

Chapter One

Introduction

1.1 Background of Study

The problem of climate change is hanging like an albatross on humanity's neck. It is so threatening that it can lead to the extinction of humanity. It has become so complex that existing theories no longer suffice due to the current dimension it has taken across the globe. Thus there is need for a paradigm shift in relation to finding solutions to the crises. Thus existing positions and theories need to be adjusted and reviewed to handle the situation. This is an arduous challenge.

Immanuel Kant has not so much been invoked in current debates on the issues of climate change and indeed, in discussions of global warming. This is despite the fact that he made tremendous and formidable contributions to the field of ethics. Kant formulated the categorical imperative. This states that one should act only according to such a standard as you would wish people to universally adopt in their behaviours and attitudes: "act only according to that maxim by which you can at the same time will that it should become a universal law."¹ This categorical imperative has remained a solvent and an integer in the field of ethics and other applied philosophy fields.

He also talked about global citizenship which has now become relevant in the current threat to territorial integrity and loss of territories which thus challenge sovereignty. With Kantian ethics being in focus one hopes for a functional global climate policy. The intended line of argument is that each nation should act as if a global treaty on climate change were in place and would really be in place.

The challenges posed by climate change are enormous and in most cases overwhelming. Some we can take quite good control of, some we can mitigate and some we have no options than to adjust many of our attitudes and perspectives of relationships within a delimited environment. It is in this last case that the analyses of Kantian philosophical theories and positions will come to bear.

The challenges of climate change have become an albatross on human societies and the peaceful coexistence of many nations in the near future is seriously threatened. Many nations are to be grossly affected that their geographical locations would become humanly uninhabitable and no logic can be proffered to sustain their continued inhabitation of such a place. Also no logic may be proffered and sustained in refusing them the right to relocate or migrate and share the resources of their new locations.

There has been growing concern about the manifest and further inevitable problems of climate change. As Pompidou pointed out:

Climate change is more than just greenhouse gasses. It also has human – and tragic – face. In Papua New Guinea, the Carteret islands are drowning, its population forced to live in exile and a whole culture destined to die out. Other islands would soon be submerged, with millions of homeless, condemned to seek shelter and asylum in an increasing inhospitable world. There is desertification of Africa and the fifty million refugees that it will create in the next ten years, according to some predictions....the more developed countries are not immune either; Hurricane Katrina, by devastating New Orleans and its coastal region, created a population of climate refugees, within the USA itself.²

The message here is that climate change has gone beyond mere environmental and atmospheric destabilisation (which can be handled by mitigation and adaptation) to direct assault on human survival and other necessary rights.

Appreciative of these the position of Kant (with special reference to the categorical imperative) seems to have a perspective as to the necessary ways to resolve these challenges. These we are going to see in his positions and views of global citizenship, perpetual peace, and the categorical imperative.

Kant in his *Perpetual Peace* talked about the conditions for global peace and citizenship in his work. He outlined what is called the three Definitive Articles which would provide not merely a cessation of hostilities, but a foundation on which to build peace.

1. The civil constitution of every state should be republican
2. The law of nations shall be founded on a federation of free states
3. The law of world citizenship shall be limited to conditions of universal hospitality³

All these are geared towards achieving peace in the globe which is the same target of the solutions being proffered for the problems generated by climate change.

The idea of world citizenship would serve as a template for solving the current and threatening challenges of climate change with special reference to the challenges of sovereignty as posed by the vanishing of territories and the inhabitability of certain societies. This is from the political point of view of the entire scenario. Climate change has exposed the gaps and deficiencies in existing legal and political frameworks on these issues which the idea of Kantian cosmopolitanism is expected to bridge.

Also in his categorical imperative he talked about the need for a universal legislator which will complement the call for world citizenship. This would be from the ethical point of view concerning the entire scenario. Thus Kant's cosmopolitanism or global citizenship and the categorical imperative are complimentary.

Kant's positions are catalysts to both the problems of climate change and the current challenges of sovereignty as posed by the vanishing of territories. They are here seen as normative solvents in handling both the political and ethical dimensions of the challenges of climate change. Climate change has both political and ethical dimensions to it.

1.2 Statement of Problem

Climate change is a problem to humanity in general from different dimensions. In some cases its impacts are limited and do not have a wider dimension. However, the dimension of inundation coupled with the permanent loss of territories in some cases has stirred-up a novel dimension to the problem.

Existing theories have remained deficient in handling the enormity of the current dimension of climate change. There is serious theoretical gap especially in relation to the aspect of using the Kantian cosmopolitanism in handling or finding solutions to the current dimension of the crises of climate change with special reference to the vanishing of territories. This gap is one of the major foci of this work. The vanishing of territories is a serious challenge in the effort to find solutions to climate change. It is equally aggravating the situation.

The United Nations has raised an alarm that the next level of world crisis would be climate induced 'refugees' or migrants and threats to sovereignty. The resources of the earth would be swept away by climate change and humanity would fight for the remaining available resources. In most cases developing nations and low-lying island nations would bear the heaviest brunt. Unfortunately, these will have spiral or ricochet effect on other nations.

The peoples of Carteret Islands of Papua New Guinea, Tuvalu, Kiribati, etc are already victims of climate change and are massively leaving their natural territories for other regions and territories. The inhabitants of New Orleans are also migrating to other places outside their natural habitats.

Also the pollutions from American factories claimed to have led to melting of glaciers in Greenland and the typhoons off Chinese coast and the malarial outbreaks in Indonesia which were said to have been caused by the extensive use of coal-fired power stations in India and Australia are all pointers to and attacks to sovereignty. Such victim nations, one may ask, can they be rightly denied the right to relocate/migrate (a sort of climatic ‘refugee’ status). Don’t they have a right to share in the resources of other nations, not only that of the direct culprits. What kind of societal arrangements can guarantee or remedy such a perilous situation. These will form part of the pool from which questions, problems and issues that this work addresses will be drawn.

In view of the present climatic predicament on humanity, Flawith had observed with worry that:

Alarm bells will perhaps ring loudest for states when the reality of territorial losses as a result of rising sea levels becomes apparent. Modern states derive legitimacy from their claim to ‘possess’ territory. As such, territory is one of the most prized assets states can cling to. From their perspective, the stability of possession of land is one of the most attractive features of sovereignty. Climate change leads to rising sea levels that will directly assault this certainty. Not only do many powerful states stand to lose some of their most influential cities and productive areas, but for practically the first time since World War Two, states will ‘die’. That is, several low-lying nations in the South Pacific will cease to have any territory at all.⁴

There is no more gainsaying the fact that the alarm bells have already started ringing across the globe. The disturbing situation is that the alarm bells have however not generated the necessary

reactions to such a serious and emergency situation that warranted or raised it. There is need to wake up from our dogmatic slumber and respond to the alarm bells by all possible means.

It is also noteworthy the observation of Toepfer that future wars would be territorial wars over natural resources like water, borders, etc.⁵

There is a clear lacuna in available international frameworks and conventions that are expected to take care of such cases as climate displaced persons and nations. Available ones which are often misquoted, misinterpreted and confused with what should be, only protect internally displaced persons especially those forcibly displaced by disasters within a particular territory (as defined by the 1998 United Nations Guidelines on Internal Displacement) and socio-political refugees (as defined by the 1951 United Nations Geneva Convention on Refugees).

The major problem now becomes how do humanity brace up for the challenges of such a predicted challenges of climate change. There is going to be a gross displacement of persons and nations which has serious political and economic costs which definitely will have a butterfly effect across the globe.

In view of these, this work sees the need to critically reflect on, analyse and assess these consequent and subsequent problems bearing in mind that the justifications of solutions to these will help in addressing the problems generated by climate change. These problems include:

- Will sovereignty still hold as is currently understood or will it be redefined? – There is need to realise that nations are mutually interdependent and are connected to one another. This, thus, needs a global or transnational and interregional approach. This is based on the fact that the international understanding of sovereignty has been threatened

by climate change. Here the philosophical positions of Kant on global citizenship and his earlier idea of a league of nations come to the fore.

- Is there a common inheritance of the earth and its resources as global citizens? – Those whose territories have been permanently overtaken by flood and inundation, do they have right to relocate or enter into others' territories to achieve their rights of self-determination and survival. Here we recall that Kant had argued that we are common descendants of the earth and therefore have common inheritance in a way that does not constitute harm to humankind. Climate change and especially inundation has led to forced migrations and there are pockets of resistance by many nations to these climate displaced persons. How justified is this? This is one of the major problems to be resolved in this work.
- Are there ethical positions that can be adopted to take care of the scenario? Here one recalls the categorical imperative of Kant especially the universal legislator and the golden rule principle.⁶
- Do we have adequate current legislations or international frameworks to take care of the major problems emanating from climate change which might cause frictions in international relations? – Climate change has brought with it new situations like climate displaced persons who are not by any means categorised and recognised as 'refugees'. This is however on individual basis i.e. individual persons grossly affected by climate change. We do also have entire nations grossly affected. In such situations the problem can be expressed thus: what adequate legal frameworks and conventions can take care of such situations? Kant would be approached for probable solutions here.

These and many more would constitute the major problems of this study that the Kantian positions would be used to address in order to provide justifiable answers and solutions.

1.3 Purpose of Study

The globe is challenged by the threats of climate change. This is as a result of anthropogenic factors or activities. More problems would occur in the future that would even force one nation against the other in the face of scarce resources, asylums, territorial dislocations, permanent displacement of individuals and nations, etc. In all these, the potential victims (in some cases) are hundred percent not yet known. However some are, for sure, likely not to evade such fates. We are one humanity and as human beings the theory of survival of the fittest should not sanguinely apply to us humans in the contemporary global developments and levels of enlightenments for we have left the state of nature.

There have been predictions of serious emergence of climate ‘refugees’, climate migrants, territorial dissolutions, and subsequent challenges to territorial integrity and sovereignty. These are the challenges brought on humanity by climate change, the resultant impacts of human activities on the environment.

Under such situations as above, can one/nations still rightfully lay claims to sovereignty? Can one nation be justified in closing its borders to nations swept away by climate change? Do all have equal rights to the resources of the earth as one common inheritance? These are serious posers that this work addresses.

In view of the above mentioned issues, the major purposes for this work include:

To foremost show that climate change is anthropogenic in nature by historically tracing the ecological footprints of humans on planet earth. (This is secondarily meant as a response to certain ‘sophists’ in climate politics known as climate contrarians. A group of scholars have begged to differ that there is climate change, some have argued that even if it exists, it is not anthropogenic.)

To show how Kantian cosmopolitanism/global citizenship will provide adequate solutions to the global climate crises being addressed here.

It will try to find out the best approach to the issue of human/nations’ survival in the face of loss of territories and loss of rights of self-determination?

It will also try to highlight the solutions proffered by Kant which appeared as if he envisaged such climatic challenges to human coexistence.

It will also try to proffer the necessary dispositions for a peaceful human and societal coexistence in the globe.

1.4 Scope of Study

This work will focus majorly on the efforts to find adequate philosophical or ethical approaches and solutions to the problems generated by climate change with special reference to climate displacement (loss of territories) and the loss of rights for both nations and individuals as consequences. This it does by first presenting the scenario that led to the present situation of climate change, then the historical efforts so far made by ways of environmental ethical approaches to take care of the situations and the deficiencies of such approaches. And lastly, to position Kantian option as one of the best approaches to the current dimensions of climate change.

1.5 Significance of Study

The current problems generated by climate change have been unprecedented. It has raised certain problems that current approaches and legislations throughout the globe especially international frameworks and conventions never anticipated. This is seen from the fact that climate-displaced person across the globe have not been so far captured in any international frameworks and conventions. They are not refugees by any established formal/official standard. They are for now climate displaced persons. What is their fate in such natural climatic onslaughts? There has to be recommendations to take care of them and their situations. This however needs a clear presentation of the entire scenario for a better appreciation and taking up a pedestal to make proper suggestions and solutions.

This work strongly agrees that researches build on one another to either authenticate or invalidate an existing one. Thus this work will serve as a starting point of a new dimension on the efforts to find solutions to the problems generated by the current dimension of climate change. This study will have both academic and practical significance. As an academic exercise the analyses of the Kantian responses to the challenges of climate change would help in addressing such issues. It will help in appreciating a new dimension of looking at the problems of climate change. It also enlarges the range of application of Kantian theories and philosophies in other fields of knowledge.

In practical terms, it will help greatly in international relations and in the drafting of regulations and convention on climate change and ethics. Already there have been cases of territorial crises across the globe. Migrant issues continue to rise. Also there has been a new concern on the issue of climate refugees which seem to have led to regulating principles at international levels.

It will also help judges and other legal practitioners (especially of the legal realist camp who see the law as a means of social engineering, the ‘spirit’ and not the ‘letters’ of the law) and legislative and environmental policy makers in future decisions regarding environmental justice and global/comprehensive solutions to climate change impacts.

1.6 Methodology

This work will take an analytical approach. As such, such fields as Ethics and its applied areas, Politics, Science, Philosophy of Technology, etc would be inevitable in the course of philosophical analyses in this work. These would help us in analysing and appreciating the terms, concepts and applications thereof to make the work a success. The philosophy of Immanuel Kant will remain crucial as a major focus and guide in this critical appraisal. Kant’s philosophy is multi-dimensional in approach. It criss-crossed many disciplines and areas of human endeavours. Thus where other philosophers remain relevant they would equally be employed to lend credence to the positions of Kant.

Theoretical Framework: This work will theoretically focus on Kant’s global citizenship or cosmopolitanism and the categorical imperative. It will adopt a synergy of both. The cosmopolitan aspect will take care of the political challenges brought about by climate change which remains a treat to global peace. The categorical imperative will complement and take care of the ethical aspect of the challenges first and foremost making it glare that the entire situation is as a result of our unethical attitudes towards the environment and then proffering ethical options for the resolutions and control of the so called anthropogenic factors and ecological footprints.

1.7 Definition of Operational Terms

Cosmopolitanism: This is the idea that the globe, the cosmos belongs to all irrespective of geographical and political leanings. It is the idea that the cosmos is of common inheritance. Here this concept would be used synonymously or interchangeably with ‘world citizenship’, ‘global citizenship’ and ‘world citizen’.

Inundation: This is the result of over flooding or overtaking of lands and territories (that of sovereign nations) by flood as a result of rises in sea levels due to climate change. In most cases it results to permanent displacement.

Anthropogenic factors: These are activities and impacts that are human in origin or that emanate from humans that impact negatively on the environment. They are human-caused impacts on the environment.

Climate displaced persons (CDP): These are people who were displaced or forced to leave their homelands (places of habitation) which have been rendered uninhabitable and can no longer sustain life as a result of the impacts of climate change. In most cases they have lost their rights of self-determination. Also in most cases they are permanently displaced persons.

References

1. I. Kant, *Grounding for the Metaphysics of Morals*. Hackett Publishing. (1993) p38.
2. A. Pompidou, 'Editorial: For an ethical approach to climate change'. *The UNESCO Courier*, No. 10. Paris, (2009) p3
3. I. Kant, *To perpetual peace: a philosophical sketch*. Hackett Publishing. (2003) P 357.
4. R. Flawith, 'Climate change: a crisis for state sovereignty'. *Climate Himalaya*. May 26, 2011 Available at: <http://chimalaya.org/2011/05/26/climate-change-a-crisis-for-state-sovereignty/> Accessed: July 05, 2014.
5. K. Toepfer, 'Environmental Sustainability for a Secure Future'. United Nations Environment Programme.(2005) available at:
<http://www.unep.org/Documents.Multilingual/Default.asp?DocumentID=452&ArticleID=4956&l=en> Assessed: may 2013
6. I. Kant, (1993) op. Cit. P.38

Chapter Two

Literature Review

This chapter will take a look at some existing theories that have been advocated to take care of the environment. It will also address their shortfalls in order to prepare the reader to appreciate the cogency for Kantian position to be adopted in this work. It will then concentrate on the conceptions of global/world/cosmopolitan citizenship, its developmental origins, the different perspectives of it, Kant's idea and adoption of it and the criticisms surrounding the Kantian position or perspectives of it. It will also try to show the link and synergy of the cosmopolitanism of Kant and his categorical imperative. All these are preambles to the thesis of this work which holds that the idea of cosmopolitanism of Kant and his categorical imperative, which this work sees as Kantianism, remain the best option and approach in environmental ethics to the current global climate problems and challenges.

Now let us have a look at some of the early approaches to environmental issues and concerns. These are some of the renowned ethical approaches to the then environment problems. It will be a historically analytic approach. Their shortfalls will equally be highlighted to show how they necessitated further theories or approaches to take care of the perceived loopholes.

Since humans became conscious of the impacts of their activities on the environment, there have been various approaches to curtail such. This led to the formulation of various ethical approaches to the environment. Majority of these theories were formulated based on the then present environmental challenges. Thus some were true to their times. If some of these philosophers and scholars were to be around today and witness the present scenario they would

have their initial positions adjusted to better take care of the present environmental challenges which are gearing towards a point of no return. This is equally applicable to Kant.

There were diverse opinions and attitudes towards nature. Some believed in the subduing of the environment, arguing that it is totally there for humans. Others believed and argued that the environment is just a means and not an end in and for itself. These brought about different kinds of ethical orientations. A few examples would suffice.

In the examples that will follow, one will observe constant paradigm shifts. In most cases these are due to criticisms by opposing theories. Some are also due to developments that torpedo their initial positions. Some are also due to the deficiencies in previous theories. These necessitate changes in perspectives and approaches. Thus it is not surprising that some traditional ethical (environmental) theories no longer suffice and remained adequate to contemporary environmental challenges.

Pinchot and followers believed that nature should only be preserved not because they are beautiful or because they shelter wild creatures of the wilderness, but only to provide the satisfaction and needs of humans. They held that natural resources should be for the greatest good for a good number of people.¹ This position has an anthropocentric undertone. Thus one can maintain that this is one of the shades of anthropocentrism. Anthropocentrism in its religious and secular versions sees nature as a means to the end of humans. It can be dealt with for the satisfaction of humans, the only species that have reason, and contemplates about the present, future and the past.

John Muir² on the other hand argued that nature deserves to exist for its own sake, regardless of its usefulness to humans. This position sees nature as having its own right to preservation.

Nature is an end in and for itself. This is a position that can be justified to be re-echoing Immanuel Kant as we would see later in this paper in the Section ‘Kantian Imperatives Juxtaposed’. Aldo Leopold’s land ethic is equally in support of this position. The message here is that the environment has inherent worth. This has a holistic undertone.

Naess feeling dissatisfied by the existing approaches to environmental issues due to certain deficiencies came up with a movement identified as ‘deep ecology’. She identified the eight point agenda and guide for action of the deep ecology platform³. They include:

1. The well-being and flourishing of human and non-human life on Earth have value in themselves (synonyms: intrinsic value, inherent worth). These values are independent of the usefulness of the non-human world for human purposes.
2. Richness and diversity of life forms contribute to the realization of these values and are also values in themselves.
3. Humans have no right to reduce this richness and diversity except to satisfy vital needs.
4. The flourishing of human life and cultures is compatible with a substantially smaller human population.
The flourishing of non-human life requires a smaller human population.
5. Present human interference with the non-human world is excessive, and the situation is rapidly worsening.
6. Policies must therefore be changed. These policies affect basic economic, technological, and ideological structures.
The resulting state of affairs will be deeply different from the present.
7. The ideological change will be mainly that of appreciating life quality (dwelling in situations of inherent value) rather than adhering to an increasingly higher standard of living.
There will be profound awareness of the difference between bigness and greatness.
8. Those who subscribe to the foregoing points have an obligation, directly or indirectly, to try to implement the necessary changes.

With special reference to biodiversity Nos. 2 and 5 remain relevant. With reference to No. 5 which deals with technological and other development feats which constitute onslaughts on nature, she noted that:

The so-called simple, lower or primitive species of plant and animal contribute essentially to the richness and diversity of life. They have value in themselves and are not merely steps toward the so-called higher or rational life forms. Life itself, as a process over evolutionary time, implies an increase of diversity and richness.⁴

In essence she is recognising the fact that nature has inherent worth and therefore not to be seen as solely a means to an end. She further observed that in relation to the same No.5 above which calls for moderation on natural onslaughts, that:

The slogan of "non-interference" does not imply that humans should not modify some ecosystems, as do other species. Humans have modified the earth over their history and will probably continue to do so. At issue is the nature and extent of such interference. The per capita destruction of wild (ancient) forests and other wild ecosystems has been excessive in rich countries; it is essential that the poor do not imitate the rich in this regard.

The fight to preserve and extend areas of wilderness and near-wilderness ("free Nature") should continue. The rationale for such preservation should focus mainly on the ecological functions of these areas (one such function: large wilderness areas are required in the biosphere for the continued evolutionary speciation of plants and animals). Most of the present designated wilderness areas and game reserves are not large enough to allow this to happen.⁵

She was aware that humans have left negative and dangerous ecological footprints through exploitation of nature.

Aldo Leopold⁶ introduced the land ethic, a sort of Gaia-centrism. The bottom-line of land ethic is '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'. The 'land ethic' is a call to think and act ethically towards the environment.

Many other ethical approaches emerged; some include the biocentric approach, the different shades of anthropocentric approach, the holistic approach, biophilic approach, and many others.

Before proceeding further let's have a critical look at some of these theories from a collective point of view. We will critically analyse them and expose their short falls and deficiencies.

The anthropocentric approach has been seen as one of the oldest of the environmental ethics theories. According to *Internet Encyclopaedia of Philosophy* an anthropocentric ethics claims that only human beings are morally considerable in their own right, meaning that all the direct moral obligations we possess, including those we have with regard to the environment, are owed to our fellow human beings. Thus the moral standing of humans should be the ultimate rationale and parameter in all environmental issues.⁷

This position of anthropocentrism brought it many criticisms. The major one being that it is the spoor of decay and the culprit of the present day environmental crisis. It misplaced priorities that would have salvaged the environment. It was associated with both the Christian culture of dominion over the earth and the Western 'culture of death' through capitalism and unbridled exploitation of natural resources. According to Routley and Routley anthropocentrism was embedded in what is called the dominant western view, or the western superethic, and thus is in effect purely human chauvinism. This view, he argued, is just another form of a class chauvinism that is simply based on blind class loyalty and prejudice and thus unjustifiably discriminates against those outside the privileged class.⁸ Anthropocentrism was equally criticised for seeing nature as having only instrumental value to humans.

These above criticisms and many others led to a paradigm shift. A paradigm shift that was necessitated by perceived deficiencies of anthropocentrism. This led to holistic approaches. The holistic approach is hinged on the issue or call for an extension of moral standings to other beings. Thus came the moral extensionist theories.

The holistic land ethic of Aldo Leopold was prominently attacked. According to *Internet Encyclopaedia of Philosophy* the major criticism against him was that he jumped:

too quickly from a descriptive account of how the land is, to a prescriptive account of what we ought to do. In other words, even if Leopold's accounts of the land and its energy flows are correct, why should we preserve it? What precisely is it about the biotic community that makes it deserving of moral standing? Unfortunately, Leopold seems to offer no answers to these important questions, and thus no reason to build our environmental obligations around his land ethic.⁹

It appears that Leopold was involved in the merger of the Humean worlds of 'is' and 'ought' which has no necessary corollary.

However Callicott came to his rescue. He argued that moral standing should not only be assigned on the basis of some particular characteristic, such as consciousness or a biological good of one's own, that what Leopold did was to accord moral standing on the basis of moral sentiment and affection. Thus, the question is not, what quality does the land possess that makes it worthy of moral standing? But rather, how do we feel about the land.¹⁰ According to *Internet Encyclopaedia of Philosophy* the position Callicott is campaigning for is that the land ethic can be seen as an injunction to broaden our moral sentiments beyond self-interest, and beyond humanity to include the whole biotic community. This thus bridges the gap between the descriptive and the prescriptive in Leopold's thought.¹¹

Thus holistic approach is a reaction to the deficiencies or shortfalls of anthropocentrism. It is seen as the starting point of moral extension to non humans or the extending of moral standing to non humans. Kant can be seen as part of this same campaign in his defence of animal rights.

There was equally another paradigm shift from anthropocentrism and other ethical approaches considering a moral extension options. This was the birth of the Radical/Deep ecology movement.

The major grouse of the radical ecology movement according to *Internet Encyclopaedia of Philosophy* is that none of the earlier theories and approaches (see anthropocentrism and the extension of moral standing) is sufficient to resolve the environmental crisis.¹² They believed and argued that a broader philosophical perspective is needed, requiring fundamental changes in both our attitude to and understanding of reality. This involves re-examining who we are as human beings and our place within nature. For radical ecologists, anthropocentrism and moral extensionism are inadequate because they are stuck in the traditional ways of thinking that led to these environmental problems in the first place. In short, it is argued that ethical extensionism fell into the same ditch as anthropocentrism because they took human beings as the paradigm examples of entities with moral standing and then extends outwards to those things considered sufficiently similar – sentient beings.

Deep ecology was not equally spared of criticisms. It had its own fair share. For one strand of the criticism, its attack on western values and practices were not comfortable for many. The other strand believes that its perspective on population and its quest for reduction was seen as anti-human. Thus such issues as assistance in any form (medically or economically) to poor nations is out of their picture in the effort to reduce the population of the earth. Nations can die off to safeguard the earth.

Deep ecology was also criticized as a form of neo-Nazism. This is based on the fact that it emphasised wholeness, harmony, balance and traditional ways which smack of Nazi ideology

of one community one blood and soil campaign. It was a biased approach and perspective. It failed to acknowledge that diversity is part of and beauty of nature and that there is equality of human beings.

All these analyses to expose the shortfalls and deficiencies of some of these early theories are to prepare the ground for the reasons or cogency for adopting the Kantian ethical approaches in relation to the current dimensions that climate change has taken. Some of the loopholes will be taken care of by Kant's approaches.

Now let's us look at one of the major theoretical frameworks adopted by this study. It is to serve as an alternative solution and approach that has become cogent in the face of the current threatening dimensions of climate change. We now take a look at the Kantian call for world citizenship which has become cogent in the challenges of displacement on a massive scale.

Historically the idea of world citizen, world citizenship or cosmopolitanism is traceable to the Cynic Diogenes. Diogenes had argued that he is a citizen of the world thereby denying affiliation to any specific geographical or political territory. As was pointed out by Kleingeld¹³ Diogenes was the first philosopher to give a perfectly explicit expression to world citizenship. This was around the fourth century BC.

For Hutcheson the Stoics inherited from their Greek forbears the belief that one's humanity was a function of reason and that this universal human attribute granted each person the equal status of a rational moral agent. He further observed that the stoics further elucidated this idea by coining the term *kosmopolites*, meaning 'world citizen'¹⁴. This position was equally

corroborated by Kleingeld and Brown that the stoics are fond of saying that the cosmos is, as it were, a polis, because the cosmos is put in perfect order by law, which is right reason.¹⁵

Cicero also theorised about the world citizen arguing that human beings are global citizens bonded by reason and speech and these unite humans in a kind of fellowship. Thus humanity is involved in a nexus of tightly knot relationships and networks. Thus it becomes irrational and abnormal to bring in disintegrators.

David Miller¹⁶ distinguished the Diogenes cosmopolitanism from that of Cicero. Cicero's world citizen is in union with extended humanity and remained more social than that of Diogenes which was individualistic thereby denying any social affiliations. He noted that Cicero's account involved concentric circles of human associations of close relations in a strict sense whereas that of Diogenes was freeing oneself from such concentric circles. He noted that Diogenes' position was very essential for his philosophical project. In essence the spirit of world citizen was more philosophical in Diogenes than it was in Cicero which was more political. This is one of the major distinguishing factors between the two figures. Miller further believed that Cicero's world citizen had concrete ethical implications. Thus from this ethical implication of world citizenship the essence is for the protection of humanity from harm. This I call the 'Cicero harm principle' hereinafter. It is for the purpose of global security. Here Cicero is almost pre-empting the need for world citizenship to take care of the crisis emanating from climate change which is already creating tensions. Thus there is need for a global citizenship of mankind. This will solve the problem of climate displaced persons who have become endangered. Thus Miller gave an example of the 'Cicero harm principle'; 'where there is plenty of water in the stream for all to drink, it would be wrong to deny another person his draught,

just because he is not from such an area or any other reason'. Thus one can decipher that one of the ulterior ethical motives of the Cicero world citizenship is the duty of aid. See Cicero¹⁷

Marcus Aurelius' world citizen was equally seen as a philosophical one like that of Diogenes. According to Miller, Marcus based his own on the common possession of reason by mankind. He noted that Marcus believed in the idea of universal morality since as rational creatures we are subject to common moral law. He however did not pre-empt any political organisation. See Marcus¹⁸ For Hutchman the cosmopolitanism of Marcus unfolded when he declared:

If reason is common, so too is law; and if this is common, then we are fellow citizens. If this is so, we share in a kind of organised polity. And if that is so, the world is as it were a city state¹⁹

In summary, Miller believed that almost all the stoics discussed world citizenship detaching it from the contemporary understanding of citizenship which is political.

Pauline Kleingeld had observed that there is a great difference between the Greek Stoics conception of cosmopolitanism and the Roman Stoics conception of it.²⁰ The Greeks seem to see cosmopolitanism from the point of view of nature (physis) whereas the Roman stoics see it from the point of view of convention (nomos). Here one recalls the intellectual debate between the sophists and Socrates on nature and convention where convention is seen as being contrary to nature, especially by the sophists.

There have been other traces of cosmopolitanism in many writers and scholars. Dante, according to Kleingeld pleaded for a universal morality in his work *De Monarchia*. She also noted that Erasmus of Rotterdam, advocated for world citizenship, the unity of mankind, over

the division into states and peoples which is geared towards a global peace. Hugo Grotius also called for a great society of states.²¹

In contemporary period, cosmopolitanism was seen in the works of Hayek, Smith, Friedman, etc in such ideologies as global capitalism, open market, international workers movement, etc. Majority of them here subscribe to economic cosmopolitanism.

Contemporary views of cosmopolitanism especially in the 18th century indicate open-mindedness and impartiality. It also became a philosophical conviction and way of life re-echoing the cynics in Greek thought as in the case of Fougeret de Montbron. Later on a paradigm shift was observed when Kant emerged.

Having seen the historical development of world citizenship, let's now have a look at the Kantian version/perspective of it. This is propadeutic to its application to the current climatic situation that humanity is seriously facing.

Kant in his *Perpetual Peace* talked about the conditions for global peace and citizenship in his work. He outlined what is called the three Definitive Articles which would provide not merely a cessation of hostilities, but a foundation on which to build peace.

1. The civil constitution of every state should be republican
2. The law of nations shall be founded on a federation of free states
3. The law of world citizenship shall be limited to conditions of universal hospitality²²

It is believed that there is a necessary corollary between Kant's idea or conception of world citizenship and his categorical imperative. They share the same bottom-line. They also play complimentary role in the quest to find solutions to the present climatic crises.

The idea of world citizenship would serve as a template for the current and threatening challenges of climate change with special reference to the challenges of sovereignty as posed by the vanishing of territories and the inhabitability of certain societies. This also causes serious socio-political tensions among nations of the world. This is from the political point of view of the entire scenario.

In the fourth thesis of his idea of universal history from the cosmopolitan point of view, Kant²³ teleologically argued that nature through a *via negativa* approach brings lawful order among humanity. He states that:

The means employed by nature to bring about the development of all the capacities of men is their antagonism in society, so far as this is, in the end, the cause of a lawful order among men.

Thus Kant was in line with the foremost social contract theorists like Hobbes, Locke and Rousseau in believing that disorder is prior to order or in Kant's words the 'unsocial sociability of men' necessitates a contract such as the world citizenship he was advocating for. This 'fourth thesis' of Kant prepares the ground for a project of a grand design, a universal project, the world citizenship.

In the 'Fifth thesis' Kant unveiled his project of the world citizenship. He stated it thus:

The greatest problem for the human race, to the solution of which nature drives man, is the achievement of a universal society which administers law among men.²⁴

For Kant this is the teleology of his world history, a world history that its summation is the achievement of a society with the greatest freedom.

According to Nadal, Kant's world citizenship is history's final end visualised as the establishment of a cosmopolitan order. He believed that this is the only way for humanity to achieve its perfection.²⁵ Thus he is anticipating an end to fragmented territorial sovereignty and an emergence of a global sovereignty of all inhabitants of the earth.

Hutchman believed that the principal tenet of *Toward Perpetual Peace* is hospitality. It formed what he called the crux of Kantian cosmopolitanism for it enshrines the respect among peoples for the universal right to occupy the earth's surface²⁶. According to Dowdeswell this idea or concept of hospitality according to Kant has an enlarged or deeper meaning. It goes beyond mere kindness to strangers. She noted that it should be seen from the concept of its ancient origin which involves care and concern in meeting the needs of each person and welcoming them into our community.²⁷

Nussbaum believed that Kant was more influential than any enlightenment thinker in defending a politics based upon reason rather than group sentiments or patriotism, a politics that was truly universal. She noted that Kant is indebted to stoic cosmopolitanism. She also observed that Kant stressed that the community of all human beings in reason entails a common participation in law and that by our rational existence, a common participation in a virtual polity, a cosmopolis with implicit structure of claims and obligations regardless of whether or not there is an actual political organisation in place to promote such.²⁸

Pauline Kleingeld had argued that cosmopolitanism or the cosmopolitan law is concerned not with the interaction between states, but with the status of individuals in their dealings with states of which they are not citizens. She noted that in Kant, cosmopolitanism is the third category of public law – *weltburgerrecht*. She also observed that the core of Kant's world

citizenship is right to hospitality – cosmopolitan law shall be limited to the conditions of hospitality. See Kant's *Perpetual Peace*²⁹. She noted that Kant maintained that states should not treat visiting foreigners hostilely. Thus when Kant pointed out that no one can send a person back to one's country where the person would die as a result of being sent back is one of the necessities for global citizenship. Kleingeld noted that Kant in the draft to *Perpetual Peace* held that people who are forced by circumstances beyond their control should be accepted by the host nations.³⁰

In the examples cited by Kant to defend his positions on the above issues, it is noteworthy that he never pre-empted 'climate refugees' or climate displaced persons (CDP). As noted by many reviewers of Kant, he appears to be taking precautions against colonialism that was then prominent in his time. Colonialism was unjust from his own perspective as a morally unwarranted entry.

For Cavallar Kant distinguished six types of cosmopolitanism – epistemological, economic, moral, ethico-theological, political and cultural.³¹ He noted that in moral cosmopolitanism Kant defended it with the claim that all rational beings irrespective of their race should be seen as ends in themselves and as law-giving members of the universal kingdom of ends. Thus rational beings are respected as end in themselves. In political cosmopolitanism Kant had argued that individuals and states are to be regarded as citizens of a universal of mankind. He noted that in Kant's work on *The Idea of a Universal History with a Cosmopolitan Aim*, only the political cosmopolitanism was discussed. Epistemological cosmopolitanism relates to our cognitive faculties and thus to theoretical reason aiming at knowledge. Epistemological cosmopolitanism is a pointer to the fact that knowledge is not the exclusive preserve of any group, race or

gender. Thus true knowledge is open to the entire human race. He further noted that Kant's division of philosophy into theoretical and practical made the distinction easier. Cultural cosmopolitanism reflects on and evaluates how the universal principle of right manifests itself and is interpreted and applied in cultures and historical epochs. Economic cosmopolitanism talks about rights in public market where people can exercise rights to external objects of choice by buying and selling them. The ethico-theological cosmopolitanism deals with the invisible church. It is seen by Kant as a religious commonwealth.

However in his account Hantsch deciphered four types of cosmopolitanism in Kant.³² Moral cosmopolitanism deals with the question of duties of a human being to all human beings in general it is based on the concept of humanity in the sense of traditional anthropology. Political cosmopolitanism in Kant analyses the institutions and mechanisms which help to realise a society or state of 'world citizen'. Cultural cosmopolitanism stresses the diversity of cultural contexts in which the members of different nations, regions or civilisations are involved without going back to national structures or levels of culture. Economic cosmopolitanism deals with the international networking of economies which is seen in the current context of economic globalisation. Hantsch thinks that there is no serious distinction between moral/ethical and political cosmopolitanism in Kant's philosophy.

Hantsch strongly believes that Kant declared world citizenship as the goal of his philosophy. He argued that this view implies that Kant is a theorist of a universal ethical community that derives its general rules of acting from a common reason. This is equally the position of Pauline Kleingeld who believed that for Kant all rational beings are members in a single ethical

community by sharing the characteristics of freedom, equality and independence. These are backed by common laws of ethics grounded in reason

Carola Hantsch gave a contemporary understanding of the idea of world citizenship. For him the concept of world citizen signifies an inhabitant of a 'world society' or 'world republic' this world citizenship guarantees a worldwide and perpetual peace and is seen as an ideal goal of history and should be reached by all means.

He noted that Kant's world citizenship can be seen from two perspectives: one from a regulative idea instead of utopia and on the other hand in a pragmatic way. Thus in the first place Kant's world citizen is first and foremost a fellow citizen who takes his point of view in the world and does not have an Archimedean position above other points of view. This is a theoretical perspective. Secondly Kant's world citizen from the political sense is a member of a world republic only interested in the juridical dimension of a civil constitution which largely differs from the natural law.³³ This talks about the right of the world citizen.

Held³⁴ outlined what he called the eight principles of cosmopolitanism as follows:

1. Equal worth and dignity
2. Active agency
3. Personal responsibility and accountability
4. Consent
5. Collective decision-making about public matters through voting procedures
6. Inclusiveness and subsidiarity
7. Avoidance of serious harm, and
8. Sustainability

1. Equal worth: this he pointed out stresses that the ultimate units of moral concern are individual human beings. This implies that humankind belongs to a single moral realm in which each person is regarded as equally worthy of respect and consideration.
 2. Active agency: this principle supplements the first and makes it universalisable. It stresses the capacity of human beings to reason self-consciously and be self determining. It bestows duties. It talks about independent action and responsibility.
 3. Personal responsibility and accountability: this principle stresses the ability to make decisions and to differ in positions on any issue. It gives room for pluralism.
 4. Consent: this stresses a non-coercive political process which gives room for negotiations on political issues. According to him, the principle of consent constitutes the basis of non-coercive collective agreement and governance.
 5. Collective decision-making about public matters through voting procedures: this principle also supplements the fourth principle. It implies that consent must be sought through public decision-making which involves voting. It calls for inclusiveness and participation.
 6. Inclusiveness and subsidiarity: this deals with drawing boundaries, participating government that shapes decisions that affect directly on the people.
 7. Avoidance of serious harm: this stresses social justice. It ensures equality and equal moral worth of all. It stresses the avoidance of harm (a core value of cosmopolitanism)
 8. Sustainability: this stresses that all actions that impact and depend on the environment must be consistent with sustainability of the planet earth. It abhors issues that lead to ecological imbalances (such as anthropogenic factors that have led to the present crisis of climate change)
- Thus for Held, all these eight principles are the resume or the bottom-line of cosmopolitanism. Cosmopolitanism is a multi-layered project or pursuit which is grounded in natural law.

Hegel on his own part rendered a critique of Kant's cosmopolitanism. According to Hutchman³⁵, Hegel's criticism of Kant's cosmopolitan ideal hinges on the issue of whether a world republic or federation of nations would in any authentic sense constitute a community. He noted that according to Hegel the nation state alone satisfies such a role and is therefore the sole authority capable of ruling in accordance with the social and political values particular to any nation. Thus Hegel was advocating cultural pluralism. For Hicks, Hegel argued that cosmopolitanism does not provide a viable political and institutional framework for the expression of modern freedom and individualism.³⁶

Rawls had equally criticised Kantian cosmopolitanism on the account that its tenets are western and more liberal than they do not function and may not be acceptable in non-liberal societies³⁷. Such views and criticisms were equally espoused by Pinsky³⁸. However Dowdeswell had responded that many communities not only liberal and western ones have been employing cosmopolitan norms in meeting their goals, adapting to change, reducing conflict and promoting the well-being of the community's members.³⁹

David Braybrooke had observed that human beings from beginning live in bonds of mutual attachment and affection.⁴⁰ Thus there is a strong argument that love of humanity is the core of human cognitive and social development and which has been present all along. In essence the spirit of cosmopolitanism has been inherent in humans and not a stage of development like family, community, and then nation as seen in the theories of origin of the state in both Plato and Aristotle. In view of this Dowdeswell pointed out that we do not learn to love others who are distant from us; we learn to become divided from them. She further noted that identity-forming relationships such as family, friends and colleagues, or as co-members of a larger

ethnic, whites, blacks, religious and social groups are parochial and necessarily entail the exclusion of others.⁴¹ This attitude abhors universalism in its cosmopolitan and ethical ramifications as far as Kant is concerned.

Many scholars have subscribed to the cosmopolitan views. Thus one can see that it is a fluid theory and position. To sum up in the defence of cosmopolitan vision for the contemporary society and situations in which we are against any other approach, van Hooft equally noted that other approaches are deficiented on several grounds such as misplaced motives. For instance he pointed out that:

In so far as I draw my identity from such groupings I shall care about their members. The key to this ethic is that I am motivated to help others not out of a sense of duty, but out of concern for them. The problem with this ethic is it does not seem to be universal. It apparently confines itself to those with whom I have the relevant kind of relationship... Caring does not seem to have the global scope espoused by cosmopolitanism⁴²

It is note noteworthy that Kant was criticised for his racist comments which smacks antithetical to his cosmopolitan theory. He was accused of advocating eurocentrism in place of cosmopolitanism. This position was however defended by some contemporary Kantian cosmopolitans. Kleingeld⁴³ had observed that Kant later had a metanoia and arrived at a more coherent version of his cosmopolitanism by the time he wrote *Zum ewigen Freiden*. That he later granted full juridical status to non-Europeans like the Hottentots and criticised European colonialism. See Cavallar⁴⁴

It is also good to note that Kant is not the only modern philosopher that espoused the cogency for cosmopolitanism in solving myriads of global situations. Karl Jaspers equally had his own idea and philosophy of world citizen. He approached his own from both the historical and

political dimension. He advocated world citizenship based on a philosophy of communication of the truth of one humanity. Even John Rawls has a similar recommendation and call for cosmopolitanism. Rawls position is based on the general welfare of humanity. His and Kant's are all geared towards peaceful and harmonious coexistence. His position and cosmopolitan views will later be treated. Anthony Appiah has his own version of cosmopolitanism.⁴⁵ For him cosmopolitanism is a global ethical framework for the planet earth because we have ethical obligations which goes or extends across all borders. For him, cosmopolitanism is the challenge of the present times.

References

1. P. Cunningham, et al, *Environmental science: A global concern*. New York: McGraw Hill. (2005) p 18
2. Ibid, p18
3. A. Naess, 'Deep ecological movement: Some philosophical aspects'. In Sessions, G. (ed) *Deep ecology for the 21st century: Readings on the philosophy and practice of the new environmentalism*. Boston: Shambhala. (1995) P68.
4. Ibid p69
5. Ibid p 69
6. A. Leopold, Land ethic. In Callicott, J. B. ed. *Companion to a Sand County Almanac*. University of Wisconsin Press, Madison. (1949) P220-225
7. *Internet Encyclopaedia of Philosophy* (2007) <http://www.iep.utm.edu/envi-eth/>
Accessed: June 05, 2013
8. R. Routley, and V. Routley, 'Human Chauvinism and Environmental Ethics'. In Mannison, D., McRobbie, M. A., and Routley, R. (eds.) *Environmental Philosophy*. Canberra: Australian National University, Research School of Social Sciences. (1980) 96–189.
9. *Internet Encyclopaedia of Philosophy* (2007) ibid
10. J.B. Callicott, *The conceptual foundations of the land ethic*. (1998) p. 101–123.
11. Internet Encyclopedia of Philosophy, ibid
12. Ibid
13. P. Kleingeld, and E. Brown, "Cosmopolitanism", *The Stanford Encyclopedia of Philosophy* (Fall 2014 Edition), Edward N. Zalta (ed.), URL = <http://plato.stanford.edu/archives/fall2014/entries/cosmopolitanism/>.
14. S. Hutchman, 'An Historical examination of Kant's cosmopolitanism: from Roman precursors to modern successors'. *Global journal of international studies*. Vol.1, (2000) p50
15. P. Kleingeld and E. Brown, 2014. Op cit
16. D. Miller, 'The idea of global citizenship'. *Nuffield's working papers series in politics*. 16 Feb. 2011. (2011) P6.

17. Cicero. *On duty*. M.T. Griffin and E.M. Atkins (eds) Cambridge: Cambridge university press.(1991) p21
18. Marcus Aurelius *The meditations of Marcus Aurelius Antonius*. Trans A.S.L. Farquarson (ed) R.B. Rutherford. Oxford: oxford university press.(1989) p24
19. S. Hutchman, 2000 op cit
20. P. Kleingeld and E. Brown, 2014 op cit
21. Ibid
22. I. Kant, *To perpetual peace: a philosophical sketch*. Hackett Publishing. (2003) P357
23. Ibid
24. I. Kant, *On History*. (Trans Lewis White) The Bobbs-Merril Co. (1963). See also Kant, I. (1784) Idea for a universal history from a cosmopolitan point of view. Kant, *Political Writings*. p41-53
25. P. Nadal, 'Hoping cosmopolitanism: Notes on Kant's idea for a universal history with a cosmopolitan aim'. Available at: <http://belate.wordpress.com/2011/12/26/kant-cosmopolitan-philosophy-world-history/>
26. S. Hutchman, op cit.p51
27. T. Dowdeswell, 'Cosmopolitanism, custom, and complexity: Kant's cosmopolitan norms in action'. *Cosmopolitan civil societies journal*. Vol. 3, No. 3.(2011) p178
28. M. Nussbaum, 'Kant and stoic cosmopolitanism'. *The journal of political philosophy*. Vol.5, No.1. (1997) p3. (See also Nussbaum, M. (1997) *Kant and stoic cosmopolitanism*. Oxford: Blackwell Publishers)
29. I. Kant, (2003) *op cit* p357
30. P. Kleingeld, 'Kant's cosmopolitan law: world citizenship for a global order'. *Kantian review*. Vol.2. (1998) p72
31. G. Cavallar, 'Cosmopolitanism in Kant's philosophy'. *Ethics & Global politics*. Vol. 5. No.2. (2012) p 96
32. C. Hantsch, (2008) 'The world citizen from the perspective of alien reason: notes on Kant's category of the *Weltbürger* according to Josef Simon'. Pp 51-63. In Lettevall R, and Linder, M.K. (eds) *The Idea of Kosmopolis History, philosophy and politics of world citizenship*. SÖDERTÖRN ACADEMIC STUDIES 37. P51
33. Op cit. P53

34. D. Held. 'Principles of cosmopolitan order' in Brock, G.S. and Brighouse, H. (eds) *The political philosophy of cosmopolitanism*. Cambridge: Cambridge university press.(2008) Pp1—27
35. S. Hutchman. Op cit
36. S.V. Hick, *International law and the possibility of a just world order*. Editions Rodopi B.V. (1999) p101-103
37. J. Rawls, *The law of the peoples*. Harvard university press. Cambridge. (1999) p 69. See also Rawls, J. (1993) 'The law of peoples'. In Shute, S. and Hurley, S. (eds) *On human rights: The Oxford amnesty lectures 1993*. Basic books: New York.
38. R. Pinsky, Eros against Esperanto. In Nussbaum, M. and Cohen, J. (eds) *For love of country*. Beacon press: Boston. (2000) P85
39. T. Dodswell. Op cit p177
40. D. Braybrooke, *Natural law modernised*. University of Toronto press: Toronto.(2003) p182
41. Ibid
42. S. Van Hooft, *Cosmopolitanism: a philosophy for global ethics*. Acumen: Stockfield. (2007) P92.
43. P. Kleingeld, 'Kant's second thoughts on race'. *The philosophical quarterly*. Vol. 57. (2007) p586-9
44. G. Cavallar, op cit p97
45. A. Appiah, *Cosmopolitanism: Ethics in a World of Strangers*. New York: W. W. Norton, (2006).

Chapter Three

Anthropogenic Factors, Climate Change and Kantian Presuppositions

This Chapter takes a critical look at the anthropogenic factors that metamorphosed to the present climatic scenario and at the same time analyses them bearing in mind the Kantian ethical positions already exposed. Its bottom line is that humanity is the major culprit and as such we have a collective moral responsibility to bear the entire consequences. Thus there is need to share the moral responsibility burden. These probable solutions are hinged on Kant's ethical approaches. This Chapter secondarily addresses one of the major objectives of this work which is addressing and responding to one of the major claims of the climate contrarians by establishing the anthropogenic origin of environmental and climate change crises.

The anthropogenic factors that have left indelible and irreversible ecological footprints are numerous. However prominent ones include: pollution, degradation, inundation, etc. In many occasions some of these ecological footprints are inevitable and in most cases insignificant. Whereas in other cases they are quite outrageous and threatening. These and many others will be addresses in this section of the work.

3.1 Precursor to Climate Change/Ethics

Humans and their activities towards the environment have incurred so many irreversible damages to the natural environment. This started with the advance of technological innovations when humans changed their attitudes towards the environment and started dealing with it as they were no longer the custodian but the master of it. This is seen in Heidegger's conception of technology as enframing, a shift from the perspective of *alatheia* to *techne*.¹

3.2 The Ethical Dimension

The ecological footprints we have left not only endangered us but also non human species. There is need for adequate information necessary for action to mitigate these climatic challenges we have incurred. In most cases the victims are never the culprits. Because one is not the victim does it amount to less concern to one? For example pollution from American factories is claimed to have affected glaciers in Greenland. Also the typhoons off Chinese coast or malarial outbreaks in Indonesia are said to be caused by the extensive use of coal-fired power stations in India and Australia. Here the Kantian categorical imperative comes in again as one of the necessary responses to the climatic challenges. As Pompidou pointed out, there is more need to act wisely for the benefit of those who have the greatest need.² This he sees to be at the heart of ethics. The universal legislator of Kant comes to bear here.

Kant's theory also remained applicable to the non human species. However we may not be able to address such under the present purview. This is just to highlight the broader perspective of Kantian overall problem to the challenges of climate change bearing in mind his cosmopolitanism and his categorical imperative.

The present day and future problems of climate change are as results of human activities on the environment. These are due to our ethical or non ethical orientations and enlightenments to environmental issues. It still glaringly hunts us. Just as McGlade pointed out some areas that are currently habitable might be inhabitable and unable to support human societies, let alone accommodate the numbers that we anticipate on the planet in next 20 to 30 years³.

3.3 Prognosis of Anthropogenic Activities

According to the sociology of work which is the starting point of human activities on the environment, organised work started with hunting and gathering. It later went up to the Guild systems. At these stages, there was harmony between humans and nature with regard to activities on the environment. Here there was total respect for nature. Nature was seen as sacred and part of humanity.

According to Monteiro the preindustrial human being had a different kind of moral universe. Nature was incorporated into preindustrial humanity's moral decision-making. She noted that humanity in the period followed the rhythms of nature and worked with the seasons of nature and any activity that did not fit into the rhythm of nature was not considered good. There were restrictions on certain activities outside the proper seasons. They were conscious of the cycles which they cannot control. Thus certain actions were considered good or bad depending on the season, time and environment they were in. The bottom line here is that they never forced nature to yield by force as was characteristic of the industrial age. Their activities had no serious environmentally detrimental impact. For her trouble started when humanity invented the extended use of fire apart from its natural and ordinary usage. Fire in the hands of the gods was a great source of power and a great cause of human misery. The gods brought fire to humans and so empowered them for technological advancements. Fire thus became prominent in human and technological developments. She further noted:

With fire came a profound shift in the way we worked and viewed the world. Farmers who could previously grow certain crops only at certain times of the year, could now grow them all around the year. People who previously aligned work and leisure with the sun and seasons now relied on casual leave, medical leave and government holidays. We began to work all year round, eat strawberries all year round and live in houses that were maintained at 27°C all year round. Corporations set up branches all over the world, so that the sun

never set on their empires, forcing people to stay awake when they are supposed to sleep and vice-versa. Like the Red Queen in Alice in Wonderland, we had to keep running to stay in the same place. Constancy was showing us that it was not all great, after all.⁴

In essence development and especially technological development gave us a new ‘moral universe’, a new and quite different outlook and regard for nature which is of course very detrimental.

According to the British Geological Society the global human population was around 300 million in the year 1000 AD, 500 million at 1500 AD, and 790 million by 1750 AD⁵. It is estimated that the current global population is 7 billion. Exploitation of resources was limited mostly to firewood and muscle power. Archaeological and fossil evidence seen in Holocene geology show how human activity increased. It also pointed out that though human remains and artefacts are rare from this time, other indicators such as the presence of seeds and pollen from woodland trees and plants followed by pollen from crops shows how humans cleared large areas of woodland for agriculture. Soil was exposed to weathering in deforested regions and this is seen in pulses of sediment, which collected in valley bottoms. Mineral resources were dug from the ground and the landscape began to change but on a local scale.

According to Steffen et al, the Industrial Revolution, with its origins in Great Britain in the 1700s, or the thermo-industrial revolution of nineteenth century Western civilization marked the end of prudential agriculture as the most dominant human activity and set the humanity on a far different trajectory from the one established during most of the Holocene. It was undoubtedly one of the great transitions in the development of the human enterprise. They noted that the underlying reasons for the transition were probably complex and interacting,

including resource constraints in some areas, evolving social and political structures that unlocked innovative new thinking, and the beginnings of a new economic order that emphasized markets.⁶

Technological advancements are the starting point of untoward and pronounced anthropogenic environmental activities and destabilisation. Before the advent of advanced technology, humans have been prudent with the environment and in harmony with it. Advances in technology led humans to have an antagonistic attitude towards nature. This was seen as a sort of patriarchal system or attitude that spurred the approach of the ecofeminists. This patriarchal antagonistic attitude is equally reflected by Capra when he pointed out that:

Our science of nature is based on the belief that understanding of nature implies dominion of nature by man. I use the word ‘man’ here on purpose because I am talking about a very important connection between the mechanistic worldview in the science and patriarchal value system, the male tendency of wanting to control everything.⁷

In essence humanity treated nature as if it was strange or alien, different and distinct and even inferior.

According to Cunningham, Plato had complained that Greece once was blessed with fertile soil and clothed with abundant forest of fine trees. But these trees were later cut and used to build ships for warfare and heavy rains washed the soil into the sea leaving only a rocky ‘skeleton of a body wasted by disease.’⁸

Carson made a great impact in bringing the consciousness of humanity to the dangerous impacts they have had on the environment. After the Second World War she made serious researches and assembled information on chemicals used in aerial sprayings, in industrial settings, pesticides, and on food to characterize the impacts of these agents on the environment

rather than simply portraying the effectiveness of the chemical solutions. These chemicals pass into food chains and enter into humans and affect their health. It also affects other plant and animal lives. This was seen as a major boost to the concern for the environment. It was a challenge for the protection of other life forms in the planet earth which had been threatened by human activities and technological advancements. She observed that man's endeavours to control nature by his powers to alter and to destroy would inevitably evolve into a war against himself, a war he would lose unless he came to terms with nature.⁹

In the effort to trace the history of anthropogenic factors on our environments, Pollard¹⁰ traced the advent of humans on planet earth. According to him, starting from the Pleistocene the earth started witnessing major destructive impacts from humans. This started when the first nucleic acid and protein started organising into living cells, achievement of photosynthesis, and the transformation from the Precambrian to the Cambrian which ushered in multicellular organisms. These later culminated in the appearance of man.

He further observed that early in the Pleistocene primates started appearing at different stages of development of the species homo. With the *homo habilis* humanities predecessors started having impacts on the environment. With the appearance of the *homo erectus* the *homo habilis* became extinct. The *homo erectus* started the wandering and migratory aspect in the evolution of humanity. The *Neanderthalensis* was the first in the entire history of life to bury its dead. With the advent of the *homo sapiens* the *Neanderthalensis* went extinct. The *homo sapiens* became the first to have advanced impacts on the natural environment. He developed into a hunter and gatherer of food. He however pointed out that this stage of *homo sapiens* never reasonably altered the balanced nature into which he was born.

He noted that after 10,000 years a drastic change started appearing in the way of life of the *homo sapiens*. He no longer remained the wanderer but a settler and villages began to be formed and animal became domesticated. In another 5,000 years civilization took off and cities were built. 200 years later industrial revolution started and ushered in mechanical and inventive powers. 50 years later efflorescence in science and technology, consumption and pollution, and population took a dangerous dimension and explosion which led to a crisis in the earth's environments.¹¹

3.4 The Anthropocene

The anthropocene marks a paradigm shift. It marks the beginning of a new age, a new age with a negative connotation of the devastating impacts of humans on the planet. We have overtaken nature in regulating geologic time and age. In view of this, thinking about the planet earth and the human environment must change.

According to the British Geological Survey¹² the anthropocene was coined in 2000 by the scientists Paul Crutzen and Eugene Stoermer to denote the ever increasing negative impact and influence of humans on planet Earth. It noted that the word has entered the scientific and popular literature as a vivid expression of the degree of environmental change on planet Earth caused by humans. Humans are now drivers of environmental change on a scale that is unique in Earth's history. It further observed that human driven biological, chemical and physical changes to the Earth's system are so great, rapid and distinct that they may characterise an entirely new epoch – The Anthropocene.

As Zairek¹³ observed, the fact that this planetary geological imprint is anthropic signals a key change in thinking about geological time and its periodisation. He noted that initially this periodization was based on natural developments, occurrences and even catastrophes. But the anthropocene introduces a new factor into the equation. The anthropocene marks the geological period of the pre-eminence and critical influence of the anthropos which takes precedence over natural transformations.

Do we need to ask how we got here? Technological enframing is the answer. Many have attested to this. See Heidegger.¹⁴ Zairek noted that nature is no longer responsible for the change that heralded the anthropocene but the human to the extent that its planetary footprint is technological.

3.5 Anthropogenic Factors

These are factors or activities emanating from humans that have unhealthy effects on the environment. These stem from individual actions, corporate or industrial activities which may directly or indirectly affect the environment. Such activities lead to environmental pollution and degradation, climate change, desertification, acidification, etc.

In most cases such actions of humans affect the non-human environments and also affect other lives in other systems of the environment. Such impacts include the extinction of certain species of both animals and plants. These on the long run go to affect human lives and their capacity to survive and sustain life on earth. Many have noted that humanity has shifted to a catastrophic epoch known as the anthropocene.¹⁵ Nature is no longer in control of itself, of its own accord. We are now in control of nature, we dictate to nature. This attitude would spell doom for humanity. We are the new humans characterised by unbridled technological interference of and

control of nature. Thus there is no gainsaying the fact that nature has come to an end. We are in a post natural world (earth). This is the position of Crutzen in his evolutionary analysis of the earth's development.¹⁶ This was equally corroborated by McKibben¹⁷ that we live in a post natural world, a world that is of our making. There is no such thing as nature anymore.

For Buarque humanity has been irresponsibly arrogant with regard to nature, seeing no value in it. It has exhausted natural resources and undermined the ecological balance to such an extent that the continuity of civilization is threatened.¹⁸

Soule observed that anthropogenic activities have been changing the physical and biological environment for centuries, if not millennia¹⁹. These changes are the brunt we are bearing today under different situations.

3.6 A Vicious Optimism

Many factors motivate humans into such unethical attitudes towards the environment. There is a feeling that nature is infinite, that it has a way of restoring its depleted resources. This was a false hope given by over trust in technologies and their abilities to find solutions to every problem. We seem to be no longer bordered by famine, floods, droughts, deforestations, etc. Technology is always there for us. These amount to a vicious optimism. It is an anthropocene fallacy. A pointer to such an anthropocene fallacy is seen in the statement of Irwin that:

Our communities have become so embedded in the tempo and expectations of modern technological innovations that these are even shaping our understanding of ourselves as 'individuals', as humans, while, while narrowing our view of the earth, rendering it increasingly remote.²⁰

The solution to this vicious circle optimism is the necessary understanding that technology has its limitations in proffering solutions to most of our problems especially as it relates to the

environment. Nature will never fail to bring its bills which may never be footed by technological prowess.

As Irwin rightly pointed out the anthropocene epoch may become one of planet's major extinction period, similar to when the dinosaurs became extinct²¹. This is following the impacts of modern technological progress on ecology at a global planetary scale.

3.7 Levels of Anthropogenic Impacts on Environment

Before looking at the various ways and levels of anthropogenic impacts on the environment let us appraise the interconnectedness of nature. In nature there is no gainsaying the fact that everything connects. A typical example is the carbon and food cycles. The environment is like and organism that once there is an anomaly in one part it affects the other parts. Thus there is a connectedness from plants to animals to human beings and non living things in the planet earth. There is interdependence. Whatever affects seriously the existence of one of these definitely would affect the existence of the others in the natural cycle.

Pollution

Pollution involves the contamination of the ecosystems such as air, water, land, etc. it threatens life in each of these ecosystems and does destroy habitats. Since these ecosystems are interconnected any adverse environmental impact in one will definitely affect the others.

Industrial agriculture brought with it many unhealthy practices and attitudes towards the environment. In the quest to achieve massive agricultural produce and better yields humanity embarked on the use of different chemicals to enhance and improve agricultural produce. Large scale pollution from industrial processes constitutes essential pollution.

Also the quest to preserve certain foods led to technological innovations for storage facilities. Cold rooms, freezers and refrigerators were innovated and these brought the use of different chemicals that that unhealthy effects on the atmosphere. Such chemical emit DFCs and CFCs which heat up the atmosphere by producing green house gases.

Industrial and other organisation such as the multinational corporations involved in large scale oil explorations, mining, smelting and other activities whose impacts have far-reaching damaging effects on the major categories of the ecosystems. Such include: coastal and marine, freshwater, atmosphere, agricultural lands, forests and grasslands, etc. Some of these pollutions enter the food chain and have certain carcinogenic impacts on human health.

Degradation of Land Resources

Many industrial chemicals such as fertilizers and human wastes contribute to environmental degradation especially of land resources. For examples oil spillages have brought untold miseries to the people of the Niger Delta region in Nigeria. Gas flaring contributes immensely to acid rains which directly affect most lands. Also pesticides and other deluxe farming materials remain prominent in matters of land pollution and degradation. Deforestation and bush burning equally contribute to the destabilisation of the environment. Forest slows down the build up of carbon dioxide in the atmosphere. Deforestation leaves human direct effect of the impacts of carbon dioxide.

Climate Change

The issue of climate change has rattled scientists. This equally gave room for politicisation of the issue by different nations. The degrees of human activities that can have a shooting-up effect on the climate were so rapid than what scientists had predicted. According to Carey

scientists thought that if planetary warming could be kept below two degrees Celsius, perils such as catastrophic sea-level rise could be avoided. Ongoing data indicate that three global feedback mechanisms may be pushing the earth into a period of rapid climate change even before the two degree C limit is reached: meltwater altering ocean circulation; melting permafrost releasing carbon dioxide and methane and ice disappearing worldwide. The feedbacks could accelerate warming, alter weather by changing the jet stream, magnify insect infestations and spawn more and larger wildfires.²²

The emission of greenhouse gases has direct impacts on the ozone layer. Such gases from industrial household equipments perforate the ozone layer that shields us from direct contact with ultraviolet rays of the sun. According to McKeown and Gardner scientist believe that several ‘climate tipping elements’ could destabilise the planets climate by setting off chain reactions which they called positive feedbacks, which would accelerate climate change. Once a tipping element is triggered by crossing a threshold or tipping point, there is no turning back even if all greenhouse gas emissions were to end. Some tipping elements such as the loss of the arctic summer sea ice may be triggered within the next decade if climate change continues at the same rate.²³

Biodiversity and Extinction of Species

Because of the many pollutions and degradation of the environment, many species are undergoing extinctions and some are seriously threatened and endangered. Even humans are seen as threatened and endangered species of climate change. There is a serious threat to biodiversity due to human activities. Many biologists have reported that we are at the sixth

stage of mass extinction of species which they pointed out further that this is no longer mass extinction by species but humans.

A popular summary of the account of anthropogenic threats to biodiversity and extinction of species is that given by Wilson²⁴ under the acronym HIPPO. HIPPO stands for *Habitat* destruction, *Invasion* of species, *Pollution*, *Population*, and *Overharvesting*.

Habitat destruction affects terrestrial animals through habitat loss. The most typical activity that accounts for such is deforestation and conversion of grasslands to farmlands. Creation of new cities, resource extractions, surface mining and dam building destroy a lot of habitats.

Invasive species which are deliberately introduced to eliminate others contribute to extinction of species. Such invasive species include cats and praying mantis that wipe out rodents and pests respectively.

Pollution especially of toxic substances can have disastrous effects on many ecosystems. Many pesticides have had such extinctive effects on many habitats and ecosystems. Fertilizers and other agricultural chemicals leak into other habitats and cause serious damages to such.

Population growth equally affects biodiversity through the consumption patterns that lead to deforestation, increased pollution and environmental degradation. More land would be harnessed and many ecosystems and habitats destroyed in the process.

Overharvesting leads to depletion of natural resources and equally extinction of species. A typical example in Africa is the issue of poaching of elephant tusks. Others include whaling and other marine and bush meat business.

In view of the above Wilson²⁵ termed humans ‘serial killers’ because wherever they encounter virgin environment they immediately set about wiping species. This he argued starts with a slow and steady approach.

Synder²⁶ observed that man’s careless use of resources and his total dependence on certain substances such as fossil fuels are having harmful effects on all the other members of the life network. The complexity of modern technology renders whole population vulnerable to the deadly consequences of the loss of any key resource. Instead of independence we have total overdependence on living substances. Many species of animals have become extinct due to the fact that humanity has become a locust-like blight on the planet.

Fossil fuel combustion, land clearing for agriculture, cement production, etc. lead to carbon dioxide (CO₂) emissions.

Livestock production, extraction of fossil fuels, rice cultivation, landfills, sewage, etc lead to methane (CH₄) emissions.

Industrial process, fertilizer use, etc lead to nitrous oxide (N₂O) emissions.

Leakages from refrigerators, aerosols, air conditioners, aluminium production, semiconductor industries, electrical insulations, magnesium smelting lead to emissions of fluorinated gases which include Hydrofluorocarbons - HFCs, Perfluorocarbons, Sulphur Hexafluoride – SF₆, Chlorofluorocarbons –CFCs. These constitute the building blocks of greenhouse gases.

The Intergovernmental Panel on Climate Change (IPCC) in its detailed study of the impacts of these anthropogenic factors indicated the nature of impacts according to different sectors and systems. These include the ecosystems, the coasts, the health sectors, fresh water challenges

and in the food and agriculture sectors. It is good to point out the notable impacts in the health sector. Such include: increased death due to floods, heat and cold waves, storms, fires, and drought; changes in the distribution of certain infectious diseases, including malaria; increased cardio-respiratory diseases; increased disease spread from contaminated and polluted drinking water supplies; increased diarrheal disease; and increased malnutrition.²⁷

Recent cases within this decade of volcanic eruptions, hurricanes (the latest hurricane Sanders in the United States of America), wildfires (burning of the Amazon rainforest and other such forests) are all pointers that lend credence to these IPCC facts. That nobody or society is spared is among the cogency for a concerted effort of all as we are going to see the Kantian ethical position challenge us. In such situations as above any affected persons and society expected to make a regulation to take care of these situations would see the rationale behind the Kantian categorical imperative.

With these anthropogenic impacts humanity has, according to Heidegger *enframed* itself.²⁸ By interfering with nature in an unholy way, nature will have to bring its bills. Such bills are the problems we are facing by such ways as climate change. Heidegger believes that with technology humans have over-forced the earth to release more than it should normally have done. We order nature through technological advances to produce more than it can and this has a boomerang effect. This has been the spirit of humanity since the industrial revolution. This is a dystopian viewpoint on technology. He believed that the more humans depend on technology the more technology will lead humans to a blind alley such as climate change. Humans have enslaved themselves to technology and we can no longer control it and its impacts. This is the major message of enframing.

3.8 The Fate of Africa in the Global Environmental Crises

According to the Intergovernmental Panel on Climate Change²⁹ Africa will share its brunt of the impacts of climate change in a heavy way. It stated that 75-250 million people would have no access to fresh water by 2020; there would be severe reductions in crop yields and fisheries production; and the heavily populated delta regions would be at risk from flooding. With such a situation, Africa is seriously threatened. The Kantian cosmopolitanism can be said to be more pressing for the African situations. Africa is already volatile with intercommunal clashes and border disputes. This situation would even be aggravated by the displacements already being generated by climate change. Many have started recommending a relaxation of border laws across the region. Many have already recommended a borderless Africa in anticipation of such issues as problems of climate change.³⁰

With the foregoing it has become clear and evident that humans have become their own problem through the activities towards the environment. One thing is to have knowledge of the consequences of our actions, another is to find solutions to address them and restore the disequilibrium that their actions have caused. This is the starting point for the cogency for an ethical approach to the present environment situation.

3.9 Climate Change and the Nigerian Situation

There is no gainsaying the fact that the impacts of climate change are being felt in the Nigerian environments. Majority of the causes of these impacts are directly generated in Nigeria. These impacts negatively affect different classes of Nigerians. Thus the pointing of accusing fingers outside or to developed nations is ruled out. Some are as a result of wrong government policies either through wrong actions or inactions as the case may be which will be unfolded in the

course of discussions here. Let us see some the ways climate change has been impacting on Nigeria.

Policies: The governments at both the State and the Federal levels have promulgated several development policies for the good of the people. Unfortunately in some cases these have become nightmares to the masses from different perspectives – for example in the area of road constructions.

The policy of road construction by government is a welcome development. However with what is being witnessed one begins to wonder whether there is any environmental impact assessment done with regards to these road constructions. If ever there are environmental impact assessment one wonders whether they are being implemented at all.

Across the states and the federation we have seen many road constructions and expansions. In the process red mud are extracted for use on these roads. In most cases these road projects are abandoned. When the rains come (during the rainy seasons) the red mud are swept away down into the rivers and streams. This disturbs the aquatic lives in these ecosystems. In most cases these cause the rivers to overflow and consequently lead to flooding. This is the cyclical effect.

The bid to end gas flaring is among the policies that exposes the government's lack of commitment and sincerity to policy implementation. Nigeria is one of signatories to this gas flaring policy. Gas flaring, just like the burning of other fossil fuels, contributes to the quantity of dangerous gases that deplete the ozone layer. This has multiple dimensions of impacts on the environment at large. Here one wonders if the multinational oil corporations in Nigeria are too powerful to be bent by the government in enforcing this rule on gas flaring or the economic

dimension of the profits accruable is more important than the health of the planet earth and its inhabitants. In view of this Nneji (2010) had asked:

Of what profit would it be to continue with fossil fuels and yet spend the little 'gain' in 'trying' to remedy the damages caused the environment by its use. Is it not robbing Peter to pay Paul, or better put putting ones money in pocket riddled with holes? We have to be morally right- thinking. It is a moral decision that must be made wisely.³¹

It is not that Nigeria is between the devil and the deep blue sea but that our level of policy sincerity and dedication to implementation is very low. Nneji (2010) concluded in relation to Nigeria's attitude towards environmental policies:

In Nigeria the EIA Decree No. 86 of 1992 which requires companies to fulfil some safety obligations so that their activities do not harm the environments where they operate and where their services and products spread appear to have been relegated to oblivion.³²

The Environment Impact Assessment (EIA) should be punctuating all development activities of the governments at both the state and federal levels. This is one of the measures to checkmate anthropogenic impacts on the environment.

Agriculture: Flooding inevitably affects agriculture. There is a necessary corollary between flooding and impacts on agriculture. Flooding makes fertile land porous. This leads to downfall in food production and subsequently increases hunger and suffering in the land.

As discussed above when the rivers are affected by the inflow of sand from road construction it affects aquatic live which on the other hand affect the means of livelihood of those who depend on the rivers for survival. One thing that one needs to consider is that those whose livelihood depend on the rivers have naturally oriented their lives to developing marine skills and thus cannot make it easily when displaced. Thus learning new skills abruptly is not easy.

Weather forecasts are increasingly failing and seasonal farmers who depend on rainfall can no longer make important decisions regarding what to plant and when to plant. This makes famine a possibility in many Nigerian societies. The worst hit are Nigerian societies who only depend on subsistence farming. This goes to widen the poverty margin. In such situation as subsistence farming one will then imagine what happens when there is too much rains for rain-fed agriculture and when off-season take place for farming that needs dry season. One serious impact of this situation is that many farmers have abandoned real farm produce cultivation and have diverted to livestock farming making farm produce somehow exorbitant and therefore out of reach to a great number of people.

Those in the northern part of Nigeria who do not normally experience the same degree of rainfall as the other parts of Nigeria such as those in the southern and eastern parts now have reduced incidence of rainfall. The Nigeria Metrological Society (2011) noted that: ‘there is increasing variability in rainfall over Nigeria and in particular over the northern part of Nigeria which causes the frequent crop failures in the region.’³³

In most cases this has affected some sections of the farmers especially those who deal with herds of cattle or rearing. This significantly affects their pastures. This equally creates conflicts as they migrate to the southern part in search of pastures and thus enter the farmlands and destroy farm products.

Flooding: Nigerians have been experiencing unprecedented flooding since the second millennium. There is no gainsaying the fact that this is as a result of climate change. Many states along the major rivers in Nigeria (especially rivers Benue and Niger) and the ones along the coastlines have been worst hit. According to NASA (2012) ‘in July and early September

2012, flooding claimed an estimated 137 lives in Nigeria and forced thousands to relocate.’³⁴ It also noted that the release of water from Lagdo Dam in Cameroun swelled the river Benue and caused it to overflow and this led to serious flooding. This adversely affected farm produce that year and affected food supply. This equally led to massive displacement and relocation (internal displacement). The government spent a fortune in taking care of this unprecedented and emergency situation. This, through as butterfly effect, deteriorated the security situation in the country as terrorists exploited the situation.

Summarily, the Nigerian situation needs a proactive approach towards mitigating the situation. Since in most cases they are as a result of acts of commission and omission by both governments and individuals, the situation can be put under control. The level of environmental crises can be adequately handled by adaptation and mitigation, there is still hope. The process of successful adaptation and mitigation starts with proper and adequate enlightenment of the masses of how their activities are impacting on the immediate environments. This was one of the reasons Nneji (2010) suggested ‘greening education’³⁵ as a major path that has to be undertaken (which is also seen) as one of the conscious steps to achieve a greener and safer environment.

3.10 Climate Change Realities

Rising Tides/Inundation and Loss of Territories

Many low-lying nations are never in doubt of the realities of climate change. Such nations mostly in the Pacific region and other Asian nations include: Tuvalu, Maldives, Grenada, Bangladeshi, Kiribati, Cambodia, etc. Some have their territories threatened to be submerged by waters while others are already submerged/inundated. The rise in sea levels could lead to

forced migrations, water borne diseases, food insecurity, etc. Kiribati and Tuvalu are already negotiating to buy lands/territories elsewhere. This type of experience has threatened the strategic nature of sovereignty, a major criteria for statehood. This idea will be dealt with in the later chapters of this work. It is one of the current realities hanging like an albatross on humanity's neck with regard to climate change.

This loss of territories consequently brought up the reality of climate migrants and border crises. This has equally become a serious and contentious situation in international relations and legislations/conventions.

3.11 Climate Contrarians

This is a group of people who have adopted a different and oppositional approach to the realities of climate change. For them in all claims about the threatening climate change the reverse or obverse is the case. They believe that climate change is a hoax. They believe and argue that politicians use some scientists to manufacture climate change for political and economic purposes. The complicating issue here is that some of these climate contrarians as known scientists.

There are four categories³⁶ of perspectives or groups of climate contrarians. They include:

A. Those who deny that there is global warming or that global warming is a reality. For them the contrary is the situation.

B. Those who do admit that recent global warming exists but maintain that it is not anthropogenic in nature. (We recall that in the 'Objectives' section of this work it was stated that part of the objectives (secondary) was to respond to climate contrarians by showing and

tracing the historical ecological footprints of humanity to establish the anthropogenic contributions to climate change crisis.)

C. Those who admit both that there is global warming and that it is anthropogenic in nature, but deny harmful implications and impacts.

D. Those that admit that there is global warming, that it is caused by humans, and indeed has harmful effects, but argue and assert that it is too expensive to try to mitigate it.

These climate contrarians play a diversionary role in the fight to salvage the earth and reduce the impacts of climate change on humans. They may be having vested interests in the factors that aggravate climate change. Whether they have facts or not, whether they are right or wrong, it is better to err on the side of caution.

3.12 The Precautionary Principle as a Response to Contrarians

The ‘Precautionary Principle’³⁷ is based on the glaring fact that life is full of risks and that the only condition to put under control the risks is through a precautionary attitude and approach. To take care of these risks and to make human life and existence more conducive and comfortable, humans went into scientific and technological developments for the sake of life expectancy. In the process of all these there is no gainsaying the fact that there are probable risks. In the present day situations, such risks that now constitute serious threats to human existence are no longer speculatively farfetched.

The precautionary principle emerged following a series of reviews and updates, principles and policies to take care of the risks encountered in human existence. Starting from the time humans became aware of this threatening challenges the ‘Polluter Pays principle’ (PPP) was introduced to checkmate adverse impacts on the environment. However when it dawned on

humans that there are limits to which scientific and technological knowledge and expertise can be put in solving the damages expected to be taken care of by the PPP a paradigm shift in policy was experienced. This led to the birth of the 'Prevention Principle' to supplement the PPP. The prevention principle is illuminated by the fact that 'prevention is better than cure'. This policy was used to reduce or eliminate risks and hazards to the environment which have been identified by science. Again when it was equally discovered that there are other uncertain and probable risks which scientific knowledge could not exhaustively ascertain a need for further policy review became cogent.

The precautionary principle arose as a result of deficiencies of the earlier two with regard to uncertainties and knowledge gaps. This principle is prospective in nature. The PP is geared towards curtailing numerous risks and also ensuring sustainability for the future generations. In application it is noteworthy that the PP only applies where uncertainties are not easily disproved. It only applies where scientific knowledge no longer decipher the safety boundaries of any activity or action towards the environment and sustainability.

The PP applies where knowledge of risks and its limits are poor and cannot be quantified. The PP is more prospective in nature. It is the principle guarding human life, sustainability, securing the future from further endangerment. It is very uncompromising. It is a guide for all human activities especially in matters that affect the environment and its resources. In the current global climatic crises, the PP serves as a cogent check and balances on human activities. The rationale for the PP was illuminated by the red roads of history whereby what is better termed scientific obstinence of 'not fully substantiated evidence' prolonged a cogent action on an impending or potential danger until it was too late.

The precautionary principle is a nice response to climate contrarian claims and positions. Despite the fact that their claims are not scientifically backed, instead of leaving them to be a serious barrier to the quest for climate ethics, there is need to confront them with the precautionary principle. If they deny the risks and impending dangers of climate change, can they prove otherwise that there are no such risks and impending dangers. If such cannot be proved by them, then the best alternative line of action would be to adopt the precautionary principle.

Let us now have a look at Kantian approaches to these issues that generated the current environmental crises. These particular positions of Kant are a synergy of both his categorical imperative and his cosmopolitan approach to the crises of climate change.

3.13 Kant's Categorical Imperative and the Environment

Here we are going to see the relevance of Kant's ethical propositions as they relate to the need to care and safeguard the environment of the planet earth. The earth, according to scientists and from the expositions done above, is facing serious threats from human activities that all that is contained in it are threatened without exception. Initially humanity thought that they will never be victims, that the earth has been there and will continue to be there. However, being there is one thing and being able to contain and sustain life is another which is the main gravamen. This precarious situation has exposed the shortfalls of many ethical approaches. Some considered to be the best approaches have to be reviewed and modified in the presence of the nature of the threatening challenges humanity is facing. The philosophy that will be in vogue now would be the one that would help humans overcome the impending catastrophe. Life remains larger than logic.

Kant introduced what is known as the categorical imperative as a guide for practical living. It guides us in taking the best decisions in our activities in a way that calls for moral scrutiny. It is a guide to objectivity in moral actions. It tells us that it behoves on us to see it as a duty to be guided by the need to act objectively in all moral issues irrespective of nature and location. This Kantian approach is identified as the deontological approach in ethical theories.

According to De George the deontological tradition in ethics holds that what makes an action right is not the sum of its consequences, as the consequentialists hold, but the fact that it conforms to the moral law. He noted that the Kantian test for conformity to the moral law which an action must pass is a formal one. Thus morality has a form towards all good and right acts must conform. An act is morally right if it has a certain *form*; it is morally wrong if it does not have such a form. He noted that Kant believed that the moral law at its highest and most general level states the form that an action must have to be a right action.³⁸

De George identified the characteristics of a moral form as being based on reason. They include consistency, universality and being a priori. With reference to consistency he held that moral actions must not be self-contradictory, and, to the extent that we have a moral system, moral actions must not contradict one another. With reference to universality he pointed out that since reason is the same in all humans what is rational for me rational is rational for everyone else, and what is rational for everyone else is rational for me. With reference to being a priori or not being based on experience he noted that despite the fact that it applies to experience it is not based on experience and not derived from it thus the morality of an action does not rely on the consequences. These characterise the form of morality. They are the features that make

morality or moral norm become laws. With these he argued Kant developed the idea of the categorical imperative.³⁹

The moral law is a law as it issues command or better put states an imperative. In imperatives options do not exist. It states what one is expected to do as a command of reason. Kant had maintained that the moral law commands categorically as distinct from hypothetically. This means that its command is not conditional or optional. The categorical imperative for Kant states the form of moral laws and actions. Thus it provides the criteria to test all moral actions. Thus one here begins to see the essence of Kantian moral philosophy in relation to the anthropogenic factors on the environment.

The actions humans perform that affect the environment need to be adjudged based on the categorical imperative test for moral forms. This is the essence of exposing the moral philosophy of Kant to the crucial issues of environmental ethics especially at the middle of the present crisis engulfing and clouding our possibility of continued existence on planet earth.

Kant's ethical theory comes at the right time that many nations are playing politics with the necessary steps to take care of the emerging climatic situations that is threatening the globe. The positions individuals and nations are taking can they conform to the form of morality that we are going to see Kant recommend. This is one of major cruxes this paper is trying to lay bare.

Kant gave the formulation of the categorical imperative thus: 'So act as if the maxim of your action were to become through your will a universal law of nature'⁴⁰. According to Rentmeester, Kant's 'categorical imperative' has become an imperative for the global

environmental crises and has become the only root to ecological consciousness. It offers a straightforward test to determine the universality of our actions towards the environment.⁴¹

From the Kantian position an action is morally right only if it has universal applicability – i.e. if it is universalizable. Thus the whole crises of the environment and the different positions taken by nations would be adjudged based on this Kantian moral theory. This position was equally seen in Rentmeester when he noted that this Kantian mode for determining the rightness or wrongness of an action is helpful in regard to how we should confront anthropogenic climate change, because universalizability is on a par with sustainability. In other words sustainable practices are right because they can be universalised.

In view of this many of the activities of humans towards the environment may not be universalisable. A typical example is the involvement in the manufacture of weapons of mass destruction (WMD). Many of these weapons are not environmentally friendly. The recent nuclear leakage of the Japanese Fukushima nuclear reactor power base affected enough biodiversity and even threatened human existence in various environments. If every nation should be involved in the manufacture and storage of WMD how would it look like? This shows that such actions cannot be universalized. The channelling of industrial wastes into other ecosystems cannot be universalised. The pollution will affect and enter the food chain and will definitely affect humans. The dumping of toxic wastes by developed nations in the developing nations cannot be universalised.

The duty imperative (humanity formula) of Kant which states that: Act as if the maxim of your action were to become by your will a Universal Law of Nature, takes us to another dimension of the relevance of Kantian moral theory on environment. Another dimension is the issue of

future generations. What type of environment will they inherit? Should we be concerned about them? What if we are to inherit an inhabitable earth from our forefathers. *Act so that you use humanity, as much in your own person as in the person of every other, always at the same time as an end and never as a means.* James E. Hansen, the Director of the NASA Goddard institute for Space Studies in Carey⁴² had in a so concerned manner reasoned that it would be immoral to leave the future generation with a climate system spiralling out of control. Also Kant being a deontologist would never deny the future generations of the right to a healthy and sustainable environment. Thus Kantianism is morally extensionable.

The golden rule remains one of the hallmarks in the analyses of Kantian categorical imperative especially as it affects environmental ethics. The environment consists of both humans and non-humans. The human being remains the principal actor in environmental destabilisation. Following Kant's injunction through the golden rule it becomes noteworthy that to act morally when dealing with non-humans, one needs imaginative empathy. This means a sense of what it is like to be a creature of that sort. This, Kant expressed in the following way: you should ask yourself whether you could regard the action which you propose to do as a possible object of your will if it were to take place according to a law of nature in a system of which you were yourself a part.⁴³

This position of Kant calls for an attitude of respect for all beings in nature as an imperative for our own good. This is from the teleological viewpoint which holds that every being in nature has purpose and finality. Thus a given object fulfils a conceived purpose or end in nature. This rules out anthropocentrism.

Let us now juxtapose and make a synergy of both Kantian cosmopolitanism and categorical imperative to see how they complementarily address the present scenario created by climate change.

3.14 Kant's Cosmopolitanism and the Categorical Imperative

The categorical imperative complements Kant's cosmopolitanism. The categorical imperative is necessarily interwoven with the call for cosmopolitanism with reference to the issue of climate change.

Varman equally had observed that 'the categorical imperative of Kant provides a valuable framework on which an argument for climate change may be made on purely rational and ethical grounds. Earth's systems are so interdependent and sensitive to the collective choices made by humankind that the categorical imperative is a perfect lens through which to view and develop the ethics of climate change and the relevant policies. She pointed out that it provides a useful framework for the construction of necessary and moral policies that are universally applicable.'⁴⁴

One can see that the call for cosmopolitanism as one of the necessary means or solutions to the problems of climate change can be made fluid with the categorical imperative from both the duty and universalizability point of it. This has attracted the support of many philosophers and specialists in the climate ethics issues.

In later advocacy for cosmopolitanism there was a slight shift in perspectives with special reference to Kantian influenced cosmopolitanism. Kleingeld and Brown had noted that much contemporary ethics insist on the duty to aid foreigners who are starving or otherwise suffering, or at least on the duty to respect and promote basic human rights and justice. Thus many now

began to see a connection between Kantian cosmopolitanism and his categorical imperative. The bottom-line here is that both the cosmopolitanism of Kant and his categorical imperative have the same undercurrent. They both talk about the duty humanity owes one another.⁴⁵

Also in his categorical imperative he talked about the need for a universal legislator which will complement the call for world citizenship. This would be from the ethical point of view concerning the entire scenario. Kant believes that the ethical community (cosmopolitanism) is the highest moral good and this has to be a duty to achieve such a good. This is however a challenging task. Cavallar had pointed out that the ethical community is the duty of the human race towards itself. This seems herculean. He noted that Kant equally had noted that ‘the most difficult condition of the human race is the crossing over from civilisation to moralisation. He noted that Kantian ethics postulates that all rational beings, irrespective of their race are kingdom of ends in themselves and lawgiving members of the universal kingdom of ends, where humans unite freely into a commonwealth based on equality and self-legislation, are respected as ends in themselves, and a moral whole of all ends is achieved. He however noted that Kant calls the duty to promote the highest good as a member of this cosmopolitan moral community or union of well disposed human beings a duty ‘sui generis’ of the human race to itself since the highest good is a good’ common to all’.⁴⁶

Varman had pointed out that ‘In another formulation of the categorical imperative, Kant posits a “kingdom of ends” in which rational beings unite through common laws and in which every individual is simultaneously capable of making the law and of following existing maxims.’⁴⁷ This kingdom is a model of the categorical imperative in practice and should be applied to all countries willing to cooperate with the goal to address the problems of climate change. A global

body analogous to the “kingdom of ends” would be an international community, a cosmopolitan community that transcends international politics and economic dynamics. This is based on the fact which many have agreed that the United Nations or each single nation would not suffice to address problems of environmental degradation, climate change, and inequality that transcend national borders’.

There is need to recall that the earlier stoics saw cosmopolitanism from the duty imperative point of view. According Bridges⁴⁸ this can be achieved when humans eschew selfishness in their dealing with others. This is one of the primary conditions for responsibility to others. He observed that following quote from Cicero outlines that order to which each human being is responsible if humans are to attain the goal of becoming cosmopolitan:

There are indeed several degrees of fellowship among men. To move from the one that is unlimited, next there is a closer one of the same race, tribe and tongue, through which men are bound strongly to one another. More intimate still is that of the same city, as citizens have many things that are shared with one another: the forum, temples, porticoes and roads, laws and legal rights, law-courts and political elections; and besides these acquaintances and companionship, and those business and commercial transactions that many of them make with many others. A tie narrower still is that of the fellowship between relations: moving from that vast fellowship of the human race we end up with a confined and limited one... the first fellowship exists within marriage itself, and the next with one’s children... the bonding of blood holds men together by goodwill and by love; for it is a great thing to have the same ancestral memorials, to practice the same religious rites, and to share common ancestral tombs.⁴⁹

He pointed out that this call to duty was influenced by Cicero’s idea of concentric circle of humanity that whatever actions one takes in the humanity circle it affects many other human beings. This is the medium of the message in the advocacy of cosmopolitanism and the duty imperative to the problems of climate change.

Kant in his duty theory asks us to recognise all moral laws. Thus cosmopolitanism in view of the crisis of climate change is a moral challenge and a duty we owe our fellow humans. The moral duty is a selfless duty to humanity which perseveres in all situations and conditions. This was equally the position of Kemerling when he pointed out that:

According to Kant, then, the ultimate principle of morality must be a moral law conceived so abstractly that it is capable of guiding us to the right action in application to every possible set of circumstances. So the only relevant feature of the moral law is its generality, the fact that it has the formal property of universalizability, by virtue of which it can be applied at all times to every moral agent. From this chain of reasoning about our ordinary moral concepts, Kant derived as a preliminary statement of moral obligation the notion that right actions are those that practical reason would will as universal law.⁵⁰

He further noted that ‘constrained only by the principle of universalizability, the practical reason of any rational being understands the categorical imperative to be: "Act only according to that maxim whereby you can at the same time will that it should become a universal law." This is the main statement of the categorical imperative; others are mere variants of it. It is seen as the general formula of the categorical imperative.

The categorical imperative demands unconditional performance of a morally good action for its own sake and not for any other ulterior motive. The universal legislator or universalizability demands that whatever action we take we need to ask ourselves if we would see it as a right action if it were to be performed by all. The question is, would we complain if such actions were declared as laws by others.

We have seen some of the early approaches to environmental ethics and their shortfalls. We have equally looked at the Kantian cosmopolitanism and his categorical imperative which are pointing to the fact that humanity has an ethically moral responsibility to assist others and to

ensure there is an atmosphere to ensure global peace and harmony since all are culprits of the global climate crises. The globe is interrelated and from a structure-functionalist perspective any problem in any sector/part of the globe, from this climatic situation, definitely affects other parts of the globe. This makes the clarion call a holistic and comprehensive approach where all are involved in finding and proffering the right and justifiable approach to the entire situation that would be fair to both victims and culprits.

References

1. M. Heidegger, 'The Question Concerning Technology' in *The Question Concerning Technology and Other Essays*; New York; Harper and Row.(1977) p278ff
2. A. Pompidou, 'Editorial: For an ethical approach to climate change'. *The UNESCO Courier*, No. 10. Paris. (2009) p3.
3. J. McGlade, 'We must respond to climate change today'. *The UNESCO Courier*, No. 10. Paris.(2009) p4-8
4. J.M. Monteiro, 'Expanding our moral universe'. *Dimensions: Shades of Green*. Spring. Issue 1. August, 13. (2012).p39-42
5. *British Geological Survey (2014) The Anthropocene*. Available at: <http://www.bgs.ac.uk/anthropocene/>. Assessed: May 2013.
6. W. Steffen, *et al* 'The anthropocene: Conceptual and historical perspectives'. *Philosophical Transactions of the Royal Society A*. 13 March 2011 Vol. 369 No. 1938 (2011) p842-867
7. F. Capra, 'Deep Ecology: A new Paradigm'. In Sessions, G. (ed) *Deep ecology for the 21st century: Readings on the philosophy and practice of the new environmentalism*. Boston: Shambhala. (1995) P22
8. P. Cunningham, *et al*. *Environmental science: A global concern*. New York: McGraw Hill. (2005) P17
9. R. Carson, *Silent Spring*. Boston: Houghton Mifflin (1962) p289-297 (Available also at: http://www.fws.gov/refuge/Rachel_Carson/about/rachelcarson.html).
10. W. Pollard, The uniqueness of the earth. In Babour I.G. (ed) *Earth might be fair: Reflections on Ethics, religion, and ecology*. Englewood Cliffs: Prentice-Hall. (1972) p90-91
11. Ibid
12. *British Geological Survey (2014) The Anthropocene*. Available at: <http://www.bgs.ac.uk/anthropocene/>
13. K. Zairek, 'The limits of life: A non-anthropocentric view of world and finitude'. *Angelaki*. Vol.16, No.4 December (2011) p20
14. M. Heidegger. *ibid*

15. R. Irwin, 'Welcome to the anthropocene'. *The UNESCO Courier*. No. 4 October-December, (2011), p34-35
16. P.J. Crutzen, The 'Anthropocene'. In: Ehlers E and Kraft T (eds) *Earth System Science in the Anthropocene: Emerging Issues and Problems*. Berlin: Springer, (2006) pp. 13–18.
17. B. McKibben, *The end of nature*. New York: Random House. (1989) P60, 85
18. C. Buarque, 'Seven pointers for the future of mankind'. *The UNESCO Courier*. No. 4 October-December, (2011). 41-41
19. M. Soule, 'Conservation biology in the Twenty-First Century: Summary and Outlook', in David Western and Mary Pearl (eds.). *Conservation biology in the Twenty-First Century*. Oxford: Oxford University Press. (1989)
20. R. Irwin. *ibid*
21. *Ibid*
22. J. Carey, 'Global warming: faster than expected' *Scientific American*. November (2012)
23. A. McKeown and G. Gardner, *Climate change reference guide*. Worldwatch institute. (2009) P6
24. E.O. Wilson, *The Future of life*. Knopf Doubleday Publishing Group. (2002) P50
25. E.O. Wilson, 'The loss of biodiversity is a tragedy'. Available at:
http://www.unesco.org/new/en/media-services/single-view/news/edward_o_wilson_the_loss_of_biodiversity_is_a_tragedy/#.U30aPJqDSP8
 (10-10-2010)
26. G. Synder, 'Four changes'. In Sessions, G. (ed) *Deep ecology for the 21st century: Readings on the philosophy and practice of the new environmentalism*. Boston: Shambhala. (1995) p145
27. Intergovernmental Panel on Climate Change (2007) *Climate change 2007: Impacts, adaptation and vulnerability*. Available at: https://www.ipcc.ch/pdf/assessment-report/ar4/wg2/ar4_wg2_full_report.pdf. assessed: June 2013.
28. M. Heidegger. *ibid*
29. IPCC. *ibid*

30. A. Adepoyu, 'Creating a borderless West Africa: Constraints and prospects for intra-regional migration' in Pecoud, A. and Guchteneire, P. (2007) *Migration without border: essays on the free movement of peoples*. UNESCO Publishing; Paris. (2007) p161-70.
31. B. Nneji. "Eco-Responsibility: The Cogency for Environmental Ethics in Africa", *Essays in Philosophy*: Vol. 11: Iss. 1, Article 5. (2010) P32. Available at: <http://commons.pacificu.edu/eip/vol11/iss1/5>
32. Ibid
33. NMETS. A Communique issued at the End of a 5 Day International Conference of the Nigerian Meteorological Society (NMetS), Zaria. (2011) Available at: nmets.net/climate-change-impact-risks-and-opportunities/
34. NASA. *Earth observatory*. (2012). Available at: m.earthobservatory.nasa.gov/IOTD/view.php?id=79149
35. B. Nneji, *ibid*.
36. UUUnitedNationsOffice, U. The Contrarians? Full article with references. Available at: <http://climate.uu-uno.org/view/article/148487>. Retrieved 10-10-2015
37. UNESCO. *The Precautionary Principle*; Paris, COMEST. (2005). P13-16
38. R.T. De George, *Business ethics*. Englewood Cliff: Prentice-Hall. (1995) P87
39. *Ibid*. P87-92
40. I. Kant, *Groundwork for the Metaphysics of Morals*, edited and translated by Allen W. Wood. Binghamton, New York: Vail-Ballou Press, (2002) 4.421-2.
41. C. Rentmeester, 'A Kantian look at climate change. *Essays in philosophy*. Vol.11, Issue 1. Article 7. (2010) P71-80
42. J. Carey, *ibid*.
43. I. Kant, *Critique of practical reason and other works on the theory of ethics*. Trans. T. K. Abbot. London. (1909) P54
44. M. Varman, 'Sustainability and the categorical imperative. *Columbia spectator*. (2009) Available at: <http://columbiaspectator.com/2009/09/28/sustainability-and-categorical-imperative>. accessed June 2013.
45. P. Kleingeld and E. Brown, (2014) "Cosmopolitanism", *The Stanford Encyclopedia of Philosophy* (Fall 2014 Edition), Edward N. Zalta (ed.), URL =

- <<http://plato.stanford.edu/archives/fall2014/entries/cosmopolitanism/>>. Accessed: July 2014
46. G. Cavallar 'Cosmopolitanism in Kant's philosophy. *Ethics & Global politics*. Vol. 5. No. 2. (2012) P101-102
47. M. Varman. Op cit
48. D.P. Bridges, 'COSMOPOLITANISM: The Philosophical Concept of Cosmopolitanism Juxtaposed to John Calvin and the Total Depravity of the Human Condition and the Possibility of Cosmopolitanism. (1996) p3
49. M. Cicero. 'On duty. M.T. Griffin and E.M. Atkins (eds) Cambridge: Cambridge university press. (1991) p22
50. G. Kermerling, 'Kant and the moral order'. *Philosophy pages*. Available at: <http://www.philosophypages.com/hy/5i.htm>. Accessed: June 2014

Chapter Four

The Challenges and Implications of Sovereignty

This chapter takes a look at the implications and challenges of the current crises of climate change on sovereignty. It also looks into how it affects international relations. It probes into the issue of how long are we to stick to claims of territoriality and sovereignty in the current faces of territorial losses. Territory, being a major criterion for statehood/nationhood, with its disappearance or loss, does it then mean that the inhabitants no longer have a right to self-determination. If we stick to the (old/status quo) concept of sovereignty as it is still understood, there is bound to be global frictions and political crises. Thus there is need to redefine and reconceptualise sovereignty in the face of climate displacement and loss of territories.

Here, this work critically looks at the issues and problems of climate change as it relates to sovereignty. Is sovereignty a hindrance to addressing and resolving the issues and threats raised by climate change? Are we to still stick to the current concept of sovereignty in the face of serious barriers it poses to the remediation of damages, rights denials, abuses and threats to life, etc? The same situation that played out which led to current debacle in climate change (especially the international politics surrounding carbon reduction) is again playing out but from a different perspective. Shouldn't this call for a redefinition and reconceptualisation of sovereignty? This is a major thrust and task this chapter wishes to address.

The idea of sovereignty can abate or abet the unpleasant situation created by climate change. In view of this, we need to understand what is meant by sovereignty. We need also understand the relationship between sovereignty and statehood/nationhood. How does sovereignty influence international relations? What is its strategic nature and influence on the efforts to tackle climate

change? With the current situation of loss of territories as a result of the impacts of climate change, should sovereignty be redefined, what alternatives do we proffer to the present challenges the concept of and practicalisation of sovereignty faces in the face of loss of territories. Thus the concept of sovereignty by way of its redefinition or reconceptualisation remains strategic in the international effort to take care of the irreversible impacts of climate change especially on territory (territorial losses), a substantial hallmark of sovereignty.

The issue of sovereignty in politics was arrived at as one of the solutions to the Hobbesian state of nature. It was to take care of one state's interference in another's territory as territory is one of the major prerequisites for sovereignty. It was also for the sake of protecting the weak from the strong. See the treaties of Westphalia 1648 and Utrecht in 1713. Primitive societies and pre-Westphalian societies were characterised with survival of the fittest and annexation. There were death of states and nations.

The treaty of Westphalia according to *Stanford Encyclopedia of Philosophy*¹ led to the modern and current concept of sovereign states. Before the treaty there were various hegemonies in different parts of the world especially in Europe. They were equally competing for supremacy. Also the Catholic Church was equally seriously exerting its own influence. This was the situation till the peace of Augsburg in 1555 which brought into existence the doctrine of *cuius regio eius religio*. This brought more crises in Europe for over 30 years and later led to the treaty of Westphalia in 1648.

With the Westphalia treaty, states emerged with substantive constitutional powers and were no longer challenged by the Catholic Church. However it is good to note that the Catholic Church through its pontiff, Pope Innocent X condemned the treaty as 'null, void, invalid, iniquitous,

unjust, damnable, reprobate, inane, and empty of meaning and effect for all time'. Despite the condemnation, Westphalia won the day. The Westphalia treaty ended the intervention of religion in politics. The Catholic Church was seen as the most noted abridger of sovereign prerogatives and powers.

Stratford, Farbotko and Lazrus had noted that the manner in which territory is understood in the terms set down in the treaty of Westphalia has translated poorly into many nations and regions, arguably because for the most marginalised sovereignty and territory are driven by the primacy of economic interests and not by non-economic rights or a conception, however broadly, of justice. They further argued that the present meanings of sovereignty and statehood are constrained by the legacy of the treaty and consequential instruments like the Montevideo convention on the rights and duties of the state.²

Sovereignty according to Philpott is a supreme legitimate authority within a territory³. It is a supreme authority within a territory which implies both undisputed supremacy over the land's inhabitants and independence from unwanted intervention by an outside authority.

According to *Blacks Law Dictionary*⁴, sovereignty is the supreme absolute and uncontrollable power by which any independent nation/state is governed. According to Lee⁵ this definition has three interpretations. First, it implies that a state has right and power to regulate its internal affairs without external intervention. Second, each state's absolute control of its internal affairs is limited externally by the legal equality of all other states. Third, shared power/recognition of external power can only be by consensus between independent and sovereign nations.

According to the Government of Yukon sovereignty is a recognised right, ability and will to exercise exclusive jurisdiction within a geographical area⁶ (with a defined border, people within it and some form of government)

The current events of loss of territories by the impacts of climate change (especially through inundations) have brought serious challenges to the concept of sovereignty from the normative, political and legal perspectives. Among the challenges already identified include: territorial sovereignty and territorial integrity.

According to Lee⁷ territorial sovereignty means the freedom of each state to use its territory without any restrictions while territorial integrity is the right of each state to prohibit any impacts on its territory arising from the territory of another. He further noted that: the absolute claim of one state to use its territory freely is incompatible with the absolute claim of integrity of another state considering the transboundary impact of most activities on an industrial scale. He further noted that these two principles territorial sovereignty and territorial integrity virtually exclude each other. This position was also held by Tiflin⁸

Thus one nation's freedom to do whatever they wish within their territory is limited by its effect on another's territory. If the two are mutually inclusive, it then means that each nation can selfishly embark on activities that would benefit them and detriment other neighbours, since there is no physical trespass on territory.

Summarily, Lee would be saying that current perspectives and conceptions of sovereignty is conflict and crisis prone, especially in the face of current climate change impacts. Legislations at the international level which tend to prevent or restrict nations from any such activity that

might detriment others have been seen as a challenge on such a nation's sovereignty. (This is seen as the Harmonic Doctrine – absolute territorial sovereignty) This is one of the major reasons why carbon emission restriction/reduction has failed globally. Thus sovereignty has a serious political and legal undertone.⁹

Thus in order to avoid such conflicts from the current idea of sovereignty, the concept of sovereignty has to be abandoned or redefined. This is a necessary sacrifice, Lee observed.¹⁰

However with current global problems emanating from climate change, as already seen above, sovereignty has been threatened. According to Dingman climate change could radically impact the already contested concept of sovereignty. There is need to assess sovereignty based on the novel problem emanating from climate change especially with climate displaced persons. He noted that such factors as melting sea ice, rising tide, rising sea levels, etc would affect the current definition of sovereignty.¹¹

4.1 Climate Change vis-a-vis International Relations

Does climate change imply any special burden on international relations? In what ways does climate change affect/impact on the relations among nations. Many believe that climate change has incurred different levels/degrees of responsibilities and obligations on some nations. To these this work now turns.

It is no longer a matter of contention that climate change has brought many burdens on international relations. The ways these burdens/obligations are handled and approached have brought serious strains on the relations among nations at the international level. It has made existing international relations framework to show a big lacuna which if not adequately and promptly taken care of can cause more cracks in the relations among nations.

With the advancements in the destructive nature of climate change there seems to be a re-enactment of the pre-Westphalian societies of Hobbesian nature. According to Flawith, alarm bells will soon begin to ring loudest when the states begin to feel the reality of climate change through territorial losses as a result of rising sea levels and other issues as inhabitability of certain areas.¹² This his position is based on the fact as we have already seen above, that modern states derive their legitimacy from the claim to possess territory. When threatened by loss of territory, the face of international relations will change. Thus he was circumspect to observe that rising sea levels and inundations remain the direct assault on the claim to territory.

Here one remembers the cases of Tuvalu, Kiribati and other cases. These small island states have lost their territories and are seeking somewhere else to buy land/territory to relocate their citizens/country. This is a serious and precarious situation. One needs to think of what the situation will look like if they fail to get or succeed in buying land.

In view of this many powerful states now recognised globally are not even safe from the wrath of inundation and overtaking of territories. The wrath of nature recognises not nor respects such issues as political or economic status.

There is a necessary corollary between permanent population and territory in the criteria for statehood. Loss of territory definitely affects permanent population. Territory gives room for a stable society or community.

Park, Susan¹³ pointed out that when nations are displaced or relocate, their protection now depends on the host country. The rights they will enjoy would be limited and only rely on those of the host country. The problem here is that since they are not de jure refugees the rights they

will enjoy are those arbitrarily recognised or accorded them by the host country. This situation significantly affects the enjoyment of fundamental human rights. This has been aptly pointed out by many researches.

Accordingly Willcox had observed that (in relation to loss of/threats to human rights):

Significant loss of territory undermines the enjoyment of a range of fundamental human rights, including freedom of movement; personal integrity; property; a traditional livelihood; an adequate standard of living, including access to basic health care, education, and shelter; and participation in a particular cultural way of life. Most importantly, however, loss of territory jeopardises a people's recognition as a state under international law and, as a consequence, their enjoyment of the right to self-determination. Without territory – and, potentially, statehood – the individual and collective rights of a people are no longer adequately protected by their state, and are thus increasingly vulnerable to potential violations. Climate change therefore has a dual impact on the fulfilment of human rights: on the one hand, it poses a direct threat as a result of extensive environmental and financial harm; and on the other, it poses an indirect threat by undermining the existence of the primary framework for the promotion and protection of rights – the state – without which 'there is no framework for the protection or realisation of all other human rights'.¹⁴

In essence climate change (following loss of territories) affects the realisation of many human rights and in some cases makes it no longer realisable.

Willcox agreed with many others on other problems raised by climate change as it affects human rights. She further made us to appreciate that the:

Former High Commissioner for Human Rights, Mary Robinson, argues that a human rights approach to climate change serves to highlight 'countless weaknesses' in the contemporary international institutional framework.¹⁵

Many nations are reluctant to address climate-induced threats to human rights for fear of its spiral effects. This is evident in the position of McAdam¹⁶ that no state wants to be the first to offer a solution for fear of attracting pressure from vulnerable states or establishing some kind

of duty under customary international law. They feel that the obligations of human rights are challenging burdens as they carry many attached responsibilities. This was pointed out equally by Willcox when she noted the position of the United States on the issue of rights of people and nations that are affected and threatened by climate change:

The United States (US) government, for example, has stated that, while it agrees with the Human Rights Council that climate change ‘has implications for the full enjoyment of human rights’, it feels that ‘a human rights based approach to climate change would be impractical and unwise’ and ‘unlikely to be effective’. With brutal honesty, the US points out that, in the context of climate change, most states ‘would almost certainly not enforce human rights-based determinations against them[selves]’,¹⁷

This is entirely against the spirit of the categorical imperative. This is decried by Kant. She sadly further observed the warning of the United States on the issue that:

any attempt to impose such determinations would – in light of likely non-compliance – only serve to undermine respect for the legitimacy and effectiveness of the human rights regime as a whole. In doing so, it highlights the fact that, while international human rights law places certain limitations on state behaviour, its effectiveness remains constrained by the state-centric nature of the international institutional framework.¹⁸

She sadly observed that the issue of reluctance by many developed nations like the United States poses great obstacle to the recognition of obligations arising from the impacts of climate change on the enjoyment of fundamental human rights. For her, this situation was aggravated by the sheer structural and economic inequalities among nations which have serious negative consequences on the developing nations which are the most affected by climate change. The major regret of this situation as she pointed out is that this situation has made the developing nations to be in a disadvantaged position at the international level to negotiate adequately in matters of climate change and efforts to take care of the entire situation. Thus these structural and economic inequalities are serious threatening barriers to the issue of fundamental human

rights in the face of climate change. She pointed out some of the implications of these structural and economic inequalities.

First, she noted that it undermines the capacity of vulnerable developing states to meaningfully engage in international fora of negotiation and decision-making and thereby counteract the reluctance of developed nations to recognise and fulfil obligations relating to climate change harms.¹⁹ Secondly, she noted that it undermines the capacity of vulnerable developing nations to implement effective mitigation and adaptation strategies.²⁰

This position of Wilcox on the strategic disadvantage caused developing nations by their structural and economic margin was also corroborated by Standard and Poor's Rating Services²¹ when they pointed out that 'despite the complex and sometimes controversial science underlying estimates of global warming, poorer and generally lower rated sovereigns will be disproportionately hit. The most affected are the poorer nations and they have less clout in international negotiations, exacerbating the international coordination problem.'

Many scholars believe that the current idea of sovereignty is a major hindrance to environmental justice and solutions to the impacts of climate change. For some it impedes environmental protection. (Example is the politics surrounding the restriction of emissions among leading industrial nation in the globe) This position is identified by Litfin as 'sovereignty-as-enemy' thesis.²² Thus he suggested that environmental responses to climate change necessarily leads to a reconfiguration of sovereignty. He argued that no fully sovereign state exists today for there is nothing like divisibility of environment, thus no absolute control again. However he was reluctant to admit that we can do away with the concept entirely.

Paul Harris has argued strongly that Westphalian norms (of sovereignty) have stifled diplomacy and prevented policy innovations fundamentally ignoring the rights, responsibilities and duties of individuals. This situation, he believed is due to the fact that Westphalian norms of justice is communitarian in nature instead of cosmopolitan. Thus nations have few and limited duties of justice, responsibility towards other nations.²³

4.2 Economic Cost and Challenges of Climate Change on Territory/Sovereignty

Standard and Poor's believe that climate change has serious pernicious impacts on many societies. They observed that there are multiple channels through which climate change can affect the growth prospects of national economies and eventually levels of prosperity. According to them some of the most potent may be 'changing patterns of rainfall that can reduce agricultural yields via repeated and prolonged droughts, heat waves and wildfires, or floods'²⁴. They also noted that 'productivity of the broader workforce could also be negatively impacted if weather events affect sanitary conditions negatively, spreading pests or diseases, increasing morbidity. This may become a particular burden for populations living in low areas close to sea-level, where rising sea-levels in the context of global warming will not only flood agricultural and densely populated urban areas, but where a rising water table could lead to salinization of the population's water supply'.

They also pointed out that 'extreme weather events, especially floods, can be expected to increasingly take a toll on a country's infrastructure and thus productivity, exacerbating weakening endowment of productive infrastructure observable in a number of countries'. They however sadly pointed out that the most direct and tragic economic cost is of course the loss of lives.

In the area of fiscal performance they also noted that ‘the potential negative impact of climate change on growth will by itself weigh on public finances as tax and other revenues are likely to lose buoyancy if the underlying national economy falters’. The implication of this is that ‘government budgets could come under additional pressure as disaster recovery and emergency support for affected populations is likely to fall on the state in most cases. The same can be expected for the reconstruction of economic and social infrastructure.’²⁵ The case of Kiribati buying territory is a typical example of such fiscal onslaught of climate change on many nations. This further widens the poverty margin.

Standard and Poor’s Ratings Services has equally observed that climate change would equally impact on nations in many other ways. This is based on the fact that some nations depend on exports of agricultural products for foreign currency. They noted that ‘with erratic weather patterns or increasingly frequent droughts or floods undermining the export base, the adequacy of foreign reserves may become threatened as trade imbalances rise. Of course national currencies could depreciate to an extent to recalibrate imports and exports, but this would in many cases come at the price of rising inflation and falling levels of prosperity. Should episodes of bad harvests increase, emergency food imports may be required, once again putting pressure on the country’s external accounts. Should global food production stagnate as climate conditions change, prices for agricultural goods would permanently increase. Terms of trade of net food importers would worsen, putting pressure on their external accounts, which in turn could increase the downside risks for sovereign ratings’.²⁶

We can see that that the current conceptualisation of sovereignty remains a serious barrier towards any speedy resolution of the mounting crises generated by anthropogenic climate

change. The current conceptualisation depicts strict and unrepentant clinging to communitarian and communal citizenship which is tenetically opposed to the cosmopolitan views being advocated. It is thus clear that such a conservative position remains unethical in the face of imminent death of nations and individuals who in most cases are not the major culprit of their various degrees and levels of predicaments. Life is larger than logic and semantics. Sovereignty has to be redefined. This would save a lot of avoidable disasters and future conflicts since a dying person would always cling to any straw till the last moments of life. Threatened nations and individuals can only be barred temporarily as the situation would definitely explode beyond the capacity of the defending nations at the borders. Influx of climate refugees would overburden the rejecting nations which may definitely leads us back to the state of nature. The earlier the situation is settled amicably through memoranda of understanding (a sort of cosmopolitan arrangement) at the global level, the better for the entire globe. From the purview of this Chapter, one can see that the current conceptualisation of sovereignty has been deficienced by the current negative impacts and events of anthropogenic climate change on many nations and territories. This has called for serious alternative global arrangement and conventions at the international levels. This was so pronounced in the work of Stratford, Farbotko and Lazrus where they noted that all legal and policy reforms addressing climate change emigration must be enriched by accounting for the emotional geographies that attend the changing real and conceptual borders of sovereignty and by creating alternative spaces of hope and action.²⁷

To put thought to practice, one needs to look critically at the expenses already being incurred by developed nations in protecting and policing their borders. This huge concentration of energy and finance has however been camouflaged or covered under the aegis of screening or

preventing terrorists from entering into the territories. In most cases these are expended against 'illegal' migrants. 'Illegal' migrants here are people who are running for safety and seeking for survival against the scourge of climate change. This is a right to life and a right to survival and self determination. This thus nullifies the illegal perspective of such migrants from the ethical point of view). The law can be considered ethical and just which prevents a drowning person from rescuing oneself onshore.

With all these one can begin to see what Kant had already envisaged when he recommended cosmopolitanism for solutions to such global emerging issues as climate change. Kant's cosmopolitanism is a grand plan and design for world peace. The current climate change has created serious global conflicts and cosmopolitanism seems adequate to take care of the situation.

Kant is not alone here. We have many budding and modern Kantian cosmopolitans. They include Thomas Pogge, David Held and Charles Beitz.

Pogge²⁸ rejects the idea of sovereign territory from the point of view of property. Thus territoriality as part of the system of sovereignty is not welcome as it constitutes the major source of conflicts among nations in the quest for resource controls. He argued that present territorial borders are really problematic and has led to serious inequalities and disadvantages. See Edgerton²⁹. Pogge was arguing for an international distributive justice system.

David Held had argued for the deterritorialisation of the globe. He rejected political claims to territory. For him territories were created illegitimately through initial political onslaughts by

the west.³⁰ The bottom-line of his argument is that there is need to readdress this illegitimacy introduced by the west. Thus the only solution is to redefine sovereignty.

Beitz saw territory as being rooted in property law. For him this is a barrier to international global distributive justice.³¹ Thus territoriality is averse to the concept of common ownership of the earth and the source of global inequity.

From the proceedings of this chapter we can establish that there is no gainsaying the fact that the current concept of sovereignty is compounding the problems of climate change and all efforts towards finding solutions. It generates unhealthy deadlocks in international relations whereby speedy resolutions to emerging climatic issues are allowed unnecessarily to degenerate and incur more costs. This in most cases aggravates the situations in many affected developing and poor nations across the globe. One clear issue here is that these poor and developing nations are the innocent but however bear the greater brunt of the activities and actions of culprit developed nations. These developed, rich and politically powerful nations have, based on the rights of sovereignty, acted 'within' their territorial jurisdiction, but their actions and consequences had impacts on another's territorial jurisdiction and thus creates serious rows among nations. This means that sovereignty is already a problem in itself. Thus when the idea of responsibility and care is only restricted to one's immediate area without minding how one's actions impact on others around, is not morally and ethically justifiable. These are some of the major problems surrounding the current idea of sovereignty as it relates to the current problems generated by climate change.

References

1. Stanford encyclopaedia of philosophy. *Sovereignty*. Philpott, Dan, "Sovereignty", *The Stanford Encyclopedia of Philosophy* (Summer 2014 Edition), Edward N. Zalta (ed.), URL = <<http://plato.stanford.edu/archives/sum2014/entries/sovereignty/>>. Assessed: June 2014.
2. E. Stratford, et al. 'Tuvalu, sovereignty and climate change: Considering fenua, the archipelago and emigration. *Island studies journal*. 8(1) (2013) p68
3. D. Philpott, 'Sovereignty: An introduction and brief history'. *Journal of international affairs*. 48 (2) (2004) p353-368.
4. *Black's law dictionary*. Available at: <http://thelawdictionary.org/sovereignty/>. Assessed: July 2013.
5. L. Lee, 'Sovereignty over, ownership of, and access to natural resources. *Environmental laws and their enforcement Vol. II* Encyclopaedia of life support systems –EOLSS) (2005) p5-9
6. Government of Yukon "Developing a new framework for sovereignty and security in the North. A discussion paper prepared by the government of Yukon. April (2005).
7. L. Lee, op cit p5-9
8. K.T. Litfin, 'Sovereignty in world ecopolitics'. *Mershon international studies review*, Vol.41 (1997) p170-72
9. L. Lee op cit p4-9
10. Ibid p8
11. E. Dingman, 'Does climate change redefine sovereignty. Paper prepared for the Inuit studies conference. (2010) P1
12. R. Flawith, 'Climate change: a crisis for state sovereignty'. *Climate Himalaya*. May 26, (2011)
13. P. Susin 'Climate change and the risk of statelessness: the situation of low-lying island states'. *Legal and protection policy research series*. UNHCR (PPLA/2011/04) (2011) p13
14. S. Willcox, 'A rising tide: Implications of climate change inundation for human rights and state sovereignty'. *Essex human rights review*. Vol.9, No.1, June (2012) P7-8
15. Ibid.

16. J. Mcadam, Environmental migration governance. In Alexander Betts (ed) *Global migration governance*. (2010)
17. S. Wilcox, op cit.p8-9
18. Ibid.p8
19. Ibid;p9
20. ibid
21. Standard and Poor's Ratings Services *Ratings Direct: Climate change is a global mega-trend for sovereign risk*. May 15, (2014) .p4
22. K.T. Litfin, op cit. P168
23. P.G. Harris, *World ethics on climate change: learning guide*. Edinburgh: Edinburgh university press.(2010)
24. Standards and poors. Op cit. P4
25. Ibid.p5
26. Ibidp5
27. Stratford, op cit.p68-70
28. T. Pogge, 'An egalitarian law of the peoples'. *Philosophy and public affairs*. Vol. 23. No.3 summer (1994) P 198-199
29. B.Y. Edgerton, 'Kant, contemporary cosmopolitanism and territory. Unpublished Draft working copy. Tufts University. (2009) p6
30. D. Held, *Global covenant: The social democratic alternative to the Washington consensus*. Polity press. (2004) P199
31. C. Beitz. *Political theory and international relations*. Princeton university press.(1999)

Chapter Five

Climate Change and Human Rights

This Chapter takes a look at some of the fundamental and many other rights that climate change has impacted on and has made the realisation and exercise of such rights very impossible under the present climatic scenario. It employs the positions of various scholars including Kant to substantiate the need for a cosmopolitan styled justice and norms for the sustenance and realisation of such rights. Such rights, this work and many others have noted, have no existing frameworks, internationally, to take care of their being protected and ensure that they are exercised and realised irrespective of geographical or territorial locations.

A question needs to be posed here. Are climate change victims victims of human rights violations? The issue of natural factors have been ruled out based on the fact that the factors necessary for climate change are anthropogenic; definitely some people or groups of individuals or nations have to be responsible. Definitely their actions and inactions must have adversely affected others, both individuals and groups, especially their integrity, self-determination and many other rights to survival. Thus their actions have victims at the other end who suffer from the consequences of their actions.

Kant is a major force to reckon with in the philosophical discussion of rights from both metaphysical and political/ethical points of view. Fine¹ was circumspect to have observed that Kant put the idea of ‘right’ at the centre of his political thought and however noted that his idea of rights was far bigger than what is meant by civil rights. He noted that the bottom line of Kant’s analyses of right is violated if state sovereignty is elevated into the absolute at the expense of individual rights. Thus rights are not geographically limited. He further maintained

that Kant's cosmopolitan point of view was a concerted attempt to address the contradiction between the universalisation of the rights of man and the national basis on which rights were accorded.

Kant saw rights as constituting 'every action which by itself or by its maxim enables the freedom of everyone else in accordance with a universal law'.² For him, it is the sum total of those conditions within which the will of one person can be reconciled with the will of another in accordance with universal freedom. This also corroborates the categorical imperative. For Kant rights are universal and can be embraced by reason. This is also an aspect of epistemological cosmopolitanism.³

For Bradshaw, Kant saw rights as universal, that they are true because they defend the fundamental autonomy of all human beings and that they can be known by all rational creatures. He further observed that Kant stressed the need for protecting the space for people to make their own choices, for people to be self-determining agents.⁴

Kant extended his conception of rights to his idea of cosmopolitanism. This is based on the fact that rights for him are universalizable. They are applicable to all citizens irrespective of geographical locations.

Cosmopolitan rights defies state sovereignty/jurisdiction, it abhors or transcends national borders. The cosmopolitan right is discussed by Kant in the third definitive article. He defended cosmopolitan rights as the 'rights of citizens of the world, in so far as individuals and states, standing in the relation of externally affecting one another, are to be regarded as citizens of a universal state of mankind'.⁵ (PP8:849) This cosmopolitan rights has been interpreted by many

as being limited to trade relations only. However many have observed that it goes beyond such. Some believe that it covers migration issues.⁶

According to Reinhardt,⁷ Kant discussed cosmopolitan rights under the concept – *weltburgerrecht* – which talks about rights in relation to migrations especially in his work *Perpetual Peace* and in the Doctrine of Rights. He also discussed rights under international law under the concept *staatrecht*.

For Kant, cosmopolitan right is the rights of individuals on a global level. It is a right of all community of the earth's inhabitants. Kant defended (in *Metaphysics of Morals*) the rights of peoples across borders and to engage in business transactions and not to be visited by hostilities. This right gives people freedom of movement. It is observable that Kant emphasised this right with respect to few examples of travelling and trade transactions. This is based on the climate and background under which he was writing. It is the position of this work that such rights would have to be extended to natural climate induced migrants thereby implying that Kant would have said that borders should not be closed on climate displaced persons in order not to harm their rights.

Reinhardt⁸ had observed that cosmopolitan right applies not only to someone with interests in trade relations but also to victims of natural disasters (such as climate change disasters). Thus cosmopolitan rights is not limited to trade and hospitality. It covers and extends to making it possible for nations and individuals to achieve their rights of self-determination.

Kant's limitation of cosmopolitan rights to conditions of universal hospitality could be attributed to the circumstances of his time and condemnation of colonialism which involves

undue entrance and occupation of others territory. Thus with current global climatic situation there is no gainsaying the fact that Kant would have (extended) made migration rights more pronounced than it was in his thinking.

The right of migration becomes infringed upon if migrants are rejected because of circumstances beyond their control and thereby facing imminent danger.⁹ Thus rejecting migrants from climate induced disasters which has led to permanent damages and losses may result to harm to such peoples.

Kleingeld and Benhabib believed that cosmopolitan right is derived from innate rights – this is a right that belongs to everyone by nature, independently of any act that would establish such a right.¹⁰ (See Reinhardt) This position is seen as implying that innate rights also include the right to be where nature or change has placed one – such as climate induced migration.

Cosmopolitan rights have also been seen as right to membership of a global community.¹¹ (see Held) However with the current global crises resulting from climate change, there are several rights that individuals and nations that will remain mirage if the international community sticks to the old westphalian norms of justice. The westphalian norms of justice and human rights are thus limited with the present climatic conditions. It thus has to be replaced by cosmopolitan norms.

For Benhabib, cosmopolitan norms of justice accrue to individuals as moral and legal persons in a worldwide civil society; they endow individuals rather than states and their agents with certain rights and claims. Cosmopolitan rights signal eventual transition from nationalistic

operations of justice to cosmopolitan operations and views which bind, bends and overshadows the will of sovereign nations.¹²

The essence of justice and human rights that impinges and stresses the cosmopolitan condition is aptly captured by Benhabib when she explained that: ‘

every person and every moral agent, who has interests and worth my actions and the consequences of my actions can impact and affect in some manner or another is potentially a moral conservation partner with me; I have a moral obligation to justify my actions with reasons to this individual or to the representatives of this being. I respect the moral worth of the other by recognising that I must provide him or her with a justification for my actions’¹³.

Thus insisting that one has no moral obligation to the realisation of other people’s rights, as the United States had argued earlier is morally abnormal and unacceptable. This is against the spirit of the categorical imperative.

According to Benhabib, Kant recognised three interrelated but distinct levels of ‘rights’: first domestic law/rights which should be in accordance with a republican constitution, second is in the sphere of rightful relations among nations – *voelkerrecht* – which results from treaties among nations, third is cosmopolitan rights which concerns relations among civil persons to each other as well as to organised political entities in a global civil society – *weltbuergerrecht*.¹⁴ This Kant introduced in the Third Article of the *Perpetual Peace*.

This chapter takes a look into how the impacts of anthropogenic climate change affect the exercise of certain rights of individuals and nations (both political and socio-cultural) and also the violations of such rights. These would make it facile to appreciate the cogency for charting out proper philosophies and policies to take care of emergent globally dangerous situations

generated by climate change which have remained a dangerous albatross on humanity and on a wide scale.

The UN had noted that climate change has particularly serious implications for the realisation of individual and collective rights of inhabitants of low-lying Small Island Developing States (SIDS) who constitute the most vulnerable in matters of climate change. For Willcox climate change has been widely recognised as having negative effects on the realisation of human rights including civil, economic, social, cultural and political rights of many individuals and societies. The worst of it she noted was that most of these victims in developing nations and societies who are socio-economically vulnerable have minimal contribution to the greenhouse gas emissions that cause climate change. Thus for her, climate change-related impacts have adverse consequences for a range of internationally recognised human rights. Such rights she noted include:

the right to life which she believed is threatened by an increased incidence of heat waves, drought, vector-borne diseases, malnutrition, and sudden extreme weather events; the right to an adequate standard of living, including an affordable, accessible and sustainable source of food, shelter and clean water, all of which are adversely affected by the destruction of arable land, freshwater supplies, and housing as a result of rising sea levels; the right to adequate standard of health, which is compromised by the impact of sanitation; right to education, which may be adversely affected by the destruction of educational facilities and temporary or permanent displacement; and finally, the right to take part in cultural life, which is threatened by the impact of climate change on traditional land, ways of life, and living arrangements.¹⁵

This therefore implies that there is no gainsaying the fact that climate change affects and limits the realisation of various human rights.

Climate change has its own victims. A victim is an individual who suffers wrongly as a consequence of another's action. This is where the issue of human rights violation comes in. Many victims may have contributed less to the fate they are suffering as a result of climate change. The sources of generation of causes of climate change in most cases are different in location from the people or victims who suffer and feel the impacts of such actions. This is the butterfly effect. When such actions and their impacts prevent the enjoying of other peoples' rights, then the issue of rights violations come into focus.

The Human Rights Council had noted that climate change poses an immediate and far-reaching threat to people and communities around the world and has implications for the full enjoyment of human rights.¹⁶ Being aware of such is one thing and finding suitable and adequate solutions is another issue which is one of the major purposes of this work as stated in chapter one. We know that when people are outside their own territories certain rights are denied them. Also when crisis of such climatic nature occur it comes with the deprivation of certain rights or make the enjoyment and fulfilment of such rights very impossible.

Caney¹⁷ had argued that climate change is very unjust as it seriously threatens fundamental rights of both individuals and nations. Harris¹⁸ in analysing Caney's cosmopolitan position on climate change summarised his position thus: 'the current consumption of fossil fuels is unjust because it generates outcomes in which people's fundamental interests are unprotected and as such, undermines certain key rights'. For Caney this is unjust whether those whose interests are unprotected are fellow citizens or foreigners and whether they are currently alive or are yet to live. Thus he reached the following conclusions:

1. Persons have right to something if it is weighty enough to generate duties on others.

2. Climate change jeopardises fundamental interests (for example not suffering from drought, crop failure, heatstroke, infectious diseases, flooding, enforced relocation and rapid, unpredictable and dramatic changes to their natural, social and economic world.
3. The interests jeopardised are sufficient weight to generate obligations on other persons, therefore,
4. Persons have a right not to suffer from the ill-effects associated with global climate change.¹⁹

Climate change has launched a series of onslaught on human rights. Such include loss of territory, loss of sovereignty, loss of indigenous rights, impacts on women and children's rights, etc. The worst is that many nations are aware of such but insist on doing nothing, such as the United States, which position we saw earlier in Chapter Four, which refrained from acknowledging and being forced to acknowledge any moral obligation in the issue of rights of people affected and displaced by climate change.

5.1 Loss of Territory vis-a-vis Loss of Rights

Climate change has significantly affected many territories. It even evicted some, while some lost significant parts of their territories through inundation, excess salinisation, etc. Thus the right to self-determination, survival and other individual rights have been seriously eroded. It takes serious reflection to appreciate the nature of these denials. In most cases the victims give clearer perspectives of the nature of these issues.

The people of the Maldives, through the Government of the Republic of the Maldives have observed that:

The loss of land and State renders all other rights, political and civil as well as economic, cultural, and social rights, unattainable. Climate change ... undermines the inherent dignity of the Maldives people as members of the human family [and] the very foundation and purpose of human rights as enshrined in the UDHR ... [T]he extinction of their State would violate the

fundamental right of Maldivians to possess nationality and the right of the Maldives people to self-determination.²⁰

For these people the dissolution or extinction of their territory is a serious onslaught of their fundamental human rights and this makes the realisation and exercise of all other rights thereto a mirage.

In collaboration with the above position of the Maldives, Willcox sympathetically had observed that:

Persons whose land has been rendered uninhabitable by the effects of climate change ‘find themselves in the unprecedented situation of being citizens of a state that no longer has territory’. Without territory (one of the fundamental criteria of statehood) what was once a state may in fact no longer qualify as such. Similarly, the right to self-determination and political autonomy is unlikely to be recognised within the international community without the corresponding capacity for territorial autonomy. Inhabitants of inundated states therefore enter a type of purgatory or ‘de facto statelessness’, in which they ‘formally [have] a nationality, but which is ineffective in practice’.²¹

In essence deterritorialisation or loss of territory definitely diminishes qualification for nationhood. Willcox further noted some of the onslaughts of climate change on fundamental human rights and the political imbroglio surrounding it by pointing out that:

In addition to the issues of political reluctance, global inequity, and institutional inadequacy ..., then, peoples whose rights and territory are threatened by the effects of climate change face a further, seemingly insurmountable obstacle. Without territory, they cannot enjoy self-determination. Without self-determination – which, in its external form, remains tied to the framework of the contemporary sovereign state – they cannot enjoy statehood. Without self-determination or statehood, they no can longer depend on the state to protect their fundamental rights and interests, nor call for the recognition and enforcement of extraterritorial obligations relating to climate change harms. Territory – and, with it, statehood – are ‘in this sense, fundamental precursor[s] to the enjoyment of all other rights’ within the contemporary international order, including the right to self-determination.²²

This implies a total eclipse of, not only the possibility of the realisation of various rights but also the entire realisation of such. This is because the base of such rights has been removed or has eroded entirely.

The Centre for International Environmental Law (CIEL) in its recommendation in tackling the challenges of climate change had observed that ‘direct climate impacts, such as extreme weather events and rising seas, threaten millions of people in coastal and low-lying areas, while melting snow and ice threaten the security of the indigenous peoples of the Arctic’. It further observed that loss of freshwater resources and glacial melt put communities at risk in such areas as Andes and the Himalayas. In the area of food security and its impingement on the right to food and food security it noted that ‘ocean acidification and changes in weather patterns alter ecosystems and their capacity to provide goods and services to human communities. Increasing weather extremes constrain food security and access to nutritious forms of food while changing the prices of global commodities, making food more expensive and harder to access for the world’s poorest people. Continuing delays in mitigating climate change mean the costs of adapting to it are increasing, as is the risk of experiencing severe and irreversible loss and damage’.²³

They highlighted some of the rights affected by climate change to include such areas as: life, health, water, means of subsistence, culture, property, etc. (these emanate from loss of land, drowning, lack of clean water, disease, damages to coastal infrastructure, homes and property, loss of agricultural lands, threat to tourism, lost beaches, etc)

5.2 Climate Change, Territorial Loss and Indigenous Peoples

When we talk about climate change and loss of territory it takes a different dimension when it comes to indigenous people. The relocation of indigenous peoples has not only economic and political implications but also serious ontological and existential implications. In most cases there are irreversible and irreparable situations.

According to Oviedo and Fickle²⁴ it is generally recognized that poor, natural-resource dependent communities including indigenous peoples, particularly in the developing world, are especially vulnerable to the effects of climate change and suffer disproportionate impacts. (This position was equally expressed by IPCC).²⁵ They pointed out that indigenous peoples are often highly dependent on their lands and natural resources for their livelihoods. They also noted that their intricate relationship with their environment, lands, territories and resources is ‘the very basis of their economic, social and cultural systems, their ecological knowledge and their identities as distinct peoples.’ Unfortunately, they noted, they live in diverse but fragile ecosystems and at the same time in economically and politically marginal areas

With the current impacts and pace of climate change it becomes inevitable that any changes to the ecosystem will definitely impact on their way of life and threaten their survival. In effect every direct and indirect impacts of climate change will definitely threaten their very existence. See (Baird²⁶; UN Development Group²⁷).

Ironically, just like developing countries, indigenous and other traditional, rural peoples are the least responsible for climate change, having the smallest ecological footprints and contributing the least to emissions of greenhouse gases. See (UNU-IAS)²⁸. This calls for a moral consideration in finding solutions to their plight and fate.

The economy and resource use of indigenous peoples are often threatened, followed by erosion of their social lives, culture and traditional knowledge. See (IWGIA:)²⁹. The Independent pointed out that ‘loss of their ancestral lands and homes often leads to spiritual suffering because their psychological well-being is frequently connected to the land’³⁰. This issue should be approached better from both the existential and ontological perspectives.

The indigenous peoples also face so many conventional problems which are intentionally embarked upon directly, apart from the fate that climate change has subjected them to. Being rendered helpless in most situations, some vicious factors begin to emerge. These we now see and address below.

According to the UN Indigenous peoples who choose or are forced to migrate away from their traditional lands often face double discrimination as both migrants and as indigenous peoples.³¹ They become more vulnerable to irregular migration such as trafficking and smuggling (especially women and children), owing to sudden displacement by a climactic event, limited legal migration options and limited opportunities to make informed choices. It also noted that deforestation, particularly in developing countries, is pushing indigenous families to migrate to cities for economic reasons, often ending up in urban slums.

The case of indigenous peoples is specially isolated as being distinct from other societies and situations because they have a different ecological experience and different existential orientations. This is why their cases of human rights issues are very different and expanded in nature in most cases.

In view of the above, the UN had noted that ‘Indigenous peoples are among the first to face the direct consequences of climate change, owing to their dependence upon, and close relationship with the environment and its resources’³². It further noted that ‘climate change exacerbates the difficulties already faced by vulnerable indigenous communities, including political and economic marginalization, loss of land and resources, human rights violations, discrimination and unemployment’.

The UN pointed out some of the major ways by which climate change affects indigenous people to include:³³

- Glacial melts which affects hundreds of millions of rural dwellers who depend on the seasonal flow of water is resulting in more water in the short term, but less in the long run as glaciers and snow cover shrink. This is typical of the Himalayas with high altitude.
- It noted that in the Arctic region indigenous peoples depend on hunting for polar bears, walrus, seals and caribou, herding reindeer, fishing and gathering, not only for food to support the local economy, but also as the basis for their cultural and social identity. Some of the concerns facing indigenous peoples thus include the change in species and availability of traditional food sources, perceived reduction in weather predictions and the safety of travelling in changing ice and weather conditions, posing serious challenges to human health and food security.
- It noted that in such areas as Finland, Norway and Sweden, rain and mild weather during the winter season often prevents reindeer from accessing lichen, which is a vital food source. This, they noted, has caused massive loss of reindeer, which are vital to the

culture, subsistence and economy of Saami communities. It pointed out that Reindeer herders must, as a result, feed their herds with fodder, which is expensive and not economically viable in the long term.

- In the African region, it noted that rising temperatures, dune expansion, increased wind speeds, and loss of vegetation are negatively impacting traditional cattle and goat farming practices of indigenous peoples in Africa's Kalahari Basin.

From the foregoing one can thus see that climate change is not only an environmental issue for indigenous peoples, but also a human rights issue for all. It is a global responsibility

Now let us also see how the anthropogenic issues of climate change affect indigenous people based on ecological locations.

Tropical Forests

According to Oviedo et al³⁴ many people across Asia, Africa and Latin America live in Tropical Forests. They reported that some studies have shown that 'about 1 million indigenous peoples of 400 different indigenous groups in the Amazon are highly vulnerable and threatened with potentially dramatic impacts'. They also noted that 'climate change may often result in longer dry seasons for humid forests. Combined with deforestation and forest fragmentation caused by the forestry industry, climate change leads to an increased likelihood of forest fires. Higher temperatures and the loss of ground water in tropical forests will reduce biodiversity, affecting the livelihoods of many indigenous communities. Furthermore, rising temperatures lead to more vector-borne diseases'.

Dry Lands/ Semi-Arid and Arid Lands

Dry lands cover 40% of the earth's terrestrial surface and are home to over two billion people, including pastoralist groups, hunter-gatherers and other traditional communities. Many of them are amongst the most vulnerable and poorest of the world³⁵. Thus with such a situation, survival becomes threatened coupled with serious loss of human rights, mostly economical.

Salick and Big had noted that many areas of Dry lands are already degraded and climate change is further deteriorating the situation. They pointed out that this is 'frequently leading to more prolonged droughts resulting in more dust storms, but sometimes also to excessive rainfall with floods'³⁶. This they noted is part of the causes of desertification which is progressing at high rates which can make places like the Kalahari Desert to double its size and at the same time experience dramatically increasing wind speeds. This affects right to life and subsistence and minor loss of territories.

For Macchi et al,³⁷ the area (as described above) becomes less viable even for indigenous peoples with still vast adaptive capacities, and much more for those whose adaptive capacities have already been eroded, often leading to migration, further marginalization or conflicts and impoverishment.

According to IRIN³⁸ the IPCC further predicted that in some African countries rain-fed agriculture will be reduced by half in a little over a decade. This has started happening and farmers in many sub-Saharan Africa are already in the middle of such experiences. Hunger largely looms in the region. Africa is already disadvantaged in this instance. This situation will aggravate the entire situation and reduce the survival rate already breathtakingly reduced by poverty.

The Independent³⁹ reported that findings published in the *Medical Journal of Australia* show that Australia's Aborigines will be amongst those to have the worst experience of climate change in that country. It noted that this population being an impoverished minority are most likely to be hit by elevated temperatures, drier and more extreme weather patterns and higher rates of diseases; at the same time indigenous medical services have inadequate resources and there is often no access to services. It also noted that the report points also to the psychological and spiritual suffering of the Aborigines when they are forced to see their ancestral lands ravaged. This is the same experience many indigenous peoples across the globe will face.

The Arctic

Oviedo and Fincke had observed that 'the Arctic has been experiencing some of the most rapid and severe climate change on earth with temperatures rising twice as much as the global average within the past few decades which has led to thawing permafrost, melting mountain snow, glaciers and sea ice, shifting vegetation zones, coastal and riverbank erosion, reduced populations of animal species due to warmer water temperatures, major changes in animal travel and migration, and the arrival of new species.'⁴⁰

It was also observed that indigenous inhabitants (of the Arctic) have been experiencing major impacts, and these include: the loss of hunting and food-sharing culture, as reduced sea ice makes the animals on which they depend less accessible; for example, hunting has become much more dangerous for the Inuit people.

Baird had observed equally that 'There are also socio-cultural consequences, including damage to older people's status as they are no longer able to predict the weather and make decisions

based on their traditional knowledge due to the weather having become unpredictable and extreme.⁴¹

Small Islands

For Oviedo and Fincke⁴² Indigenous peoples in the Pacific region are already heavily impacted by rising sea-levels, increasing erosion from intense storms, and saltwater intrusions into freshwater. The changes affect their livelihood activities including fishing and hunting, infrastructure, access to food, water resources, housing and health. (See the cases of Kiribati, Carteret Island in New Guinea, Tebua). These are serious threats and challenges to livelihood and territory.

High Mountain Ecosystems

According to Oviedo and Fincke ‘high mountains are ecosystems in which indigenous peoples are also particularly affected by climate change. Mountain glaciers are melting at an unprecedented fast pace, resulting in the short term in more water, which causes floods and landslides, and in the long term, a potential water crisis’⁴³. IPCC – Working Group 2 equally noted that the glacial melts of the Himalayas are affecting millions of people in several countries in the same ways.⁴⁴

Tabtebba has also observed that ‘tourism in high altitudes, which has been a source of income for some indigenous communities, has suffered because of melting glaciers. The disappearance of high alpine flora, which is a major source of traditional medicines and food, grazing and hunting, will have severe impacts on indigenous peoples’ livelihoods’.⁴⁵

5.3 Are Human Rights Limited by Jurisdiction/Sovereignty

There is a debate in legal settings that human rights are limited in obligations to and within territories. In essence one cannot be blamed for events and things happening outside ones territory. However the International Covenant on Economic, Social and Cultural Rights (ICESCR) maintain that obligations are not limited or subject to any jurisdictional limitations and assistance and cooperation towards the full realisation of all relevant rights.⁴⁶

For Willcox⁴⁷ the ICESCR offers a clear foundation for extraterritorial duties with regard to the fulfilment of a range of economic, social and cultural rights adversely affected by climate change. Unfortunately, she noted this is for only the signatory nations. Kant however believes that human rights are universally applicable.

In all, the major thrust here is the violation of the right to existence, especially territorial existence. Thus the right of self-determination of nations and societies are seriously affected by climate change. Just as Willcox noted the right to self-determination is a foundational principle of international law that is both indivisible from and a prerequisite for the realisation of all other human rights⁴⁸. It underpins territorial and political sovereignty, access to means of subsistence and the capacity for economic, social and cultural development. For her this right is inherently and instrumentally valuable as a right in itself and as a means to further achievement and enjoyment of other rights. This is of course the major right that is affected squarely and severely by climate change.

From the foregoing it has become clear that there is a need for collaborative efforts to address this challenge. We still see the relevance of Kant's legislative admonitions here. If there are limited legislations which cannot take care of this global situations and challenges, then there is

a need for a universal principle of administration to take care of this situation to ensure the rights of peoples to self-determination. This is one of the major bottom-line of Kant's cosmopolitanism.

Loss of territory to climate change necessarily affects its sovereignty. It also affects all other necessary rights attached to such. This has serious political implications. If a nation loses its territory permanently and the citizens disperse, does such a nation still exist? How can the government be run as it does no longer have the collective loyalty of its citizens? These are some of the serious issues being raised by climate change. It also calls for further research.

The problems raised by climate change have made us to see that placing limitations on human rights due to territorial sovereignty or limiting rights to jurisdictions will be inequitable. This was one of the major reasons Kant advocated for global citizenship. Thus the cosmopolitanism of Kant appears to be a good solution to this issue. Limiting rights to jurisdictions in the face of climate change could be seen as against the right to hospitality and also against the principle of no harm in rejecting climate displaced persons.

Kant's theory of cosmopolitanism takes adequate care of such situations since existing provisions are inadequate. Glahn aware of the problems of climate displaced persons whom he addressed as climate 'refugees' noted a lacuna in frameworks taking care of such situations and pointed out:

Currently, a central problem with the term 'climate refugee' is that it is not an officially recognised category under existing international law. There are no frameworks, no conventions, no protocols and no specific guidelines that can provide protection and assistance for people crossing international borders because of climate change, and while existing international humanitarian law may apply in some cases of environmental displacement, the existing rights

guaranteed to refugees – specifically those of international humanitarian assistance and the right of return – do not apply.⁴⁹

It is however clear that there is as yet no international framework or convention that takes care of climate displaced persons.

Hodgkinson et al equally observed that there has been a lacuna and a need for the provision of fundamental framework to ensure the protection of rights of climate displaced persons. They pointed out that:

Notwithstanding the agreement's focus on climate change adaptation, no specific provision deal with the issue of climate displacement. Such displacement is a form of adaptation that creates particular vulnerabilities requiring protection as well as assistance through international cooperation.⁵⁰

The rights of climate displaced persons will not be relegated to oblivion because it is due to no cause or fault of theirs they are no longer within their own territorial jurisdiction. There has to be a provision to take care of such. This makes the Kantian quest for both moral and political cosmopolitanism cogent and urgent. How can people displaced adapt without any grounding rights? We recall Willcox's position on the right to self-determination⁵¹. How can this right be achieved in the face of displacement that deprives people of rights based on the issue of territorial sovereignty?

Many scholars have noted that climate change displacement presents a serious problem to the international community. This is what this thesis tries to proffer a Kantian solution through adopting his idea of cosmopolitanism underlined with his categorical imperative. It is a global problem that needs a universally applicable approach.

For the fact that these displaced persons are not really responsible for their situation, justice demands that there be a framework spearheaded by the major global culprits to address such situations. This is the starting point of the quest for global justice and right to development of poor nations and climate displaced persons. As Harris⁵² observed, the notion of international relations is informed by communitarian conceptions of justice within domestic societies: people develop their identities and measure value based on the communities, routinely the states, in which they live. He noted that from this perspective, states have very few duties of justice toward one another, and even less so toward people living in other states.

Bell noted that if anthropogenic climate change threatens to violate the basic rights of humans, each one of us has a duty to pay his or her fair share of the cost of preventing anthropogenic climate change or mitigation of its impacts across the globe.⁵³ This is the moral imperative. He further noted that both new economic and political policies should centre on protecting human rights and not maximizing of welfare.

The United Nations office of the high commissioner of human rights highlighted the impacts of climate change on human rights thus:

Global warming could result in hundreds of millions of people suffering from hunger, malnutrition, water shortages, floods, droughts, heat stress, diseases triggered by extreme weather events, loss of livelihood, and permanent displacement. Indeed, climate change poses a direct threat to a wide range of universally recognised fundamental rights, such as the rights to life, food, adequate housing, health and water.⁵⁴

In essence, climate change lays a serious scourge on the major rights that give room for survival of individuals. What may be called the physiological rights, once threatened or made unrealisable, every other subsequent right remains a mirage.

Harris had pointed out that cosmopolitanism is best suited for a better understanding and solution to the problem of climate change. It offers the best response to the challenges of climate change. He thus noted that:

A cosmopolitan approach places rights and obligations at the individual level and discounts the importance of national identities and state boundaries. Cosmopolitans recognise the obligations and duties of responsible and capable individuals regardless of their nationality. From a cosmopolitan perspective, what matters are (for example) affluent Americans and affluent Chinese people, rather than the 'United States' or 'China' as states. People in one state do not matter more than people in others. Cosmopolitan justice makes demands on capable individuals for a range of reasons, such as the prescription to 'do no harm', the historical argument of 'you broke it, you fix it', the maxim to 'prevent extreme suffering', the belief in the 'ability to benefit others or prevent harm', the 'priority of vital interests' and the concept of not undermining others' capacity to be independent moral agents. International justice considers national borders to be both the practical and ethical foundation for justice. But cosmopolitan or global justice, while recognising that national borders have practical importance, views them as the wrong (or at least not an adequate) basis for deciding what is just, including in the context of climate change. Climate change creates the conditions for cosmopolitan responses, in large part by way of the interdependence it engenders.⁵⁵

What this underscores is that cosmopolitanism (from its ethical and justice dimensions) offers a better option than contemporary arrangements and solutions to climate change which come from communitarian legislations.

5.4 Climate Change and Women Vulnerability

Climate change has had onslaughts on the rights of humans. In most cases it has made certain rights unrealisable. Thus in order to face the realities on ground many rights, values, norms and privileges are abandoned in the quest for survival. These creates or increases the vulnerability of people in such societies.

Climate change from the perspective of populations, disproportionately affect women more than others. They bear the heaviest brunt for the sake of all other members of the population. This is also because they constitute the most socially disadvantaged group due to their poverty status (this is prominent in developing nations). Climate change affects the ability of women to achieve their various dreams and other rights

Researches reveal that women are more vulnerable to climate change than men. It is also revealed that this is because they make up the majority of the world's economically poor and disadvantaged group and that they do most of the agricultural work and bear unequal responsibility for household food security. Further findings indicate that they carry a disproportionate burden for harvesting water and fuel for everyday survival, and rely on threatened natural resources for their livelihoods.

Climate change targets most of the resources on which women depend for their livelihoods and sustenance. This makes their vulnerability more glaring. These resources assist them carry out their various roles and responsibilities in both the family and the society properly. These are heavy responsibilities.

Here we are going to see some of the factors or impacts of climate change that make the vulnerability of women more pronounced bearing in mind their various responsibilities to both home and society in general. These factors are in no way exhaustive as there are many of them that may not be justifiably addressed here.

Land Resources: Inundation, deforestation and desertification constitute serious threats to land resources. It diminishes sustainability and survival of many societies. Climate change thus

increases pressure on land usage. Land provides the possibility for food and other agricultural resources. Land is needed for subsistence farming and small-scale farms. But with climate change (as a result of the anthropogenic activities discussed above) land available for agriculture is threatened by flooding, degradation from pollution, etc. Infrequent and excessive rainfalls also endanger farming in most sub-Saharan African societies. These affect the quality of land needed for farming and food security. It thus widens the poverty margins of many societies and individuals. According to United Nations Economic Commission for Africa (UNECA) food security would worsen with the adverse effects of climate change in both normal areas and arid and semi-arid areas in Africa. It had argued that:

In some countries, yields from rain-fed agriculture could be reduced by up to 50 percent by 2020. With 95 per cent agricultural dependency on rainfall, 20 per cent decrease in length of crop growing season, 50 percent decrease in yields from rain-fed agriculture, the projected losses in cereal production potential in sub-Saharan Africa (SSA) are estimated at about 33 per cent. Local food supplies would be negatively affected by reduced productivity of livestock (feed and fodder availability) and decreasing fisheries resources in large lakes due to rising water temperatures, which may be exacerbated by continued over-fishing.⁵⁶

As women in the African setting and also in most developing countries are primarily responsible for food procurement, especially through subsistence farming and agriculture, this situation poses enormous challenges on them as they take care of feeding and care of the sick. Majority of women do the major farming for sustenance in most African societies. Some also indulge in paid farming labour as a means of livelihood. As observed in the face of food scarcity in every household, women and children remain the most vulnerable which in most cases lead to malnutrition, undernourishment and other social problems like broken marriages, child marriages and prostitution.

Water Resources: Climate change has serious impacts on water availability in many societies, especially ones with poor hydrologic variability. This will seriously affect water security in such areas. This equally has extended impacts on certain sectors of the society. It also affects and impacts on individuals disproportionately. In the face of flooding, such as recently witnessed in Nigeria, portable drinking water becomes a serious challenge. There is the possibility of cholera outbreak and other water-borne diseases as a result of this. Wherever such are the cases children are the most affected and the responsibility to take care of them mostly fall on the women – the mothers. In sub-Saharan Africa drought is a big problem to most nations – e.g. Kenya and Ethiopia most significantly. Available water is in most cases polluted and contaminated.

Gleaning from the origin of the world of work, women have been associated with and allotted the responsibility of gathering of fuel (firewood) and water while the men go for hunting. In view of the challenges outlined above, women and girls are challenged the more in carrying out such duties. This, places much stress on this population. Thus women and girls need to travel long distances to fetch water. This also gives hint to another dimension of the situation. This affects the time needed for other activities such as schooling, working for income generating activities, paid labour, etc. Thus certain of their rights and privileges remain a mirage. Thus the impact of climate change on this population denies them certain rights. From another perspective there is also the grave risk of violence, sexual violence in the entire process. This in most cases can result to conflict with neighbouring communities that try to protect and preserve their own available sources of water. There has been such a case between two neighbouring cities in Bolivia – La Paz (the capital city) and El Alto.

Natural Disasters and Migration: Natural disasters in most cases lead to forced migration of individuals and societies. Though typically mild with Africa, natural disasters include but not limited to the following: flooding, droughts, desertification, rise in sea levels, etc. When these happen there is bound to be migration of populations. There is always the tendency to conflict as communities struggle for the control of available resources. In some cases this leads to international migration.

Natural disasters in most cases (or even in rare cases) have anthropogenic origins. They do not gather momentum and occur overnight. They are in most cases as results of age long ecological footprints left by humans.

In most cases of natural disasters men who, in most cases, are bread winners migrate leaving behind women and children who now bear the brunt. In the African setting women find it hard to migrate because they can't leave their children behind. Natural disasters expose women to violence and sexual abuses. There have been cases where women are raped in refugee camps.

From the foregoing we can easily decipher that climate change has gender dimension. Some researches have attested to this scenario. The distinct roles of men and women in the society give varying accounts of experiences of climate change in diverse ways which result in varied coping strategies and responses. In all, women's experiences are more challenging. In all these the health of women are equally seriously challenged and these put them at more risk of so many avoidable diseases. The summary is that climate change renders serious onslaught on the realisation of certain rights for the women population in many societies.

5.5 Climate Change and Children

Among the devastating effects of climate change is its impacts on the fate of children. Children also bear the brunt of climate change. Among the various impacts of climate change on children include:

- Child death and increase in illnesses – due to further impoverishment as a result of climate change, taking care of children becomes an excess and additional burden. Climate change brings with it new types of diseases and aggravates existing ones and situations.
- Reduction in child protection – forced migration and relocation increases and eases the chances of child trafficking and unnecessary exploitation. We have such current issues as child labour, underage prostitution, child drug peddlers, etc.
- Increase in child malnutrition – impacts of climate change on farming which will definitely result in poor harvests, bad weather and starvation definitely increases child malnutrition. Some countries already suffer from poverty and malnutrition before the present crises of climate change. This situation now becomes very aggravated especially in developing nations.
- Increase in child poverty – inundation, desertification and salinization diminishes the chances of survival and sustenance. This thus leads to increase in the poverty margins which affect children mostly as its first victims.
- Increase in rate of child school dropout – relocation as a result of inundation and bad weather and also desertification affects the education of children. Climate change impoverishes and this goes a longer to affect the prospects of education of children. We have seen such similar cases when we treated the fates of indigenous peoples.

All these are mostly felt in nations that are seriously under the immediate threat or already facing the impacts of climate change resulting from flooding, lack of portable water, drought, forced migration, natural disasters, habitat changes, income decline, etc. Some nations were even experiencing these before the aggravation of the impacts of climate change. This makes the climatic situation very worrisome.

Being worried by the impacts of the current climate change on human rights, Kenchan⁵⁷ had noted that climate change will leave some societies unable to meet their human rights requirements. Also it will make some societies unable maintain the right sort of public political infrastructure and political culture. It will also make some societies unable to meet the further requirements of well-ordered liberal democratic society or decent society.

With all these, one sees the need for a global citizenship of the earth as recommended by Kant. This would solve majority of the social, political and economic problems generated by climate change. Global citizenship or cosmopolitanism is a global responsibility and a global clarion call to save humanity especially the most endangered societies across the globe.

Kant is not alone in the quest for cosmopolitan norms to achieve justice and fairness for all in the face of the problems of climate change so far exposed. Rawls in his *The Law of Peoples* adopted after the Kantian cosmopolitanism. His work is an argument to help societies and the world to achieve their self-determination. It deals with global/cosmopolitan conception of rights and justice that applies to principles and norms of international relations. See Rawls⁵⁸. For Rawls whatever rights apply locally should be universalisable.

Rawls outlined eight principles of to achieve this international justice system at a global level. Among them principle eight states that: 'Peoples have a duty to assist other peoples living in unfavourable conditions that prevent their having a just or decent political and social regimes'⁵⁹. This is one of the major thrust of this cosmopolitan norm being advocated by this work.

It appears that both Kant and Rawls had the same vision – global perpetual peace. However their approaches may not be entirely the same. They are geared toward global peace and justice for all from an objective perspective.

This chapter has succeeded in establishing that climate change has serious impacts on the idea of sovereignty which definitely has negatively affected the realisation of so many human rights which are hinged and attached on the concept and principle of sovereignty. This implies that the continued insistence that the concept of sovereignty remains as it is, is an indirect way of saying that such affected rights will have to remain perpetually elusive for many individuals and societies. This is morally unjust and therefore unacceptable by many standards. With such a situation, global peaceful coexistence will remain a mirage as there are bound to be serious global frictions. The magnitude of this situation is already a pointer to the nature and dimension of the expected political frictions it would generate. Thus there is no gainsaying the fact that the current conception of sovereignty is a serious problem towards the realisation of the solutions to the myriads of problems generated by the climatic situation around the globe. Thus there is a serious need to reconsider the current standing or conceptualisation of sovereignty. There has to be a shift in the status quo in allowance for cosmopolitanism.

References

1. R. Fine, 'Taking the 'ism' out of cosmopolitanism: thinking about theory for a global age'. *ESRC Seminar series*.
2. I. Kant, 'Metaphysics of Morals', In *Kant's Political writings* (pp131-175) Cambridge University Press; 1970 – PP in *Kant's political writings* p93-130 Cambridge University Press.
3. L. Bradshaw, 'Cosmopolitanism and citizenship'. Draft copy. Brock University. (2011) p.3. Available at: <http://www.cpsa-acsp.ca/papers-2011/Bradshaw.pdf>. Accessed: June 2014.
4. Ibid. P1.
5. I. Kant, 'Perpetual Peace', In *Kant's political writings* Cambridge University Press. (1970) P.93-130 (PP8:849)
6. K. Reinhardt, 'Kant's cosmopolitan right and the right to exclusion'. ECPR General Conference Draft paper. September (2013).p5-6
7. Ibid
8. Ibid. P6
9. Ibid. P8
10. Ibid. P9
11. D. Held, (1996) p.220ff
12. S. Benhabib, *Another cosmopolitanism*. Oxford: Oxford university press. (2006) p 16
13. Ibid. P18
14. Ibid. p21
15. S. Willcox, 'A rising tide: Implications of climate change inundation for human rights and state sovereignty'. *Essex human rights review*. Vol.9, No.1, June (2012). P2
16. UN Human Rights Council 'Human rights and climate change. Human Rights Council Resolution 7/23. Adopted at its 41st meeting 28 March 2008. http://www2.ohchr.org/english/issues/climatechange/docs/Resolution_7_23.pdf
17. S. Caney, 'Cosmopolitan justice, rights and global climate change', *Canadian Journal of Law and Jurisprudence* 19 (2) (2006) p255

18. P.G. Harris. *Ethics and global environmental policy: Cosmopolitan conceptions of climate change*. Elgar Publishing, (2011) P.10
19. S. Caney. Op. Cit.p768
20. Government of the Republic of the Maldives. *Submission to the OHCHR under Human Rights Council Resolution 7/23* (2008)
21. S. Wilcox, op cit. p4-5
22. Ibid
23. CIEL *Climate change: tackling the greatest human rights challenge of our time*. Centre for international environmental law and CARE International. Feb. (2015). P4
24. G. Oviedo, and A. Fincke, *Indigenous peoples and climate change*. European parliament directorate-General of external policies of the union. EXPO/B/DROI/2009/03. P12 (2009)
25. IPCC, *Climate Change 2007: Impacts, Adaptation and Vulnerability. Working Group II. Contribution to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change*. Cambridge: Cambridge University Press. (2007) P48-53
26. R. Baird, 'The Impact of Climate Change on Minorities and Indigenous Peoples – briefing.
http://www2.ohchr.org/english/issues/climatechange/docs/submissions/Minority_Rights_Group_International.pdf (2008) p1-2
27. United Nations Development Group 'United Nations Development Guidelines on Indigenous Peoples issues.
<http://www2.ohchr.org/english/issues/indigenous/docs/guidelines.pdf> (2008) p14
28. UNU-IAS (United Nations University – Institute of Advanced Studies) (2008): *Indigenous Peoples and Climate Change in International Processes*.
http://www.unutki.org/default.php?doc_id=98
29. IWGIA, International Work Group for Indigenous Affairs (2008) *Conference on Indigenous Peoples and Climate Change*. Copenhagen, 21-22 February 2008 – meeting report. Presented at the Permanent Forum on Indigenous Issues, seventh session. E/C.19/2008/CPR.3 IWGIA (undated): *Indigenous Peoples and Climate Change*.
<http://www.iwgia.org/sw29085.asp>

30. The Independent (2009) Aborigines 'to bear brunt of climate change'. URL: <http://www.independent.co.uk/environment/climate-change/aborigines-to-bear-brunt-of-climate-change-1334629.html>
31. United Nations (2008) *Climate change and indigenous peoples*. United Nations permanent forum on indigenous people.
32. ibid
33. Ibid
34. G. Oviedo, et al. *Indigenous and Traditional Peoples of the World and Ecoregion Conservation. An integrated approach to conserving the world's cultural and biological diversity*. Gland: WWF. (2000)
35. MA, Millennium Ecosystem Assessment *Ecosystems and Human Well-Being. Current State and Trends*, Volume 1. Island Press.(2005)
36. J. Salick and A. Byg, (2007) Indigenous Peoples and Climate Change. <http://www.tyndall.ac.uk/publications/Indigenouspeoples.pdf> p10-13. Accessed: July 2014
37. M. Macchi, et al. *Indigenous and Traditional Peoples and Climate Change: Vulnerability and Adaptation*. – Gland IUCN. (2008) P56-57
38. IRIN, Integrated Regional Information Networks 'Senegal: Forecasting the future in an erratic climate. <http://www.irinnews.org/Report.aspx?ReportId=82201>. Accessed: July 2014.
39. The Independent. Op cit.
40. G. Oviedo and A. Fincke. Op cit.p14
41. R. Baird, op cit
42. G. Oviedo and A. Fincke. Op cit. 14-15
43. Ibid
44. IPCC. Op cit. 48-53
45. Tebtebba Foundation 'Guide on Climate Change and Indigenous Peoples. Baguio City, Philippines. (2008)
46. International Covenant on Economic, Social and Cultural Rights (2003) Committee on economic, social and cultural rights (CESCR) General comment No. 15, UN Doc. E/C.12/2002/11, 20 January 2003. Art. 11

47. S. Wilcox. Op cit. P5-6
48. Ibid.p6
49. B. Glahn, 'Climate refugees'? Addressing the international legal gaps'. *International Bar News*. 63(3) (2009)
50. D. Hodgkinson, et al 'Copenhagen, climate change Refugees and the need for a global agreement.(2009)
51. S. Wilcox. Op cit.p6
52. P.G. Harris, (2010) *World ethics on climate change: learning guide*. Edinburgh: Edinburgh university press. (2010)
53. D. Bell, 'Does anthropogenic climate change violate human rights'. *Critical review of international social and political philosophy*. Vol14. No.2 (2011) p100
54. UN 2007 op cit
55. P.G. Harris, op cit
56. Economic commission for Africa. *Gender and climate: women matter*. (2009) Available at: http://www.fanrpan.org/documents/d01004/ADFVII-gender_and_climatechange.pdf
57. S.B. Kenchan, 'Climate change and international justice. (2005) P44
58. J. Rawls, 'The law of peoples'. In Shute, S. and Hurley, S. (eds) *On human rights: The Oxford amnesty lectures* 1993. Basic books: New York. (1993) P3
59. J. Rawls, *The law of the peoples*. Harvard university press. Cambridge. (1999) p37

Chapter Six

Evaluation and Conclusion

6.1 Evaluation

This work took up the challenge to establish that there is environmental crisis which has led to climate change all due to unbridled anthropogenic activities. (This was one of the major purposes of this work). It also analysed the various stages of human unhealthy activities that led to the present stage of our environmental fate – the anthropocene (this served as proof and a response to climate contrarians). It also made an expose of environmental ethical theories propounded to achieve attitudinal changes for the sake of our environment. It however analysed their deficiencies and short falls and projected the Kantian ethical options as solutions to the current predicament. It also established that the current status quo conceptualisation of sovereignty remains a serious barrier to the realisation of solutions to most of the problems generated by climate change. Many nations now hinge on this status quo to compound the various moves to take care of the situation.

From the major thrust of this work it is now believed and very clear that climate change has taken an untoward and unprecedented dimension which existing legislations and political solutions cannot adequately take care of. It has challenged the way we think and look at issues concerning the environment. Humanity is being threatened by such situations and we cannot cling to old ideas (status quo) and theories that proffer no pragmatic solutions to the situation.

People are dying; nations are being washed away and politically may go into extinction – the case of loss and damages, permanent displacements, etc. These are all due to the crises brought about by climate change, especially inundation, desertification, drought, etc. All these have

affected so many human rights of individuals and nations that threaten their survival and self-determination. Adaptation and mitigation solutions, we can see, no longer suffice. There is a need to go beyond these.

Simply adjusting to a warmer climate no longer suffices in the fight against climate change; thus mitigation and adaptation are no longer the issues. The challenges now are how to address the issues of loss and damage to territories, loss of rights to self-determination, etc. There is no longer gainsaying the fact that a greater majority of climate change problem is that of 'loss' in and from many perspectives. There are losses of lives, rights, territories, spirituality, etc and concurrent damages in all.

Loss and damages can no longer be avoided and taken care of simply through the processes of mitigation and adaptation. The crises have gone beyond these. Thus Kant's cosmopolitanism is the best option. This is because if the issues of loss and damages do hold in technical terms (legal terms) some have to be the major culprits and have to pay, especially developed countries. Just as the issue of the demand for cut in carbon emissions has degenerated into a political quagmire, the issue of loss and damages will equally raise tensions among many nations of the globe who might shy away from the consequences as compensations and liabilities.

The nature of the threat of climate change and loss of territories can be much cost implicating to some nations. It would even widen and worsen the poverty situations of many nations across the globe with the developing nations of Africa being the worst hit. The first set of victims will be low-lying islands. For example, Tuvalu is buying lands for the relocation of their nation.

Some other low-lying island nations may not be as lucky as Tuvalu. The resources for such a project might not be available. Also where available, they might not be lucky to get land. It is also worthy of note that climate-forced migrants from Kiribati have been refused 'refugee' status by New Zealand courts. Their lands have been submerged below sea level due to inundation.

We can look at this issue of loss and damages from another perspective. Loss and damages constitute harm to people and societies. It thus violates the no-harm principle (this has been stressed earlier). According to Verheyen and Roderick, the International Law Commission established that 'once a breach has been established, offending state must then act and make full reparation for injury caused, including for any damage, whether material or moral'. Full reparation, they noted, must take the form of restitution, compensation and satisfaction, either singly or in combination.¹

Restitution and compensation may be too officious. Legislative tussles are too cumbersome especially at the international levels. What is needed is a moral approach or appreciation of the effects and impacts of climate change on humanity and sustainability of life. This makes cosmopolitanism one of the best options. Cosmopolitanism can be part of the reparation/restitution.

As many have observed, the consequences emanating from the issues of losses and damages may generate chains of legal battles and imbroglios and these might make the situation more complex and can even aggravate situations. With this one sees the idea of cosmopolitanism as a safer option and approach.

Compensation, restitution, reparation, etc are all limited in many ways. They can lead to many unanticipated deadlocks (both at the international relations level and at the legal level) or even worsen the climate crisis. We have already seen such deadlocks in the international meetings on climate change on how to cut down on carbon emissions.

In view of such developments and situations created by climate change with special reference to loss and damages to both nations and individuals which has forced them out of the geographically natural habitats, people have been advocating cosmopolitan ideals by various implications and to certain degrees.

People like Pecoud and Guchteneire had argued for migration without borders whereby there will be free movement of peoples. They equally noted that there is as yet no international framework which has provided for that to take care of climate displaced persons.² Their argument is based on the fact that current trends indicate that such has become inevitable. Thus they believe that there has to be a critical rethinking of current global policies and practices regarding migration and territorial sovereignty. These have to be done from the ethical, human rights, economic and socio-cultural perspectives.

Further, they pointed out that the Universal Declaration on Human Rights (UDHR) in its Article 13-2 stated that ‘everyone has the right to leave any country, including his own and return to his country’ to them this declaration is limited in application and perspective. It only recognised the fundamental right to emigrate but not to immigrate. Thus the current quest is to ensure that there are more comprehensive frameworks to ensure the free movement of persons in a cosmopolitan manner. Weiner had already noted that there appears to be a fundamental contradiction between the notions that emigration is widely regarded as a matter of human

rights while immigration is regarded as a matter of national sovereignty³. This makes sovereignty a serious hindrance in the enjoyment of certain fundamental rights. This position had been earlier echoed and corroborated by Dowty when he pointed out that it is a logical absurdity to assert a right to emigration with a complimentary right of immigration.⁴ This thus torpedoes the ‘assumed’ fundamental nature of the right to emigrate. Thus the UDHR is seriously faulted on this framework.

Many do remark that laws take care of lacunae in moral issues. Here we are seeing that ethics and morality is, in the other way round, taking care of legal lacunae. This is to ensure justice in human societies. Where there are no existing legal frameworks, morality has to come to the rescue; this is part of natural law.

Ghosh in view of the recent global events which border on sovereignty had pointed out that the concept of state sovereignty, as it emerged in Westphalia should not however be seen as a static one. He pointed out that already modern states have adjusted themselves in response to exigencies of forces and changes in the world society. Such factors as post-natural human rights, citizenship are having discernible impacts on traditional Westphalian states.⁵

Harris⁶ noted that ‘cosmopolitanism points toward politically viable alternatives to the status quo regime that are just, practical and most importantly potentially more efficacious than existing responses to climate change. Cosmopolitan conceptions of who is to blame for climate change, and whose rights are most in need of protecting in this regard, may usefully supplement the statist approach to the problem so far. At the very least cosmopolitanism conceptions of climate change help us to identify fundamental problems with existing responses to this

problem. Indeed, if taken seriously, cosmopolitanism forces a re-evaluation of the causes and consequences of climate change while offering constructive critiques of the status quo’.

Cosmopolitan standpoint as against westphalian standpoint presents serious challenges to the prevailing climate change regime, but it also offers opportunities for new, possibly more effective prescriptions for making the regime more attuned to reality and thus for making it more effective.

Thus with the current global crises generated by climate change there is no gainsaying the fact that there is serious need to chart for a new global framework, indeed a cosmopolitan framework. This has to be a political-ethical framework.

Cosmopolitanism is in serious overtaking mission and motion. It appears unstoppable. It has permeated almost all sectors of socio-politico-legal areas of study and research across the globe. It appears to be current paradigm shift and focus. This is the feeling; this is the status quo for now.

The above position has been lent credence by Robert Fine. According to Fine⁷, in the international law sector, cosmopolitanism seeks to extend the reach of international law beyond state sovereignty to the rights and responsibilities of world citizens. This is based on his observation that the worst violators of human rights are states and state-like formations. Thus laws should rise above state nationality.

In international relations Fine⁸ also observed that despising the anarchic system of sovereign states which is seen as an immutable order, cosmopolitanism emphasises that the sovereignty of states is itself a product of history rather than a permanent feature of the human condition. This

therefore means that statism following the Westphalian style is indeed mutable. Sovereignty is not absolute. Thus Westphalianism is no longer a viable option and has outlived its initial allure. Socially, he observed that the changes in social life such as migration, growth of power structures outside national frameworks, heterogeneity of populations, indicate the need for corresponding changes in our understanding of social life. These corresponding changes he noted are the ones which take the world and not the nation state as its primary unit of analyses.⁹

That cosmopolitanism is continuing to permeate and will definitely overtake all sectors of our socio-economic and political experiences is evidenced in the following statement:

‘The new cosmopolitanism usually conceives the ‘cosmopolitan condition’ as a multilayered global order consisting of a reformed basis of solidarity within the nation-state, the development of transnational forms of political community such as the European union with new forms of solidarity to match, and the consolidation of international institutions, movements and laws regulating relations between states and guaranteeing the rights and freedoms of global citizens. It treats this multilayered order not only as something to be desired but as a visible development albeit one contested from both ends of political spectrum and in need of nurturing in its own right. The cosmopolitan condition from this perspective is a differentiated architectonic of legal and political forms and cosmopolitanism is a way of seeing and acting in relation to this complexity.¹⁰

The fact is that the present global climatic crisis has brought with it myriads of connected problems that cannot be treated in isolation. These problems, being so connected, however have serious lacunae that would have taken care of the situations. This is why cosmopolitanism has now been seen as the only imperative.

Thus when it is argued that Kantian cosmopolitanism is not feasible and that it is mere philosophical badinage, the event of the time with respect to loss of territory and the attached means of livelihood and sustenance of life, one cannot but rethink it. For the philosophically

circumspect, the restriction of borders is only a temporary measure which will fissile/fade out in no distant time¹¹. When untoward and unprecedented situations emerge there is need for reconceptualisation. The European Union has been forced to adopt an open border policy within its regions. Very soon the globe will follow suit and Kant's cosmopolitanism would be achieved whether moderately or entirely. Thus as many have started observing, present attempts to close, restrict and monitor borders will no longer hold water in the near future. They will all become efforts in futility.

6.2 Implications of Loss/Damages

Losses and damages could take different and varying dimensions and magnitudes which in certain cases may be irreversible and irreplaceable. It can be cultural losses, such as loss of ancestral homes and values, heritage homes and sites, local/national languages due to cultural amnesia as a result of climate-forced relocations or migrations, traditions, etc. In most cases these constitute sources of internally generated revenues (in essence, economic losses remain another dimension of the loss and damages).

6.3 The Reality of Loss and Damages

The UNFCCC defines loss and damages as 'actual and/or potential manifestation of impacts associated with climate change in developing countries that negatively affect human and natural systems.' It also defined loss as 'negative impacts which cannot be repaired like loss of freshwater sources. It also defined damages as 'negative impacts that can be repaired or restored such as windstorm damage to a coastal mangrove forest from coastal surges which affect villages.'¹² Sources or causes of loss as a result of anthropogenic induced climate change

include hurricane, inundations, precipitation, etc. Sources or causes of damages include hurricanes, windstorms, flooding, etc.

There is a great difference between damages and losses. Damages are economical in nature and can be adequately taken care of, while losses are life-threatening and mostly irreparable in nature. Climate change incurs such wrath on many societies. To take care of such situations has been the major part, thrust and challenge of this work.

It is a fact now that many nations have experienced serious losses and damages to territories and properties. Some nations, especially island nations have started relocating and buying lands due to loss and damages to natural/original territories. Mitigation and adaptations as responses to climate change no longer suffice in the face of the realities of loss and damage. They noted that some countries have started experiencing irreversible losses and damages to such areas as land, property, ecosystems, ancestral homes, loss of resources for sustainability and self-determination, etc.

Tuvalu, Kiribati, Seychelles, etc are typical examples of nations and societies to reckon with in relation to losses and damages as a result of climate change. Also according to the IPCC,¹³ native peoples in the Mackenzie basin in Canada are an example of an indigenous community that is already threatened by climate change. It pointed out that the Mackenzie basin over the past 35 years has been experiencing a rapid temperature increase of about 3°C. The changes in the temperature they noted is also changing the landscape of the basin as permafrost melts, landslides and forest fires increase, and water levels are lowered. It pointed out that changes in the climate in the basin would have substantial impacts on water resources and vegetation.

Thus, changes in ecosystem resource bases will have direct impacts on native lifestyles of the people in the basin.

6.4 Efforts to Tackle Climate Induced Losses and Damages

There have been several concerted efforts at both international and local levels to tackle climate change at different levels and to different degrees in order to reduce the level of costs and damages so far incurred. An association known as AOSIS (Alliance of Small Island States) recommended international insurance pool and international climate fund for the sake of climate displaced nations and individuals mostly in developing nations, especially small island nations. Such funds/pools could be used to bail out such island nations that have lost their territories and are seeking relocation or somewhere to buy lands.

Many other recommendations have been hovering around cosmopolitanism indirectly. For example, in one of its framework to address losses and damages, Centre for International Environmental Law (CIEL) recommended a ‘leadership and regional and global coordination of efforts to address loss and damage including efforts related to migration, displacement and planned relocation.’¹⁴ This was seen from the point of view of loss of productive land and livelihoods associated with the impacts of anthropogenic induced climate change.

Duty imperative

It is a moral duty for developed nations and others to stop anthropogenic factors that promote climate change and threaten rights of citizens and nations. It is by now clear that climate change poses a serious challenge to the fulfilment of various individual and collective rights of citizens. Thus it is imperative to protect and respect such rights. Kant and Rawls concur to this. Rawls in his *The Law of the peoples* had argued that well-ordered societies have a duty to assist burdened

societies¹⁵. Here one can see that nations and climate displaced persons are definitely burdened and need global assistance. Thus there is no gainsaying the fact that climate change has affected the well-orderedness of many societies and individuals.

Harm

Centre for International Environmental Law (CEL) had observed that in accordance with the no-harm principle, states have a duty to ‘ensure that activities within their jurisdiction and control respect the environment of other states or of areas beyond national control¹⁶. However, it is sad to note that many developed nations violate this principle or rule intentionally. Many acts of pollution which emanate from developed countries have their various impacts felt in other innocent and developing nations. They still lay claims to sovereignty whereas their actions have violated the sovereignty of other nations when their action trespass and materially impact on other nations.

Rawls had equally supported Kant in some ways. He had argued that people have a duty to assist other people living in unfavourable conditions that prevent their having just or decent political and social regime.¹⁷ This is the Rawlsian pointer to cosmopolitanism. For him in the Laws of Peoples, the most just and right thing to do in such a situation as these generated by climate change is to think of a cosmopolitanism with the essence of helping or allowing nations affected by climate change to enjoy the right to self-determination.

Harris had observed that justice demands that developed nations have to sacrifice for being the major culprit in the climate change problems and thus have to ensure cosmopolitan justice. In view of this he pointed out:

Because cosmopolitanism is concerned with individuals, it can help the world reverse the failed national and international policies that have contributed to the tragedy of the atmospheric commons. It can do this in part by addressing the lack of legal obligations for many millions of affluent people in developing countries to limit their greenhouse gas emissions while still recognising that the world's affluent states, and indeed the affluent people within them, are responsible to do so. Cosmopolitan justice points us to a fundamental conclusion: that affluent people everywhere should limit, and more often than not cut, their atmospheric pollution, regardless of where they live. This points to a cosmopolitan corollary to the doctrine of interstate justice, one that explicitly acknowledges and acts upon the duties of all affluent people, regardless of nationality, to be good global citizens. The cosmopolitan corollary comprises a new form of international discourse, a new set of assumptions about what states and their citizens should be aiming for, and a new kind of institutionalism that folds world ethics and global justice into the practice of states. This corollary is more principled, more practical and indeed more politically viable than current doctrine and norms of international environmental justice applied to climate change. In the context of climate change, cosmopolitan justice has the potential to define a pathway whereby major developing country governments can simultaneously assert and defend their well-justified arguments rejecting national climate change-related obligations while also acknowledging and regulating growing pollution among significant segments of their populations. This in turn can help to neutralise the reticence of most developed country governments and their publics to live up to their obligations to finally undertake the major cuts in greenhouse gas emissions that will be required to limit future damage to the atmospheric commons upon which all states and all people depend. ...cosmopolitan diplomacy and policy might be actualised, with illustration of possible new funding arrangements and institutions that could help those most harmed by climate change by drawing on assistance from those most responsible for it.¹⁸

What Harris is aiming at is to point out that developed countries are equally responsible for the predicaments of many developing nations especially through their technological and development quests. Their activities already had impacts on these developing nations. Thus he believes that through a cosmopolitan ethics and understanding the developed nations can ensure that the climate crises do not endanger the developing nations the more. They can contribute meaningfully through such issues as earlier pointed out as climate funds/pools.

Beck believes that since the climate change threat is a global issue (as he observed that sea level rise of 7 metres will definitely affect everyone regardless of nationality, culture, wealth or territorial and generational boundaries) it should unite individuals, people across the globe within a global community of threats characterised by transnational interdependence. He also observed that despite lack of common language, religion, culture or political community, climate change threats force us to recognise, empathise with the global community of vulnerable people. Thus he argued that global risk of climate change has forced us to a global solidarity – thus the global risk for him is a global secular religion of threat which forces us into a global solidarity/community.¹⁹

Lorraine Elliot²⁰ reiterating the same viewpoint asserted that environmental harms crossing borders ‘extend the bounds of those with whom we are connected, against whom we might claim rights and to whom we owe obligations within the moral community’. This she called the ‘cosmopolitan morality of distance’, which necessitates or generates ‘a cosmopolitan community of duties as well as rights.’²¹ Her argument is based on the fact that majority of developing nations became victims of the impacts of climate change which the major culprits are the developed nations thereby forcing the developing ones into a serious crisis that affects their survival. The bottom-line of her argument is that cosmopolitanism provides a better roadmap and framework to address environmental injustices.

A group known as the World Federalist Movement²² had equally advanced a cosmopolitan-like approach to the current climatic problems across the globe. Its position was based on the following glaring and easily verifiable fact that: a) that the global dimension of these climatic problems is beyond the capability of individual nations. b) Since these problems have a global

character it therefore demands a global approach- just like the cosmopolitan approach. c) Unilateral approaches by individual nations are so limited and are of insignificant value. d) The climatic problems are multifaceted and are involved in a chain of interconnected network of global problems. This thus demands a global approach.

The Movement in stressing the cogency for a common global approach thus pointed out that:

The above reviewed problem areas, plus several others, describe a complex of world problems -- a global macro-problem -- unique in world history. The world community's response ... may well be decisive, not only for human civilization but the planetary ecosystem as it has evolved over eons of time.²³

It further stated the cogency behind its call for a global cosmopolitan-like approach which is based on the fact that:

No nation state acting unilaterally, including the US, possesses the competence, the jurisdictional legitimacy, or the economic capacity to provide an adequate and effective response to the multidimensional challenge to the future of human civilization. Nation states can of course do much to solve particular problems within their own borders, and provide bilateral assistance and mutual support to one another (like provinces within a state). But when the larger dimensions of each problem are considered, and particularly when viewed from the perspective of the totality of the threat to humankind, nations must be governed by a relationship of interdependence.²⁴

One can see that Kant's cosmopolitanism is already being seriously advocated for under different aegis and umbrellas across the globe. It is a matter of nomenclature. The medium is already the message.

Linklater also talked about the need to widen the boundaries of moral and political communities necessary for shared mutual concerns.²⁵ This has become a cogent global option. Widening moral and political boundaries is part of the extensionist proposal to Kant's ethical approaches being expounded in this work.

In discussing the strategic relevance of this idea of cosmopolitanism and the cogency for its recommendation for the solution of myriads of global crises such as the current impacts of climate change, Willcox by way of recommendations pointed out the following²⁶:

1. Cosmopolitanism provides a normative basis for an inclusive, flexible, cosmopolitan framework with the capacity to address issues of inundation, loss of sovereignty, and denial of basic human rights more effectively than a rigid, compartmentalised system premised on state sovereignty. By understanding distant others as ‘compatriots’ in a global community united by mutual vulnerability to climate change risks, individuals become – at least morally – able to extend their sphere of empathy and responsibility beyond the borders of our national community. In doing so, they create a space in which it is possible to conceive of individuals and communities across the globe as morally significant, regardless of the territorial boundaries that separate them.
2. By rethinking the role of the state as the central domain of moral concern and primary guarantor of human rights, it becomes possible to consider a range of alternative mechanisms for the fulfilment of rights for those who no longer have a state. In other words, by recognising a new ‘ought’ – that those who are denied basic human rights as a result of climate change impacts should count as part of a global community of moral concern in which state boundaries no longer function as a constraint on the fulfilment of human rights – it is possible to pave the way for a new ‘is’.
3. The expansion of the sphere of moral concern outwards towards a global community of mutual risk provides both foundation and motivation for alternative mechanisms of human rights implementation, monitoring, and enforcement that go beyond the borders of the sovereign state.

4. The acknowledgement of shared vulnerability to future risks entails recognition of the need for mechanisms of human rights protection that go beyond present or imminent to (reasonably foreseeable) future harms.
5. The retreat from an emphasis on state sovereignty as the primary framework through which the enjoyment of fundamental human rights is realised creates a space in which new forms of political autonomy, self-determination, and rights protection can emerge. This is significant not only for those whose states are threatened with imminent destruction, but also for those united in a global community in which moral concern extends beyond national boundaries to all those who are mutually vulnerable to climate change risks.

He then summarily concluded that:

A world in which states are disappearing – and in which climate change-related decisions, actions and harms impact upon the realisation of human rights across local, national and regional borders – requires new structures through which both the autonomy and interdependence of a range of communities can be recognised and voiced. This overlapping, multi-layered global structure – perhaps it might be understood as ‘cosmotarianism’ or ‘communipolitanism’ – requires transnational institutions of consensus building, cooperation, representation, and regulation that operate both locally and globally. It requires multiple intersecting forums of negotiation and decision-making that ensure equal representation for all those significantly affected by the issue at hand. And finally, it requires the recognition and fulfilment of obligations of responsibility towards fellow members of a global community of risk – particularly those whose fundamental human rights are severely threatened by the rising tide of climate change impacts.²⁷

Cosmopolitanism thus remains *ad rem* and a viable option in the face of the emergent climatic problem. It will ensure the necessary accommodation and provisions which will make it possible for the realisation of so many rights compounded by the concept of sovereignty.

6.5 Some other Recommended Approaches to the Impacts of Climate Change

Let's see some recommendations to some of the discussed impacts of climate on nations and individuals. All are geared towards seeing the possibility of their achieving subsistence, self-determination and other fundamental human rights. The point here is that these are all aspects of cosmopolitanism from different perspectives.

Community of Property

This is one of the global solutions suggested as a remedy to the crisis of climate change which smacks of Kantian cosmopolitanism. According to Lee the principle of community of property is gleaned from the fact that there are resources that are commonly held as such no single sovereign state can lay claim to such²⁸. Example, no single state can unilaterally dispose of waters. He noted that the principle of community of property mimick the idea of joint ownership in private/commercial law. We recall that Kant held the position of joint ownership of the earth. He further noted that this is thematically and tenetically opposed to the two principles of territorial sovereignty and territorial integrity (earlier discussed). This principle of community of property recognises interdependency among nations of the earth. Many scholars have supported this position.

Construction of Artificial Islands

Many nations have resorted to the idea of construction of artificial islands in the face of inevitable impending territorial loss. Nations facing such fates include Tuvalu, Maldives, Kiribati, Marshal Islands, Tokelau, etc. In the spirit of cosmopolitanism, such nations need serious assistance from other developed and safe nations with respect to inundation by

accommodation or aiding them acquire lands/territories elsewhere. This will definitely assist them to survive as an independent nation and achieve their self-determination.

The logic of construction of artificial islands is to ensure the self-survival and sustenance of natural skills. Those who live in islands have a different entrepreneurship orientation to agriculture and use and exploitation of natural resources. Skills for survival in coastal areas are redundant and inadequate in dry lands and other non-coastal areas. This is the same with the obverse. This is supported by both the Kantian and Rawlsian cosmopolitanisms.

A look at current energies and wealth spent in border controls by the west are ethically mindboggling. Such could be channelled, in the cosmopolitan spirit, to help nations and individuals who cannot afford relocation to similar natural environments to find proper location to build their artificial islands.

Governments in Foreign Lands

For the fact that it is clearly inevitable that many nations are going to lose their territories and which is a major criteria for nationhood, there are suggestions that such nations in other to have a legal status have to run governments in exile styles of government. This is not the typical politically induced governments in exile but a naturally induced one without the usual political alternatives of negotiations or mediations.

Summarily we can see the enormity of the impacts and challenges of climate change on humanity both for the victims and the culprit. This affects all peoples irrespective of locations in relations to these latent and manifest global climatic crises.

There is a serious need for a paradigm shift. Many scholars have stressed this. A Kantian cosmopolitan advocate, Benhabib had equally observed that we have entered a phase in the evolution of global civil society which is characterised by transition from international to cosmopolitan norms of justice²⁹. This has short-changed the old conception of sovereignty/sovereign states in favour of worldwide civil society.

Despite all interpretations and readings of Kant's cosmopolitan ideas with regard to its alleged impracticality then, Kant, this work believes created a room and a pointer to its future applicability, manifestation and adoption. This was clear when he pointed out and prophesied that 'men will of their own accord gradually work their way out of barbarism (westphalianism) as long as artificial measures are not deliberately adopted to keep them in it.'³⁰ Working their way out of barbarism implies a lot. Another major issue is that there should be no artificial barriers/measures deliberately adopted to prevent the transition to cosmopolitanism. This is a direct attack at westphalian sovereignty. Despite all Kant did clear the way for the cosmopolitan age.

Expressing the same line of thought that Kant wouldn't have refrained from redirecting his thoughts or perspectives, Kleingeld³¹ pointed that Kant introduced in the Seventh proposition of the idea of a Universal History, a requirement for the development of reason and other faculties in the effort to achieve a perfect civil constitution – which is a requirement for a cosmopolitan condition. This 'cosmopolitan condition', she observed, Kant saw as the 'womb in which all the original predispositions of the human species will be developed.'³² One important thing that Kleingeld pointed out is that the achievement of this cosmopolitan aim will take place through

social struggles and tensions such as the one being created by climate change and its induced migrations.³³

She further maintained that ‘Kant’s views on cosmopolitanism underwent important modifications over time as events turned out, ranging from strong federation of states with coercive authority at the federal level (as seen in *The idea of a Universal History*) to a more complex idea of a league of states without coercive powers – a federation of free states (as seen in the *Perpetual Peace*)’³⁴

Many believe that Kant unarguably provided the foundation and introductory framework to take care of such developments as those brought about by climate change. The only issue is that his proposal cannot be adopted exactly as he theorised. It needs modification to be attuned to the present climatic politics situation. This was substantiated by Habermas. Fine³⁵ pointed out that Habermas maintained that the challenges posed by catastrophes of the 20th century (such as climate change) and the forces of globalisation have given new impetus to Kant’s idea of a cosmopolitan condition. Reasoning in line with the thesis/position of this work that Kant’s position be modified, Fine pointed out that Habermas recognised that ‘today we cannot simply adopt Kant’s 18th century vision but we have to modify it by ironing out its inconsistencies’ and radicalise its break from the old order of nation-states, draw out the connections between peace and social justice, overcome its metaphysical assumptions and generally take account of the differences in both global situation and conceptual frameworks that now separate us from Kant.³⁶ (see Harbermas³⁷)

Fine³⁸ had observed that Habermas suggested that transnational arrangements (like cosmopolitanism) mechanisms of government are more capable than national governments of

constructing a life-world response to the systemic forces of globalisation, more capable of integrating mixed populations with self-awareness of their own cultural diversities, and more capable of overcoming the kind of nationalism that led to two world wars, the mass production of displaced persons and the rise of national socialism. (E.g. EU and ECOWAS)

We should note that one of the major aims of Kant's cosmopolitanism is to end all conflicts. Another is the promotion of universal rights – cosmopolitan rights. There is no more gainsaying the fact that Kant has provided a political and ethical framework for future political and ethical problems. His framework is extendable, indeed it can be applied in extension.

For Kant the bottom-line of morality is not the other's wellbeing but how an individual responds to the wellbeing of others. Thus climate change is a challenge to see how humanity responds to the wellbeing of societies affected by climate change. This has been the major purpose and objective of this work.

6.6 Conclusions

We can see that climatic change has created unprecedented threatening situations that can generate further global crises. The globe is already witnessing an upsurge in migration and refugee problems. Climate change is already adding more salt to injury. The blame game now has to be seriously put to a stop. There is very little one can do when those affected by territorial losses have no other options than to leave their territories for the sake of survival. To avoid perpetual war Kant had generated this theory of cosmopolitanism. The categorical imperative now complements and even supplements it. It serves as a failsafe mechanism for those who might reject the call for the accommodation of others especially those adversely affected by climate change.

This work is not considering a global citizenship constitution of a global world system, but a citizenship solidarity for people whose fundamental and many other rights to survival, self-determination have been infringed upon by anthropogenic climate change and factors in which all are culpable.

It has been seen that climate change limits the fulfilment of rights of self-determination of both nations and individuals

It has been seen that climate change has led to infringements on human and people's rights. And also that anthropogenic climate change has led to serious harm to people and nations.

It has also been established that there are no existing international and legal frameworks and conventions to take care of such a climate generated problem of permanent displacement of peoples and nations.

It is therefore concluded that there should be an international framework adapted after the Kantian cosmopolitan proposal for the sake of global peace and harmony. If we critically look at the current global migrant crisis especially in the west with special reference to Europe, the picture would be somehow clear. Now, this is the case of migrant crises which are political and cultural. Those currently closing their borders such as Hungary may be saying that the nations involved should sort out themselves. They believe that there is a solution. However the scenario becomes different in the case of climate induced migration. There are no similar alternative solutions as in politically induced migrant crises. These people can never be forced back. It would be unjust to close the borders to people and nations displaced by climate change. The categorical imperative remains the framework of analyses of such a situation. The nations

closing the borders against climate displaced persons, what would be their reactions if the reverse were to be the case? We should not be bordered by free riding and abuses of such arrangements. They are mere exceptions and not the rule; they would be gradually taken care of. This is based on the fact that researches build on one another to improve or modify existing ones.

Frameworks and conventions should compel neighbouring nations and nations with similar natural ecological topography with displaced ones to accommodate the victim nations. This is Kantian cosmopolitan hospitality in practice. This is not the same as refugees as seen in international conventions.

Also another Kantian approach which call attention to the cogency of cosmopolitanism, especially the aspect that we should not allow harm to befall humanity is the need for cosmopolitan efforts to ensure the safety, survival and successful self-determination of both nations and individual is to take a look at the much expended on erecting borders, border patrols and controls. Such energies could be channelled towards helping affected nations find alternatives (see examples discussed above).

We are one humanity, with one common inheritance and one common responsibility – to protect the earth as global commons or we all perish. This is what cogency demands.

References

1. R. Verheyen and P. Roderick *Beyond Adaptation*. WWF-UK (2008) pp15-16
2. A. Pecoud and P. Guchteneire, *Migration without border: Essays on the free movement of peoples*. UNESCO Publishing; Paris. (2007) p1-2
3. M. Weiner, 'Ethics, national sovereignty and the control of immigration'. *International migration review*. Vol. 30. No.1 (1996) p171
4. A. Dowty, *Closed borders: The contemporary assault on freedom of movement*. Yale university press. New Haven. (1987) p14
5. B. Ghosh, 'Managing migration: towards the missing regime? In Pecoud, A. and Guchteneire, P. (eds) *Migration without border: Essays on the free movement of peoples*. UNESCO Publishing; Paris. (2007) p104-105
6. P.G. Harris *Ethics and global environmental policy: Cosmopolitan conceptions of climate change*. Elgar Publishing, (2011) p1
7. R. Fine. Taking the 'ism' out of cosmopolitanism: thinking about theory for a global age. *ESRC Seminar series*. (2011) p3.
8. Ibid
9. Ibid
10. R. Fine. *Cosmopolitanism*. London: Routledge. (2007) P39-40
11. A. Pecoud and P. Guchteneire, Op cit. P20-22
12. UNFCCC. Background paper on expert meeting on: A range of approaches to address loss and damage associated with the adverse effects of climate change. Bridgetown, Barbados. October 9-11. (2012) p4
13. IPCC. *Climate Change 2001: Impacts, Adaptation, and Vulnerability*. Cambridge university press. (2001) p395
14. CARE. *Climate change: Tackling the greatest human rights challenge of our time*. Centre for international environmental law and CARE International. Feb. (2015) P6
15. J. Rawls, *The Law of the Peoples*. Harvard university press. Cambridge. (1999) p37
16. CARE. Op cit.
17. J. Rawls, Op cit
18. P.G. Harris, *World ethics on climate change: Learning guide*. Edinburgh: Edinburgh university press. (2010) p19
19. U. Becks, *World at risk*. Cambridge: Polity press. (2009) pp8, 52-54, 162, 181

20. L. Elliot, L. Cosmopolitan environmental harm convention. *Global society*, 20(3) (2006) p.363
21. Ibid
22. World Federalist Movement. 'The Limits of State Sovereignty and the Interdependence of Nations'. 2004. Available at: <http://www.vcn.bc.ca/wfcvb/limits.html> Accessed: July 10, 2015.
23. Ibid
24. ibid
25. A. Linklater, *The transformation of political community: Ethical foundations of the post-Westphalian era*. Cambridge: Polity press. (1998) P86
26. S. Willcox, 'A rising tide: Implications of climate change inundation for human rights and state sovereignty'. *Essex Human Rights Review*. Vol.9, No.1, June (2012). P10
27. Ibid p18
28. L. Lee, 'Sovereignty over, ownership of, and access to natural resources'. *Environmental Laws and their Enforcement*. Vol. II Encyclopaedia of life support systems –EOLSS) (2005) p5-9
29. S. Benhabib, 'The philosophical foundation of cosmopolitan norms'. Robert Post (ed) *Another Cosmopolitanism*. The Berkeley tanner lectures. Oxford university press. (2006) p15-16
30. I. Kant (1991), p.58
31. P. Kleingeld. (2009) 'Kant's changing cosmopolitanism' in Rorty, A.O. and Schimdt, J. (eds) *Idea for a universal history with a cosmopolitan aim: A critical guide*. Cambridge: Cambridge university press. p174.
32. Ibid; p174
33. Ibid; p174
34. Loc cit. p179
35. R. Fine. Op cit. P40
36. Ibid. P40
37. J. Habermas. 'Kant's idea of perpetual peace, with the benefit of two hundred years' hindsight' in J. Bohman and Lutz-bachmann (eds), *Perpetual Peace: Essays on Kant's cosmopolitan ideal*. The MIT press, London. (1997) pp113-153
38. R. Fine. Op cit. P40

Bibliography

- Adepoju, A. 'Creating a borderless West Africa: Constraints and prospects for intra-regional migration'. In Pecoud, A. and Guchteneire, P. (2007) *Migration Without Border: Essays on the Free Movement of Peoples*. UNESCO Publishing; Paris.(2007)
- American Chemical Society. "War Over Water Predicted by United Nations Environment Official." *Science Daily*. 6 January (1999).
<www.sciencedaily.com/releases/1999/01/990106075344.htm>.
- Appiah, A. *Cosmopolitanism: Ethics in a World of Strangers*. New York: W. W. Norton, (2006).
- Baird, R. 'The Impact of Climate Change on Minorities and Indigenous Peoples – briefing. http://www2.ohchr.org/english/issues/climatechange/docs/submissions/Minority_Rights_Group_International.pdf (2008)
- Becks, U. *World at Risk*. Cambridge: Polity press. (2009)
- Bell, D. 'Does Anthropogenic Climate Change Violate Human Rights'. *Critical Review of International Social and Political Philosophy*. Vol14. No.2 99-124 (2011)
- Benhabib, S. 'The Philosophical Foundation of Cosmopolitan Norms'. Robert Post (ed) *Another Cosmopolitanism*. The Berkeley Tanner Lectures. Oxford University Press. (2006)
- Benhabib, S. *Another Cosmopolitanism*. Oxford: Oxford University Press. (2006)
- Bradshaw, L. *Cosmopolitanism and Citizenship*. Draft copy. Brock University. (2011).
<http://www.cpsa-acsp.ca/papers-2011/Bradshaw.pdf>
- Braybrooke, D. *Natural law modernised*. University of Toronto Press: Toronto. (2003)
- Bridges, D.P. 'COSMOPOLITANISM: The Philosophical Concept of Cosmopolitanism Juxtaposed to John Calvin and the Total Depravity of the Human Condition and the Possibility of Cosmopolitanism. (1996)
- British Geological Survey (2014) The Anthropocene. Available at:
<http://www.bgs.ac.uk/anthropocene/>
- Buarque, C. 'Seven Pointers for the Future of Mankind'. *The UNESCO Courier*. No. 4 October-December, (2011)

- Callicott, J. B. 'The Conceptual Foundations of the Land Ethic'. In Zimmerman, M. E.; Callicott, J. B.; Sessions, G.; Warren, K. J.; and Clark, J. (eds.), *Environmental Philosophy: From Animal Rights to Radical Ecology*. New Jersey: Prentice Hall. (1998)
- Caney, S. 'Cosmopolitan Justice, Rights and Global Climate Change', *Canadian Journal of Law and Jurisprudence* 19 (2) (2006)
- Capra, F. 'Deep Ecology: A new Paradigm'. In Sessions, G. (ed) *Deep Ecology for the 21st Century: Readings on the Philosophy and Practice of the New Environmentalism*. Boston: Shambhala. (1995)
- CARE. *Climate change: tackling the greatest human rights challenge of our time*. Centre for international environmental law and CARE International. Feb. (2015)
- Carey, J. 'Global warming: faster than expected?' *Scientific American*. November 2012.
- Carson, R. *Silent Spring*. Boston: Houghton Mifflin. (1962)
- Cavallar, G. 'Cosmopolitanism in Kant's philosophy'. *Ethics & Global politics*. Vol. 5. No. 2. Pp95-118 (2012)
- Cicero.M. *On duty*. M.T. Griffin and E.M. Atkins (eds) Cambridge: Cambridge University Press. (1991)
- CIEL *Climate change: tackling the greatest human rights challenge of our time*. Centre for international environmental law and CARE International. Feb. (2015)
- Crutzen, P.J. 'The 'Anthropocene''. In: Ehlers E and Kraftt T (eds) *Earth System Science in the Anthropocene: Emerging Issues and Problems*. Berlin: Springer, pp. 13–18. (2006)
- Cunningham, P., Cunningham, M. and Saigo, B. *Environmental Science: A Global Concern*. New York: McGraw Hill. (2005)
- De George, R.T. *Business Ethics*. Englewood Cliff: Prentice-Hall (1995)
- Dieter, S. *On Perpetual Peace: A Timely Assessment*. Berghahn Books. (2007)
- Dingman, E. 'Does climate change redefine sovereignty'. Paper prepared for the Inuit studies conference. (2010)
- Dowdeswell, T. 'Cosmopolitanism, custom, and complexity: Kant's cosmopolitan norms in action'. *Cosmopolitan Civil Societies Journal*. Vol. 3, No. 3. (2011)
- Dowty, A., *Closed Borders: The Contemporary Assault on Freedom of Movement*. Yale university press. New Haven. (1987)

- Economic commission for Africa. *Gender and climate: women matter*. (2009) Available at: http://www.fanrpan.org/documents/d01004/ADFVII-gender_and_climatechange.pdf
- Elliot, L. 'Cosmopolitan environmental harm convention'. *Global society*, 20(3) (2006)
- Fine, R. 'Taking the 'ism' out of cosmopolitanism: thinking about theory for a global age'. *ESRC Seminar series*. (2011)
- Fine, R. *Cosmopolitanism*. London: Routledge. (2007)
- Flawith, R., 'Climate change: a crisis for state sovereignty'. *Climate Himalaya*. May 26, 2011
Available at: <http://chimalaya.org/2011/05/26/climate-change-a-crisis-for-state-sovereignty/>
- Ghosh, B. 'Managing migration: towards the missing regime.' In Pecoud, A. and Guchteneire, P. (eds) *Migration Without Borders: Essays on the Free Movement of Peoples*. UNESCO Publishing; Paris (2007)
- Habermas, J., 'Kant's idea of perpetual peace, With the benefit of two hundred years' hindsight' pp 113-153 in J. Bohman and Lutz-bachmann (eds), *Perpetual Peace: Essays on Kant's cosmopolitan ideal*. The MIT press, London.(1997)
- Glahn, B. 'Climate refugees'? Addressing the international legal gaps'. *International Bar News*. 63(3) (2009)
- Government of the Republic of the Maldives, *Submission to the OHCHR under Human Rights Council Resolution 7/23* (2008)
- Government of Yukon; Developing a new framework for sovereignty and security in the North. A discussion paper prepared by the government of Yukon. April 2005.
- Hantsch, C. 'The world citizen from the perspective of alien reason: notes on Kant's category of the *Weltburger* according to Josef Simon'. Pp 51-63. In Lettevall R, and Linder, M.K. (eds) *The Idea of Kosmopolis History, Philosophy and Politics of World Citizenship*. SÖDERTÖRN ACADEMIC STUDIES 37 (2008)
- Harris, P.G. *World Ethics on Climate Change: Learning Guide*. Edinburgh: Edinburgh university press. (2010)
- Harris, P.G. *Ethics and Global Environmental Policy: Cosmopolitan Conceptions of Climate Change*. Elgar Publishing, (2011)
- Heidegger, M. 'The Question Concerning Technology' in *The Question Concerning Technology and Other Essays*; New York; Harper and Row (1977)

- Held, D. 'Principles of cosmopolitan order' in Brock, G.S. and Brighouse, H. (eds) *The Political Philosophy of Cosmopolitanism*. Cambridge: Cambridge university press. (2008)
- Held, D. *Global Covenant: The Social Democratic Alternative to the Washington Consensus*. Polity Press. (2004)
- Held, D. *Models of Democracy*. Polity and Stanford university press. (1996)
- Hick, S.V. *International Law and the Possibility of a Just World Order*. Editions Rodopi B.V. (1999)
- Hodgkinson, D. et al 'Copenhagen, climate change Refugees and the need for a global agreement. (2009)
- Human Rights Council. Resolution 7/23, Human rights and climate change; UN Doc. A/HRC/RES/7/23, 28 March, 2008. (2008)
- Hutchman, S. 'An Historical examination of Kant's cosmopolitanism: from Roman precursors to modern successors'. *Global Journal of International Studies*. Vol.1 (2000)
- Intergovernmental Panel on Climate Change *Climate change 2007: Impacts, Adaptation and Vulnerability*. Cambridge: Cambridge university press. (2007)
- International Covenant on Economic, Social and Cultural Rights. Committee on economic, social and cultural rights (CESCR) General comment No. 15, UN Doc. E/C.12/2002/11, 20 January 2003
- Internet Encyclopaedia of Philosophy* 'Environmental ethics. (2007)
<http://www.iep.utm.edu/envi-eth/>
- IPCC,; *Climate Change 2007: Impacts, Adaptation and Vulnerability. Working Group II. Contribution to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change*. Cambridge: Cambridge University Press. (2007)
- IPCC,; *Climate Change 2001: Impacts, Adaptation, and Vulnerability*. Cambridge university press. (2001)
- IRIN, Integrated Regional Information Networks. 'Senegal: Forecasting the future in an erratic climate'. <http://www.irinnews.org/Report.aspx?ReportId=82201> (2009)
- Irwin, R. 'Welcome to the anthropocene'. *The UNESCO Courier*. No. 4 October-December, (2011)

- IWGIA, International Work Group for Indigenous Affairs (2008) Conference on Indigenous Peoples and Climate Change'. Copenhagen, 21-22 February 2008 – meeting report. Presented at the Permanent Forum on Indigenous Issues, seventh session. E/C.19/2008/CPR.3 IWGIA (undated): Indigenous Peoples and Climate Change. <http://www.iwgia.org/sw29085.asp>
- James, B. *Perpetual Peace: Essays on Kant's Cosmopolitan Ideal*. MIT Press. (1997)
- Kant, I. *Critique of Practical Reason and other Works on the Theory of Ethics*. Trans. T. K. Abbot. London. (1909)
- Kant, I. 'Idea for a universal history from a cosmopolitan point of view. (1784)
- Kant, I. *On History*. (Trans Lewis White) The Bobbs-Merrill Co.(1963)
- Kant, I. *Grounding for the Metaphysics of Morals*. Hackett Publishing. (1993)
- Kant, I. *Groundwork for the Metaphysics of Morals*, edited and translated by Allen W. Wood. Binghamton, New York: Vail-Ballou Press, (2002)
- Kant, I. *To Perpetual Peace: A Philosophical Sketch*. Hackett Publishing. (2003)
- Kant, I. *Kant: Political Writings* (Ed Hans Reiss) Trans H.B. Nisbet. Cambridge: Cambridge University Press. (1991)
- Kant, I. 'Perpetual Peace', in *Kant's Political Writings*. Cambridge University Press. (1970)
- Kant, I. 'Metaphysics of Morals', in *Kant's Political Writings* Cambridge University Press; (1970)
- Kenchan, S.B. 'Climate change and international justice. (2005)
- Kermerling, G. 'Kant and the moral order'. *Philosophy Pages*. Available at: <http://www.philosophypages.com/hy/5i.htm> (2011)
- Kleingeld, P. 'Kant's second thoughts on race'. *The Philosophical Quarterly*. Vol. 57. (2007) pp573-592
- Kleingeld, Pauline and Brown, Eric,; "Cosmopolitanism", *The Stanford Encyclopedia of Philosophy* (Fall 2014 Edition), Edward N. Zalta (ed.), URL = <<http://plato.stanford.edu/archives/fall2014/entries/cosmopolitanism/>>.
- Kleingeld, P. 'Kant's cosmopolitan law: world citizenship for a global order'. *Kantian Review*. Vol.2. (1998) pp72-90
- Kleingeld, P. 'Kant's changing cosmopolitanism' in Rorty, A.O. and Schimdt, J. (eds) *Idea for a Universal History with a Cosmopolitan Aim: A Critical Guide*. Cambridge: Cambridge university press. (2009) pp171-186.

- Lee, L. 'Sovereignty over, ownership of, and access to natural resources'. *Environmental Laws and their Enforcement Vol. II* Encyclopaedia of life support systems –EOLSS) (2005)
- Leopold, A. 'Land ethic'. In Callicott, J. B. ed. *Companion to a Sand County Almanac*. University of Wisconsin Press, Madison (1949)
- Linklater, A. *The Transformation of Political Community: Ethical Foundations of the Post-Westphalian era*. Cambridge: Polity Press. (1998)
- Litfin, K.T. 'Sovereignty in world ecopolitics'. *Mershon International Studies Review*, Vol.41 (1997) pp170-72
- MA, Millennium Ecosystem Assessment,; *Ecosystems and Human Well-Being. Current State and Trends*, Volume 1. Island Press. (2005)
- Macchi, M. et al. *Indigenous and Traditional Peoples and Climate Change: Vulnerability and Adaptation*. – Gland IUCN. (2008)
- Marcus A. *The meditations of Marcus Aurelius Antonius*. Trans A.S.L. Farquarson (ed) R.B. Rutherford. Oxford: oxford university press. (1989)
- McGlade, J. 'We must respond to climate change today'. *The UNESCO Courier*, No. 10. Paris. (2009)
- Mckeown, A. and Gardner, G. *Climate Change Reference Guide*. Worldwatch institute. (2009)
- McKibben, B. *The End of Nature*. New York: Random House (1989)
- Miller, D. 'The idea of global citizenship'. *Nuffield's Working Papers Series in Politics*. 16 Feb. (2011)
- Monteiro, J.M. 'Expanding our moral universe'. *Dimensions: Shades of Green*. Spring. Issue 1. August, 13. (2012).
- Nadal, P.; Hoping cosmopolitanism: Notes on Kant's idea for a universal history with a cosmopolitan aim. (2011) Available at: <http://belate.wordpress.com/2011/12/26/kant-cosmopolitan-philosophy-world-history/>
- Naess, A. 'Deep ecological movement: Some philosophical aspects'. In Sessions, G. (ed) *Deep Ecology for the 21st Century: Readings on the Philosophy and Practice of the New Environmentalism*. Boston: Shambhala (1995)
- NASA. *Earth Observatory*. (2012) Available at: m.earthobservatory.nasa.gov/IOTD/view.php?id=79149

- NMETS. A Communiqué issued at the End of a 5 Day International Conference of the Nigerian Meteorological Society (NMetS), Zaria. (2011) Available at: nmets.net/climate-change-impact-risks-and-opportunities/
- Nneji, B.; "Eco-Responsibility: The Cogency for Environmental Ethics in Africa', *Essays in Philosophy*: Vol. 11: Iss. 1, Article 5. (2010) Available at: <http://commons.pacificu.edu/eip/vol11/iss1/5>. Pp31-43
- Nussbaum, M. *Kant and Stoic Cosmopolitanism*. Oxford: Blackwell Publishers (1997)
- Nussbaum, M. 'Kant and stoic cosmopolitanism'. *The Journal of Political Philosophy*. Vol.5, No.1. pp1-25 (1997)
- Oviedo, G. and Fincke, A. *Indigenous peoples and climate change*. European parliament directorate-General of external policies of the union. EXPO/B/DROI/2009/03 (2009)
- Oviedo, G., Maffi, L, Larson, P.B. *Indigenous and Traditional Peoples of the World and Ecoregion Conservation. An integrated approach to conserving the world's cultural and biological diversity*. Gland: WWF. (2000)
- Oviedo, Gonzalo *Indigenous and Traditional Peoples and Climate Change: Vulnerability and Adaptation*. Summary Version. – Gland: IUCN. (2008)
- Pecoud, A. and Guchteneire, P. *Migration Without Border: Essays on the Free Movement of Peoples*. UNESCO Publishing; Paris (2007)
- Philpott, D. 'Sovereignty: An introduction and brief history'. *Journal of International Affairs*. 48 (2) 353-368. (2004)
- Pinsky, R. 'Eros against Esperanto'. In Nussbaum, M. and Cohen, J. (eds) *For Love of Country*. Beacon press: Boston. (2000)
- Pollard, W.; 'The uniqueness of the earth'. In Babour I.G. (ed) *Earth Might be Fair: Reflections on Ethics, Religion, and Ecology*. Englewood Cliffs: Prentice-Hall. (1972)
- Pompidou, A. 'Editorial: For an ethical approach to climate change'. *The UNESCO Courier*, No. 10. Paris. (2009)
- Rawls, J. 'The law of peoples'. In Shute, S. and Hurley, S. (eds) *On human rights: The Oxford Amnesty Lectures 1993*. Basic books: New York.(1993)
- Rawls, J. *The Law of the Peoples*. Harvard university press. Cambridge.(1999)
- Reinhardt, K. 'Kant's cosmopolitan right and the right to exclusion'. ECPR General Conference Draft paper. September 2013.

- Rentmeester, C. 'A Kantian look at climate change'. *Essays in Philosophy*. Vol.11, Issue 1. Article 7. (2010)
- Routley, R. and Routley, V., 'Human Chauvinism and Environmental Ethics'. In Mannison, D., McRobbie, M. A., and Routley, R. (eds.) *Environmental Philosophy*. Canberra: Australian National University, Research School of Social Sciences (1980)
- Salick, J. & Byg, A. 'Indigenous Peoples and Climate Change. <http://www.tyndall.ac.uk/publications/Indigenouspeoples.pdf> (2007)
- Soule, M. 'Conservation biology in the Twenty-First Century: Summary and Outlook', in David Western and Mary Pearl (eds.). *Conservation biology in the Twenty-First Century*. Oxford: Oxford University Press(1989)
- Steffen, W. et al 'The anthropocene: Conceptual and historical perspectives'. *Philosophical Transactions of the Royal Society A*. 13 March 2011 Vol. 369 No. 1938 842-867 (2011)
- Stephen, P. "The Philosopher as a 'Secret Agent' for Peace: Taking Seriously Kant's Revival of the 'Old Question'". 13 March 2011
 "<<http://www.hkbu.edu.hk/~ppp/srp/arts/PSAP.htm>>
- Synder, G. 'Four changes'. In Sessions, G. (ed) *Deep ecology for the 21st century: Readings on the philosophy and practice of the new environmentalism*. Boston: Shambhala (1995)
- Tebtebba Foundation. 'Guide on Climate Change and Indigenous Peoples. Baguio City, Philippines. (2008)
- The Independent*. 'Aborigines 'to bear brunt of climate change'. URL: <http://www.independent.co.uk/environment/climate-change/aborigines-to-bear-brunt-of-climate-change-1334629.html> (2009)
- Toepfer, K. 'Environmental Sustainability for a Secure Future'. United Nations Environment Programme. (2005) Available at:
<http://www.unep.org/Documents.Multilingual/Default.asp?DocumentID=452&ArticleID=4956&l=en>
- UN Human Rights Council (2008) Human rights and climate change. Human Rights Council Resolution 7/23. Adopted at its 41st meeting 28 March 2008.
http://www2.ohchr.org/english/issues/climatechange/docs/Resolution_7_23.pdf
- UNESCO. *The Precautionary Principle*; Paris, COMEST. (2005)

- UNFCCC.; *Background paper on expert meeting on: A range of approaches to address loss and damage associated with the adverse effects of climate change*. Bridgetown, Barbados. October 9-11 (2012)
- United Nations. 'The world at six billion. ESA/P/WP.154. 12 October 1999
- United Nations. 'The human rights impact of climate change'. United Nations joint press kit for Bali climate change conference', 3-14 December 2007.
- United Nations. *Climate change and indigenous peoples*. United Nations permanent forum on indigenous people. (2008)
- United Nations. 'Seven billion and growing: The role of population policy in achieving sustainability'. Technical paper No. 20011/3. UNDESA: Population division. (2011)
- United Nations Development Group.; 'United Nations Development Guidelines on Indigenous Peoples issues'. (2008)
<http://www2.ohchr.org/english/issues/indigenous/docs/guidelines.pdf>
- UNU-IAS (United Nations University – Institute of Advanced Studies); *Indigenous Peoples and Climate Change in International Processes*. (2008)
http://www.unutki.org/default.php?doc_id=98
- UU-United Nations Office. 'The Contrarians? Full article with references'. Available at:
<http://climate.uu-uno.org/view/article/148487>. Retrieved 10-10-2015
- Van Hooft, S. *Cosmopolitanism: A Philosophy for Global Ethics*. Acumen: Stockfield. (2007)
- Varman, M. 'Sustainability and the categorical imperative'. *Columbia Spectator*. Available at:
<http://columbiaspectator.com/2009/09/28/sustainability-and-categorical-imperative>
- Verheyen, R. and Roderick, P. *Beyond Adaptation*. WWF-UK (2008)
- Weiner, M. 'Ethics, national sovereignty and the control of immigration'. *International Migration Review*. Vol.30. No.1 171-197 (1996)
- Willcox, S. 'A rising tide: Implications of climate change inundation for human rights and state sovereignty'. *Essex Human Rights Review*. Vol.9, No.1, June 2012
- Wilson, E.O. *The Future of Life*. Knopf Doubleday Publishing Group. (2002)
- Wilson, E.O.; The loss of biodiversity is a tragedy. (2010) Available at:
http://www.unesco.org/new/en/media-services/single-view/news/edward_o_wilson_the_loss_of_biodiversity_is_a_tragedy/#.U30aPJqDSP8

World Federalist Movement. 'The Limits of State Sovereignty and the Interdependence of Nations'. (2004). Available at: <http://www.vcn.bc.ca/wfcvb/limits.html> Accessed: July 10, 2015.

Zairek, K. 'The limits of life: A non-anthropocentric view of world and finitude'. *Angelaki*. Vol.16, No.4 December 2011 (2011)