unless mankind intervenes, whilst a possible nuclear catastrophe will almost never occur until the international policy remains in the hands of gentlemen. These gentlemen are supposed to protect the globe from every danger, though their tools are restricted. A nuclear cataclysm would be fateful, but it can be prevented. The prevention of a pending climate catastrophe is, however, still beyond the reach of today's humanity.

6. The Rule of Law *versus* Draconian Legal Norms

Michel Foucault wrote in his *Les mots et les choses (Words and Things)* in 1966: „We have the impression – and we say it fairly frequently – that the history of nature should have appeared when the Cartesian mechanism had started to decline. When it finally turned out to be impossible to squeeze the whole world into the laws of rectilinear movement, when the complex world of plants and animals resisted to the simple forms of the extended substance, nature only then had to appear up in her outstanding richness; and the meticulous observation of the living creatures started exactly at the level where from Cartesianism had only recently withdrawn.” („On a l'impression – et on le dit souvent – que l'histoire de la nature a du apparaitre sur la retombée du mécanisme cartésien. Quand il se fut révélé finalement impossible de faire entrer le monde entier dans les lois du mouvement rectiligne, quand la complexité du végétal et de l'animal eurent assez résisté aux formes simples de la substance étendue, alors il a bien fallu que la nature se manifeste en sa richesse étrange; et la minutieuse observation des êtres vivants serait née sur cette plage d'où le cartésianisme à peine venait de se retirer.”) (Foucault 1966: 140.) Environmentalism, as a legal phenomenon, is there in the normative structure of the human societies. Environmentalism is partly instinctive, partly conscious. Environment-consciousness is rooted in the fabric of the instincts. Mankind is predestined, by God or by nature, to preserve the natural environment as a precious value. The environment, as a value, is in the possession of people, under state and civil control. When the state environmental policy is not in harmony with the social expectations, we meet a confrontation similar to any conflicts of interests in the course of history. The only difference

is that the conflict is not about religion, property, personal liberty, social needs or money, but about environmental protection.

For the state, it is a must to consider the environmental interests of the community. For the society as a whole, it is a question of ethics. For the individuals, environment-consciousness remains within the reach of morality. The Hegelian distinction of morality and ethics is nuanced by the *raison d'État* of respecting the right of everyone to a healthy environment. It is an advancement due to the rule of law that the European countries give this basic right not only to citizens, but to all inhabitants. Thus the hypocrisy of defending citizens and leaving alone the people who live *in loco*, is over. States are political creatures and many of them do not mind others but their citizens. Environmentalism is not related to citizenship. The protection of environmental values is the task of all inhabitants, according to their personal and collective priorities. The society herself should not be excluded from the protection of environment; nor should states wholly back out of environmental protection.

Still I think the role played by states to be important, though reduced to a normative point of minimum. This minimum means the creation of a legal framework and the sustainment of the basic rules and formalities. Anyway, environmental protection is (or should be) canalised by informal social mechanisms. All that is much simpler in a state

- which is too much underdeveloped to be able to legally bind inhabitants,
- or in a land where the rule of law fulfills its real functions

than in countries directed exclusively by Draconian legal norms.

State and law are not to be disregarded, especially concerning environmental protection. Accent is on men and women living in and living for their micro-environment. Law should be designed in order to circumscribe the basic rules and to determine the metes and bounds of a socially directed environmentalist state. In this way, society and state would together regulate each other's radius of action; and this would be an *operatio optima legum*.

7. The Environmental Social Benefit

It is difficult to have a look at the depth of social functioning. Environmentalism is connected rather to societies than to states. Under average legitimate circumstances, state is made by society. In reality, state tends to acquire power (authority) over people via legislative and regulative procedures. It is the people's responsibility to keep the state under a permanent

civil control. In case this control is lost, the possibility of maintaining a green state and a green society disappears.

Economic and social interests meet, in a salient manner, at two points of the legal existence:

- in labour law
- and in environmental law.

Social and economic interests come directly to surface when working to earn our families' living and when working for a better future for our families (family as a human rights notion and family as an economic entity). Besides, economically, labour has a huge impact on environmental protection and *vice-versa*. The environmental industry is in an ever growing need for manpower and the future of environmentalism depends on the decreasing number of jobless people. The more people are involved in the green industry (directly or indirectly), the better these men and women will be integrated into an environment-friendly society. The legal *modus* is given by state, but it is also transformed, from time to time, by the individuals who try to make their environment viable. Finally, a green philosophy – a philosophy made by humans and, first of all, for humans – is supposed to conduct society and to harmonise the environmental *raison d'État* with the practical need of people for comfort. *De facto*, environment-consciousness is an unmeasurable self-sacrifice of more than one person at the expense of these persons' comfort. The sacrificed comfort may be of a material or of an immaterial character. Discomfort is material when, for example, people deprive themselves of luxury foods or luxury clothes; while discomfort is immaterial when e.g. free time and public attention are invested in producing environmental social benefit.

One must note that there is a psychic limit:

- As far as chattels are concerned by the green sacrifice, people, more or less, agree. If real estates are concerned – by a trespass, by floods, by wind erosion, by environment-friendly installations, like a noisy wind turbine -, society reaches a psychic limit which can hardly be passed over. A psychosomatic effect pushes back the otherwise environment-friendly and environment-conscious population.
- If luxury is to be given up, people normally admit it and they come back to the inferior goods. When the necessary goods are to be sacrificed, environmentalism attains the above mentioned psychic limit.

- If laws relating to the *ordo socialis* (like criminal law, procedural laws) are to undergo modifications in order to be more environmentalist, people usually say yes. When laws relating to the *ordo oeconomicus* (like property law, fiscal law, labour law) are envisaged to be less inhabitant-friendly and more environment-friendly, people generally say no. (The normative changes which are both inhabitant- and environment-friendly are, naturally, accepted by a broader mass of people.)

8. Is Environmentalism a Game of Losers?

Montesquieu wrote in his *The Spirit of Laws* in 1748 that the maritime law of Rhodes had been possibly righteous when giving the ship to those who, in time of tempest, do not leave the ship and refusing those who escape. (Montesquieu 2000: 708.) Environment is an arch of Noah and only those people who partake in its conservation and improvement merit to enjoy its fruits. Environmentalism is a society game oriented by *lex naturalis* and regulated by positive law. In the long run, *lex naturalis* preponders over man-made law. The game is never won: step by step, mankind loses its natural environment, unless being active on green policy. This game is that of losers: those who lose less than the others are considered to be the real winners.

The Montesquieusarde Weltanschauung has still a lot to tell today's people about human legal behaviour. Law undergoes changes, however, new law products never differ completely from legal norms of yesterday. The basic research of past sociologists, lawyers and economists conveys an abundance of knowledge to present societies. This knowledge is there to be examined and applied by the present generations. According to the development of natural sciences, law is to be formed and transformed. Basic research of social processes is to be continued. There is always new information to gather and to add to the global human culture. There is still a lot to do. Without the scientific heritage of preceding ages, environmental protection would be in lack of basic knowledge of what and how to do with climate change, air pollution, extinction of forests, losses of flora and fauna, industrial pollution and other environmental dangers.

Would the above mentioned Chinese model meet Montesquieu's approbation? Could Montesquieu think like the present Chinese leaders do? Could we, just as an experiment, go back to the 18th century and put the Chinese model to the test of history? Possibly, this model

would be well functioning. There is no reason for astonishment. A premodern democracy was not more democratic than a postmodern dictatorship. None of them could be the hotbed of a long-lasting environmentalism. Without the adjective *long-lasting*, sustainable development cannot be imagined.

Examples taken from a farther temporal dimension, such as that of a Montesquieusard state, and examples taken from a farther spatial dimension, such as that of the Chinese model, let us have a clear view of evolution and devolution during the history of man. Holbach wrote in his *Système de la Nature (System of Nature)* in the 18th century: „Man is the creature of nature, he exists in nature, he is subjected to the laws of nature, and he cannot separate himself from nature, not even in his thinking procedure.” („L’homme est l’ouvrage de la nature, il existe dans la nature, il est soumis à ses lois, il ne peut s’en affranchir, il ne peut meme par la pensée en sortir.”) (Holbach 1990: 37.)

9. There is Future for the Poorest Ones

Principle 2 of the Rio Declaration on Environment and Development (1992) says: „States have, in accordance with the Charter of the United Nations and the principles of international law, the sovereign right to exploit their own resources pursuant to their own environmental and developmental policies, and the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other states or of areas beyond the limits of national jurisdiction.” By virtue of Section 2 of Article 1 of the International Covenant on Economic, Social and Cultural Rights (1966): „All peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic cooperation, based upon the principle of mutual benefit, and international law. In no case may a people be deprived of its own means of substance.” The really huge losses of natural values concern the upcoming countries, like Brazil, China and India. At first, it sounds somewhat strange that the underdeveloped African lands are in a better environmental stage. The NATO and the EU countries have an environmental advantage over them, but the „natural wealth and resources” of the upcoming giants, like those of Brazil, suffer indeed of an intensive environmental pollution and of a harsh consumption.

By contrast, the environment of many African and Southeast Asian countries, with sometimes medieval living circumstances and with almost no organised state economy, is less

harmed than the the environment of the new giants. It is simply due to the fact that until other countries do not come to consume the natural resources, those resources remain unhurt by the primitive and near-natural local use of environment.

All these do not vote for a primitive and near-natural civilisation. The facts speak for themselves. It is also true that a civilisational defect favours a lawless atmosphere; and, after all, lawlessness leads to *incommodum populi*.

The advantage of the poorest countries seems to be **temporary** and **relative**:

- it is **temporary**, because, in a short time period, it will be over
- and it is **relative**, since it strongly depends on bigger and richer countries having influence on their poorest counterparts.

The poorest ones should follow the route of environmental revolution and social evolution. I.e. they ought to take profit of their natural wealth and should turn it into a gradual evolution of state and society so as to build up a modern type of political edifice. This political edifice would thus be compatible with the old western type of democracies, so communication between the old world and the possible new world would be alleviated. The Chinese model is not to be followed by the poorest ones. The Chinese model might be useful for Brazil or India, but not for African and Southeast Asian peoples suffering of famine and homelessness, of the shortage of medicine, and of the lack of public utilities. It was stated in the Johannesburg Declaration on Sustainable Development (2002) that „poverty eradication, changing consumption and production patterns and protecting and managing the natural resource base for economic and social development are overarching objectives of and essential requirements for sustainable development.” (Article 11) „The deep fault line that divides human society between the rich and the poor and the ever-increasing gap between the developed and the developing worlds pose a major threat to global prosperity, security, and stability.” (Article 12) „Globalisation has added a new dimension to these challenges. The rapid integration of markets, mobility of capital, and significant increases in investment flows around the world have opened new challenges and opportunities for the pursuit of sustainable development. But the benefits and costs of globalisation are unevenly distributed, with developing countries facing special difficulties in meeting this challenge.” (Article 14)

10. Environmentalism as an Act of Ecumenism

In 2009, pope Benedict XVI wrote in his encyclical letter *Caritas in veritate*: „Today the subject of development is also closely related to the duties arising from our relationship to the natural environment. The environment is God’s gift to everyone, and in our use of it we have a responsibility towards the poor, towards future generations and towards humanity as a whole.” (Article 48) „Human beings legitimately exercise a responsible stewardship over nature, in order to protect it, to enjoy its fruits and to cultivate it in new ways, with the assistance of new technologies, so that it can worthily accomodate and feed the world’s population. On this Earth there is room for everyone: here the entire human family must find the resources to live with dignity, through the help of nature itself – God’s gift to his children – and through hard work and creativity. At the same time we must recognise our grave duty to hand the Earth on the future generations in such a condition that they too can worthily inhabit it and continue to cultivate it. This means being committed to making joint decisions after pondering responsibly the road to be taken, decisions aimed at strengthening the covenant between human beings and the environment.” (Article 50)

Pope Benedict XVI turns out to be an environmentalist pope. He never disregards the cause of environmental protection and he verbalises the urgent needs of the poor. Environment is for all, so it has to be defended by all the people. This is the religious summary of today’s environmentalism and this is what the pope writes and speaks about when addressing himself to the believers.

Non-believers are not excluded from society either. They ought to be approached via the common task of mankind to preserve nature. I think environmentalism might be a basic notion for ecumenism. It is in the hands of religious leaders and in the hands of leaders of states and societies to find the right way of cooperation. Churches are considered by many states as special civil organisations. In Hungary, there is no significant legal difference between a church and an association. Both represent the people’s interests before the government. The Hungarian government, and all governments of the world, should not put churches before associations and foundations: any kind of non-statal partaking in the social life is of a similar social value. Environment-consciousness has a strong need for ecumenism and for all sorts of coworking.

11. Summary

Nowadays, the situation of global environment raises problems for humanity. For the inhabitants of our planet, there is an increasing number of environmental difficulties to cope with. The activity of local people and that of states more and more keen on environmental topics is a good sign, however, there is still a lot more to do. If we say that present environmentalism is not enough, we do not do it in order to drive present generations to despair. The beginning of a green new world is to come. A new legal, social and economic framework is to be designed for a greener future. The basic notions of environmentalism are immanent in the global culture. People use these notions in the hope of making environment-consciousness a global reality.

Religion, politics, economy and other social factors determine the present shape of the blue planet. Some people think that future generations ought to struggle on their own for their lives. I believe that no one should be exposed to the idea of *struggle for life*. Every human, every animal and every plant race has a natural right to subsist. Biodiversity must not be overwritten by political currents adopting the odious notion of *struggle for life*.

Excluding people from society because of their race, gender, age, colour, religion, origin and because of other discriminating factors is unacceptable and it would be contrary to the spirit of environmentalism. Only those churches and those political parties have a real future which admit it not only in words, but also in deeds. Hostility among people is diametrically opposed to environment-consciousness. No reasonable environmentalism could exist without a *struggle for cooperation*. Extremism is not compatible with environmentalism, consequently the civilised world is not to be directed by Burgessian *clockwork oranges* (Burgess 1972).

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