

Merging of Green Criminology with Cultural Criminology and Confronting Environmental Crisis in Light of United Nations Actions

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DOI: 10.22034/IRUNS.2020.126539

Received: 27 November 2019

Accepted: 11 May 2020

Abstract

In recent decades, the different aspects of environmental crisis have been depicted. Based on such a dangerous situation, some studies have been made from different perspectives and some solutions have been provided. One of these studies, as suggested by Michael Lynch on environmental issues and crimes against environment, concerns green criminology (“GC”). Additionally, two scholars, Nigel South and Avi Brisman, have proposed merging two theories with a view to offering better solutions in this area. Likewise, the United Nations, as its mission, has been involved in these kinds of environmental issues and based on that, some instruments have been approved. The present article employs descriptive analytical research approach to define green criminology. It also proposes some other analyses to justify merging these two theories. In addition, it provides suggestions to help the environment and the coming generation in light of some related UN documents. This article will examine some practical solutions based on both green cultural criminal theory and UN aims for solving environmental crisis.

Keywords: green cultural criminology, environmental crisis, practical solutions, United Nations actions, international documents.

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Introduction

We cannot ignore this significant issue that our life and its continuity depend on the environment, in that any problem or disorder related to it will impact human life and future generations. In recent decades, ecological issues have attracted public attention, particularly environmentalists. Based on the first principle of the UN Conference on the Human Environment (also known as the Stockholm Conference)¹:

Man has the fundamental right to freedom, equality and adequate conditions of life, in an environment of a quality that permits a life of dignity and well-being, and he bears a solemn responsibility to protect and improve the environment for present and future generations....²

Pollution, earth warming, population growth, resource depletion, residue, climate changing, destruction of biological diversity, deforestation, ocean acidification, ozone depletion are only part of an environmental crisis that threatens human and non-human life. This had led some researchers to analyze the environmental crisis and its phenomenon, proposing workable solutions to solve problems related to GC.³ In criminology, this represented an important starting point for further research into environmental crisis. GC has addressed the harms (whether or not defined as “crimes”) that affect the entire planet as a whole, particular natural environment and other species other than

¹ The 1972 UN Conference on the Human Environment in Stockholm was the first world conference to make the environment a major issue. The participants adopted a series of principles for sound management of the environment including the Stockholm Declaration and Action Plan for the Human Environment and several regulations. See: <https://www.un.org/en/conferences/environment/stockholm1972>.

² See: <http://undocs.org/Home/Mobile?FinalSymbol=A%2FCONF.48%2F14%2FRev.1&Language=E&DeviceType=Mobile>

³ For more information, see: Avi BRISMAN and Nigel SOUTH, Green Criminology and Environmental Crimes and Harms, (2018), Willey Online Library, Volume 13.

humans⁴. CC, on the other hand, is defined as a critical theory that focuses on the connection between culture and subcultures with deviant, crimes and control ways. All theories in criminology attempt to interpret and find out the main reasons for committing crimes. For example, because of the problems caused by the environmental crisis, Avi Brisman and Nigel South have proposed a new approach named GCC. This attitude was formed by merging GC with CC.

These two scholars have discussed the issue of how a GC-CC cross-fertilization would be mutually beneficial.⁵ On this basis, this article will explore new dimensions of GCC and its benefits. In addition, it will propose a practical way with certain principles organized based on GCC studies, making it possible to decrease environmental problems. This article will then assess UNO actions, such as its conventions and protocols.

I. The Necessity of Merging Green Criminology with Cultural Criminology

Brisman and South have explained the reasons why it is necessary to merge CG with CC. With few exceptions, there has been little attempt to explicitly or implicitly integrate GC with CC and vice versa.⁶ We will first discuss these reasons as referred to by Brisman and South, and then, illustrate our ideas and reasons.

Brisman and South have explained common issues between GC and CC,⁷ and sought to demonstrate “how CC is and at some levels, it already doing GC”. They have highlighted three ways in which GC

⁴ Piers BEIRNE, Avi BRISMAN and Ragnhild SOLLUND, Editors' introduction to the special issue: 'For a green criminology'—20 years and onwards, (2018), Sage Journal, Volume 22, at 296.

⁵ Avi BRISMAN and Nigel SOUTH, A green-cultural criminology: An exploratory outline (2013), Sage Journal, Volume 9, at 116.

⁶ Ibid.

⁷ Avi BRISMAN, Bill MCCLANAHAN and Nigel SOUTH, Toward a Green-Cultural Criminology of “the Rural” (2014), Springer Journal, Volume 22, at 480.

might adopt a CC lens: (1) By devoting heightened consideration to the manner in which the media represents environmental crime, harm and disaster and constructs them in popular cultural forms, (2) by dedicating increased attention to patterns of consumption, constructed consumerism, commodification of nature and related market processes, and (3) by granting greater regard for the contestation of space, transgression, and resistance, in order to analyze how environmental harms are opposed in/on the streets and in day-to-day living.⁸ It is worth clarifying that an important part of these points refers to common roots between GC and CC which originate from critical criminology and its attitudes.

As mentioned above, same research and common points between GC and CC traced back to critical criminology, which has emerged as a major sub discipline in the field of criminology. The perspectives that fall under the concept of “critical criminology” are diverse in breadth and range, but “they all share the goal that analyze how inequality and power relations, shape crime, harm and the criminal justice system”.⁹ One area where critical criminologists have had a significant impact on the discipline of criminology is its scope.¹⁰ Traditional criminology focuses on acts and omissions which violate criminal law, but critical criminology and approaches that are under this discipline (such as GC and CC) have broadened its study scope to harm. Unlike traditional criminology, critical criminology favors considerable changes in economic, social and political structures. In critical criminology, scholars rely upon quantitative research. All of these factors create powerful link between the two theories.

⁸ Ibid.

⁹ Michael LONG, *Encyclopedia of Crime and Punishment*. Chapter: Critical Criminology, (2015), Willey, at 6.

¹⁰ Ibid.

Highlighting some specific criminological theories, some criminologists observe that these theories do not have practical benefits and are not efficient; for that reason, they have suggested that these specific theories must be revoked. Yet, finally combination of theories with common roots has been taken into account.¹¹ We believe that combination of GC with CC and using all achievements and capacities of the two theories may prove useful, as it helps provide more powerful theories in criminology.

Furthermore, we are of the opinion that when a criminologist intends to survey the reasons for committing a crime, he or she should take many factors into account; for instance, in relation to the crime of murder, a criminologist should consider all dimensions of that crime such as economic, cultural, social, physiological, biological, mental factors etc. Indeed, one of the most important reasons for planning theories in criminology is related to previous theories and their deficiencies or failure to respond to reasons for committing crimes, so they have interaction. Thus, when we study these theories (such as classic theories or even critical approaches in recent decades), it is possible to find out some common points between them or at least their effects on future approaches.

GCC allows us to fill some gaps in GC and CC. In GC, for instance, the effect of media on environmental crimes is not considerable. On the contrary CC very significantly focuses on effects of media and its role on crimes. While these studies can be used in GC and vice versa, this also means that many studies in GC are considerable. However, if we combine the results of these studies with CC achievements, consequences of this combination will be more efficient. In this regard, for example, green criminologists have investigated organized crimes

¹¹ George VOLD, Thomas BERNARD and Jeffrey SNIPES, *Theoretical Criminology*, (New York, Oxford University Press, 1998), at 385.

against environment, as perpetrated by governments or financiers against environment, whereas cultural criminologists have analyzed cultures and sub-cultures and their effects on crime formation.¹²

Likewise, it is notable that in CC, quantitative methodology and studies are considerable, while these issues have been neglected in GC. At the moment, in relation to the historical development of GC, it is necessary to address the importance of quantitative studies in order to broaden the appeal and scope of GC. Quantitative studies can add layers of information to what is known and produce information that is lost and neglected in those studies. That is to say, a mature and well-developed GC requires the development of an empirical literature enhanced by a host of research methodologies including quantitative methods.¹³ The willingness of green criminological researchers to use non-quantitative methods plays a significant role in the marginalization of GC within the discipline of criminology.¹⁴

Another important feature of CC is its reliance on new methods for discovering links among culture, crime and justice. GC needs these new methods to undertake its studies. And particularly the role of sub-cultures and social media in forming various kinds of environmental disasters should be taken into account in this field of criminology. While GC has enhanced knowledge of issues relating to state crimes and influence of government's decisions on environmental difficulties, it is clear that CC has paid little attention to the role that governments may play in forming crimes.

Although some topics and concepts in CC and GC are completely related to each other,(such as: constructed consumerism, green

¹² For more information, see: Avi BRISMAN and Nigel SOUTH, *Green cultural criminology new directions in critical criminology*, (London and New York, Routledge Taylor and Francis Group, 2014).

¹³ Michael J LYNCH, Kimberly L BARRETT, Paul STRETESKY and Michael A LONG, *The Neglect of Quantitate Research in Green Criminology and Its Consequences*, (2017), Springer, Volume 25, at 13.

¹⁴ *Ibid.* at 14.

washing, green consumerism, carnival of crimes, comfortable consumerism, green news making criminology, crime and cultural space etc.), there is no appropriate link for sharing studies between these two theories. In this sense, GCC appears to be the missing link for efficient connection.

GC and CC both were known as multidisciplinary theories in criminology. In other words, they are not limited and have widened their boundaries and frameworks to accept and use other approaches, fields and studies, a feature that facilitates the process of combination and cross-fertilization.

The concept of CC denotes both specific perspectives and broader orientations that have emerged in criminology, sociology and criminal justice over the past few years.¹⁵ CC has strong conjunction with other attitudes and methodologies such as cultural media and urban studies, philosophy, Critical Postmodern, cultural and human Geography, anthropology, social movement studies and behavioral research.¹⁶ In like manner, GC for its theoretical and practical aims uses other science fields that most of these majors are similar to what have been mentioned in CC. However common characteristics between GC and CC are considerable.

Another factor refers to the complexity of crimes and harms against environment, especially in modern life and current societies. These crimes have different conditions given their characteristics. The results of these crimes (crimes against environment) are not tangible. Many people even are not aware of crimes against environment and their results, while in many countries governments defend and reinforce lifestyles which are completely against our planet interests. Many of

¹⁵ Jeff FERRELL, *Cultural Criminology*, (1999), *Annual Review of Sociology*, Volume 25, at 395.

¹⁶ Avi BRISMAN and Nigel SOUTH, *Green Cultural Criminology: New Directions in Critical Criminology*, (New York, Rutledge Press, 2017), at 11.

these crimes have been disregarded by societies, governments, legislators, and police on a daily basis. On the other hand, victims of these kinds of crimes are human and unhuman creatures.¹⁷ In fact, environmental harms and crimes negatively affect the human body and property, thus human beings are one category of victims and other victims are the environment itself and other organisms.¹⁸ In addition, future generations will hurt. As noted, green criminologists could not respond to all aspects of environmental crisis, because environmental crisis has special dimensions which need more capacity for solving dilemmas. GCC is an appropriate way for our needs in this area.

The last part of this study will discuss Green Culture approach that has been originated from GCC. Furthermore, appropriate responses and solutions for environmental crisis will be different during various historical periods or even in various regions. Speed of Changes in modern life and our world is undeniable fact; thus forms of crimes and harms against environment are changing, and even crimes or ecological problems in an industrial city, a village, a jungle or desert region are different.

On the other hand, culture is regarded as a main concept in CC and its studies. Culture is commutable during different periods or areas, so it is another common point that will be important in our discussion. In this regard we need more flexible and comprehensive theory that keeps us up- to-dated and responds to our needs. The twentieth principle of UN Conference on the Human Environment declares:

Scientific research and development in the context of environmental problems, both national and multi- national, must be promoted in all

¹⁷ Baghe SHAMLOO, Asghar AHMADI and Ghodratolah KHOSROSHAHI, Green Victimology Based on Iran Criminal Policy, [Persian], (2017), Criminal law Journal, Allameh Tabataba'i university, Volume 20, at 67.

¹⁸ Faisal MELANGADI, Environmental Crime and Victimization: A Green Criminological Analysis of the Endosulfan Disaster, Kasargod, Kerala, (2017), International Annals of Criminology, at 11.

countries, especially the developing countries. In this connexion, the free flow of up-to-date scientific information and transfer of experience must be supported and assisted, to facilitate the solution of environmental problems, environmental technologies should be made available to developing countries on terms which would encourage their wide dissemination without constituting an economic burden on the developing countries.¹⁹

And the last reason for merging is connection between environment and culture. We can see this deep connection in construction, art, architecture, fashion, design and other cultural areas, with some scholars observing that culture is a child of nature and never is able to disconnect itself entirely from nature.²⁰ The interaction between environment and culture is undeniable, from agriculture to art to the industries and professions that dominate different societies²¹. So, how we can discuss GC without paying attention to CC and its achievements and studies? It is another crucial reason that we cannot ignore.

a) Definition of green-cultural criminology

In order to offer an appropriate definition of GCC, we need to elucidate GC and CC separately alongside issues that have been studied in these theories. Thus, although neither GC nor CC constitutes the main focus of this article, it is important to pay attention to some aspects of these two theories for the purpose of clarifying the definition of GCC as well as subjects that could place below of this theory. About GC and CC. It

¹⁹<http://undocs.org/Home/Mobile?FinalSymbol=A%2FCONF.48%2F14%2FRev.1&Language=E&DeviceType=Mobile>

²⁰ Luther Lee BERNARD, Culture and Environment, The Continuity of Nature and Culture, Social science, (1993), Oxford Journal, Oxford University Press, Volume 9, at 39.

²¹https://sites.duke.edu/lit290s-1_02s2017/2017/02/03/the-environment-and-culture-are-inseparable/?unapproved=23442&moderation-hash=1b6cb5f1c28e85d4f5d3e83a67272562#comment-23442

should be noted that Avi Brisman and Nigel South are first persons who wrote about GCC, although they did not propose any certain definition of this theory.

The first outline of a ‘GC’ occurred in Michael J Lynch’s (1990) essay, ‘The greening of criminology’ in *The Critical Criminologist*, although, as the author himself has observed, this call had little impact.²² Generously, Lynch suggests that it was later in that decade, with the publication of a special issue of *Theoretical Criminology*, edited by Nigel South and Piers Beirne,²³ that interest in GC was really stimulated. The subsequent flourishing of this perspective means that no more than a brief survey of its wide remit and coverage is required here. Importantly, GC has provided the broad field of criminology with a way to confront harms (whether defined as ‘crimes’ or not) that affect the planet as a whole, particular natural environments and species other than humans. In so doing, GC has addressed issues such as animal abuse (including animal sexual assault, and so-called ‘wildlife’ trafficking), biodiversity loss, the extraction and exploitation of ‘natural resources, deforestation, pollution of air, land and water by private individuals, corporations, states and the military–industrial complex; the diverse ways in which state–corporate collusion and weak and/or failed states contribute to a host of interconnected green crimes; and the challenges posed by global warming and climate change to life itself on our ‘shared planet’.²⁴ For present purposes, it should be emphasized that while its

²² Piers BEIRNE, Avi BRISMAN and Ragnhild SOLLUND, Editors’ introduction to the special issue: ‘For a green criminology’—20 years and onwards, (2018), *Sage Journal*, Volume 22, at 295.

²³ *Ibid.*

²⁴ Ted BENETON, *Rights and Justice on a Shared Planet: More Rights or New Relations?* (1998), *Sage Journal*, Volume 2, at 151.

empirical contributions are significant, GC has also inspired, re-visited and generated theory.²⁵

In this regard, we note to another definition of GC. As Brisman and South point out:

GC refers to the study of environmental crimes and harms affecting human and non-human life, eco-systems and the biosphere. More specifically, GC explores and analyzes: the causes, consequences and prevalence of environmental crime and harm, the responses to and prevention of environmental crime and harm by the legal system (civil, criminal, regulatory) and by nongovernmental entities and social movements, as well as the meaning and mediated representations of environmental crime and harm.²⁶

The most important subjects, as studied in GC, are as follows: air pollution and water issues (access, pollution, scarcity), animal abuse, animal rights and animal welfare, including the legal and illegal trade in non-human animals. Other subjects include crime and stemming from global warming and climate change, food and agricultural crime, harm caused by hazardous transport of e-waste and the illegal disposal of toxic wasteland.

Violations of workplace, health and safety regulations have environmentally damaging consequences.²⁷ Finally, it must be noted that the scope of GC is now broad. It is not simply about ecological harms or explaining the origins of those harms. It now also draws attention to the construction, implementation, and enforcement of environmental law; to the problem of environmental justice; to the ways

²⁵ Piers BEIRNE, Avi BRISMAN and Ragnhild SOLLUND, Editors' introduction to the special issue: 'For a green criminology'—20 years and onwards, (2018), Sage Journal, Volume 22, at 295.

²⁶ Avi BRISMAN and Nigel SOUTH, Green Criminology and Environmental Crimes and Harms, (2018), Willey Online Library, Volume 13, at 4.

²⁷ Ibid, at 3.

in which all living beings (humans, nonhumans, and the living Earth system) are victimized by ecological harms. And, like any other area of criminological research, GC must also address the definition of its main focus, green crimes, which is not a simple nor settled matter.²⁸

The definition of CC is more complicated issue; this complication has different reasons. One of the main reasons refers to definition of culture. Culture is a fluid, complex and with special features. It's a multidisciplinary term that scientists don't have consensus about its definition. Also, in developing world and by everyday changes in all dimensions of life and evolutions in social structures, the meaning of culture and designating its instances are not simple. Scientists in human science, especially sociologists strive to define culture term from different perspectives and some authors suggested various definitions of culture.²⁹

In this step we consider one of them. Culture consists of the beliefs, behaviors, objects, and other characteristics common to the members of a particular group or society. Through culture, people and groups define themselves, in accordance with the common values of society and contribute to society. Thus, culture includes many societal aspects: language, customs, values, norms, rules, tools, technologies, organizations and institutions. This latter term «institution» refers to clusters of rules and cultural meanings associated with specific social activities. Common institutions are the family, education, religion, job, and health care.³⁰

²⁸ Micheal J.LYNCH, Green Criminology and Environmental Crime: Criminology That Matters in the Age of Global Ecological Collapse, (2019), Sage Journal, Vol 1, at 2.

²⁹ For more information, see: Keith HAYWARD and Joak YOUNG, Some notes on the script, (2004), special edition of journal theoretical criminology, volume 8, at 260.

³⁰ <https://www.cliffsnotes.com/study-guides/sociology/culture-and-societies/culture-and-society-defined>.

Surely culture is a core concept in CC because CC is the placing of crime and its control in the context of culture, that is, viewing both crime and the agencies of control as cultural products as creative constructs. As such they must be read in terms of the meanings they carry. Furthermore, CC seeks to highlight the interaction between these two elements: the relationship and the interaction between constructions upwards and constructions downwards. Its focus is always upon the continuous generation of meaning around interaction, rules created, rules broken, a constant interplay of moral entrepreneurship, moral innovation and transgression.³¹

Jeff Ferrell, a famous researcher in CC, has noted that:

as an emergent orientation in sociology, criminology, and criminal justice, CC explores the convergence of cultural and criminal processes in contemporary social life. Drawing on perspectives from cultural studies, postmodern theory, critical theory, and interactionist sociology, and on ethnographic methodologies and media / textual analysis, this orientation highlights issues of image, meaning, and representation in the interplay of crime and crime control. Specifically, CC investigates the stylized frameworks and experiential dynamics of illicit subcultures, the symbolic criminalization of popular culture forms, and the mediated construction of crime and crime control issues.³²

Definition of GCC has special plights. The complexity of GCC definition has different aspects. Criminology and its topics, however, are related to human, because of human science nature, suggesting certain definitions or frameworks for theories and ideas which in criminology are not expected. Human science looks like a fluid river which is not stable because the main topic of human science is human, life and all things that are changeable. So we do not promulgate our

³¹ Keith HAYWARD and Joak YOUNG, Some notes on the script, (2004), special edition of journal theoretical criminology, volume 8, at 259.

³² Jeff FERRELL, cultural criminology, (1999), Annual Review of Sociology, Volume 25, at 395.

definition will be irreversible and exact, but in this step, we try to suggest a definition that clarifies various respects of GCC more than before and facilitate a way for more research about that.

GCC is a theory that tries to use CC achievements, its methodology and capacities for GC aims, detecting the reasons of environmental crimes and environmental harms, preventing all kinds of acts or omissions that harm or endanger environment and suggesting theoretical and practical ways for environmental dilemmas, by cultural tools. Besides, this idea tries to show how environmental crisis, harms and crimes against the environment are created by culture and cultural instruments and how we can protect the earth. A combination of CC and GC gives us this chance that create a link among environment and culture for preserving earth and preventing environmental crisis all over the world, also GCC tries to study GC studies.³³

We take the view that environmental dilemmas stem from two major origins, while it is possible to study both of them in GCC: a cluster of harms or crimes against environment originate from beliefs (religion, beliefs, etc.), mores and generally people lifestyles, the most of these activities are not deliberately undertaken. In fact, some people do many activities in their daily lives that are completely against the environment. Overusing of meat and animal protein in the daily diet, overusing of plastic and papers, wearing clothes that harm the environment are examples of this.

Importantly, it can be observed that organized institutions, including governments and owners of wealth and power, have committed a number of crimes. Examples include promoting consumerism culture by fashion companies, technology firms, monopoly of industrial goods in developing countries by their governments and limiting competitive

³³ Avi BRISMAN and Nigel SOUTH, *Green cultural criminology new directions in critical criminology*, [Persian], (2017), translated by Esmaeil Rahiminejhad and Mehdi Babaie, (Tehran, Majd Press), at 7.

space for producing high quality goods which are more compatible with the environment. As Penny Green and Tony Ward have stated:

States, the perpetrators of the most serious and widespread crimes, do not always work alone. Very frequently, deviant state actions intersect with the indictable offences of corporations to produce massive human rights and environmental violations. State-corporate crime is thus a significant form of high-level criminality, involving a coincidence of interest and enterprise between two powerful entities typically viewed by criminologists as separate.³⁴

Eventually, we should note some points about the next cluster of activities: those kinds of acts are deliberately and completely organized. Given that these acts are committed by owners of power and wealth, fighting against them are not as easy as the first cluster of activities. In other word, we need to adopt tight policies that will enable us to tackle this problem. These activities have a significant portion of the environmental crisis, and are dangerous. For example, what happened in Ukraine as a nuclear accident (Chernobyl disaster) was a catastrophe with massive impact on human and inhuman life and environment.

II. The role of United Nations Organization for preserving of environment

Setting aside that GC and GCC aim to protect environment, environmental crisis was known as an impotent concern for UNO. In recent decades, UNO held dozens of summits and conferences on environmental issues. The majority of environmental concerns, as mentioned in relation to green criminology, has been reflected in different UN documents. In this regard, United Nations Environment Programme (UNEP) was established in 1972 to guide and coordinate environmental activities within the UN system. It, for example,

³⁴ Penny GREEN and Tony Ward, *State Crime: Governments, Violence and Corruption*, (London, Pluto Press, 2004), at 28.

promotes “international cooperation on environmental issues, provides guidance to UN organizations, and through its scientific advisory groups, encourages the international scientific community to participate in formulating policy for many of the UN’s environmental projects”.

Headquartered in Nairobi, Kenya, the UNEP also has encouraged private sectors to participate, so as to promote the sustainable use of the world’s natural resources. The UNEP has played a major role in initiating negotiations on reducing ozone-depleting chemicals, while providing the technical assistance to international conventions, such as the Montreal Protocol on Substances That Deplete the Ozone Layer (1987), the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (1989), and the UN Convention on Biological Diversity (1992).

As the secretariat for these conventions, the UNEP services the conferences, implements the relevant decisions, monitors implementation, and provides data and information. Together with the Food and Agriculture Organization, the UNEP provides assistance to implement the Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (1998). The UNEP also coordinates the work on UN agencies with respect to desertification and the regional seas (with special attention to the Mediterranean Sea). The 58-member Governing Council, the organization’s principal legislative body, is elected by the UN General Assembly for four-year terms. Seats are allocated by region to assure widespread representation, generally providing about 16 seats for African states, 13 for Asia, 6 for Eastern Europe, 10 for Latin America and the Caribbean, and 13 for Western Europe and other states.³⁵

³⁵ Carol PETSNOOK, *The role of the United Nations Environment Programme (UNEP) in the development of international environmental law*, (1990), *American University International Law review*, at 354.
<https://www.britannica.com/topic/United-Nations-Environment-Programme>.

According to the International-UNEP report 2016, illegal activities that involve the environment, biodiversity or natural resources are often lucrative and involve comparatively low risks for criminals. Environmental crimes have previously not been regarded as a priority in some countries, resulting in a lack of appropriate and proportionate governmental response. A recent study by UN Environment, titled the state of Knowledge of Crimes that have Serious Impacts on the Environment, lists five of the most prevalent environmental crime areas globally: Wildlife crime, illegal logging, illegal fishing, pollution crimes and illegal mining.

The UN Environment study identified several major gaps in the response to environmental crime. Lack of data, knowledge and awareness, lack and limited use of legislation, lack of institutional will and governance, lack of national and international cooperation and information sharing among authorities, and lack of engagement with private actors and local communities were among those listed. In order to close those gaps, the international community needs to reintroduce programs of environmental crime, initiate concerted action and information sharing, recognize and address environmental crimes as a serious threat to peace and sustainable development, and strengthen the environmental rule of law at all levels.

UN Environment is therefore enabling countries to establish strong legal frameworks on environmental crime by developing enforcement guidance to help national authorities comply with environmental laws. It also builds the capacities of all actors involved in environmental enforcement such as police, prosecutors and customs.³⁶

³⁶<http://www.unenvironment.org/news-andstories/story/environmental-crimes-are-rise-so-are-efforts-prevent-them>.

III. Green culture approach

The most important discussions about GCC refer to its practical and beneficial suggestions for combating destructive actions against the environment and preventative policies. This discussion proceeds to three parts. In the first step we attempt to clarify green-culture approach, then we highlight some important principles of green culture. Finally, we explain how to employ this approach to confront different challenges in our planet.

a) Definition of green culture

In recent decades, environmental crisis calls the attention of scientists in various spheres to this problem. Some researchers try to survey this challenge from different aspects. In doing so, they have suggested some recommendations for solving environmental crisis and issues. Some of these researchers believe that several problems refer to national and international law deficiencies, meaning that many countries do not have sufficient and forceful regulations, frameworks or even suitable punishments for preventing, detecting, persuading of acts or neglects which harm the environment. Although the reasons for this issue can be considerable, as we noted previously the nature of crimes or harms against the environment are different from other crimes which happen against persons, properties or public order.

The results of crimes against the environment are not completely tangible and many of these crimes tie with people lifestyles, their economic interests and their belief or are committed by owners of wealth and power who try to underestimate the importance of this disaster intentionally. The causes of crimes and harms against the environment are considerable; we can find out the roots of them in various fields, such as culture and traditional tools, governments, deficiencies of law and regulations, the nature of these crimes etc. Here, we propose and discuss an attitude that governments, legislators,

individuals or institutes may employ Green culture as a concept to protect and preserve the environment.

Green culture is an approach, which can help all the societies and people to think and act green. Through spreading, educating and applying principles and frameworks of green culture approach in different areas, can have a practical solution for reducing environmental crisis. Although we should consider this point that green culture approach is a preventative attitude, this approach can be used by persons or institutes that harm the environment through any acts or omissions. Green culture approach tries to use cultural tools, cultural criminology methodology and achievements for protecting the planet and preventing any harms or crimes against the environment.

b) Principles of green culture approach

We can define some principles for green culture approach and examine them. Prevention has a key role both in green criminology and UN strategies. Prevention is known as «gold principle» in international environmental law. Rio Declaration on Environment and Development in 1992 predicted this principle clearly.³⁷ Green culture aims to prevent any kinds of harms against environment by creating correct and green attitude about environment. It should be noted that the role of UN in responding to environmental crimes is considerable. These UN responses range from collaborative interventions involving government

³⁷ Mohamad Reza GHAVAM ABADI, Study of the content of the principle of participation in international environmental law, [Persian], (2011), Allameh Quarterly, Volume 3, at 94, and Ali Reza MIRKAMALI and Amin HAJIAND, Analyzing the Prevention of Environmental Crimes in the light of the United Nations Guidelines based on the Ethical Principle of Prevention of Harm, [Persian], Bioethics Journal, Volume 7, at 66.

and non-government bodies, to knowledge provision and educational initiatives.³⁸

Changing the attitude is widely accepted as one of the most important principles and aims in green culture. The lack of education and knowledge, giving rise to incorrect attitude and low awareness, has caused many problems in the environment. In this regard, the nineteenth principle of UN Conference on the Man and Environment declares:

Education in environmental matters, for the younger generation as well as adults, giving due consideration to the underprivileged, is essential in order to broaden the basis for an enlightened opinion and responsible conduct by individuals, enterprises and communities in protecting and improving the environment in its full human dimension. It is also essential that mass media of communications avoid contributing to the deterioration of the environment, but, on the contrary, disseminate information of an educational nature on the need to protect and improve the environment in order to enable man to develop in every respect.³⁹

For example, air pollution kills an estimated seven million people worldwide every year. WHO⁴⁰ Data shows that 9 out of 10 people breathe air containing high levels of pollutants. From smog hanging over cities to smoke inside the homes, air pollution poses a serious threat to health and climate. The combined effects of ambient(outdoor) and household air pollution cause about seven million premature deaths every year, given increased mortality from stroke, heart disease, chronic obstructive pulmonary disease, lung cancer and acute respiratory infections. More than 80% of people live in urban areas where air pollution is exposed to air quality levels that exceed WHO guideline

³⁸ Rob WHITE, *United Nations Initiatives in Preventing Environmental Crime*, (2021), Springer cham, at 257.

³⁹<http://undocs.org/Home/Mobile?FinalSymbol=A%2FCONF.48%2F14%2FRev.1&Language=E&DeviceType=Mobile>.

⁴⁰ World Health Organization.

limits, with low-and middle-income countries suffering from the highest exposures, both indoors and outdoors.⁴¹

In this regard, this study aims to make a comparative analysis of the report of air pollution with one of the prevalent problems of these days. COVID19 has spread all over the world and postponed many routine activities. What is our achievement when we compare Coronavirus and its effects on our life and the role of cultural tools for clarifying different aspects of Covid 19, with air pollution? Answering this question will clarify many points.

These days all countries, all cultural tools, social media, endeavor to explain the danger of Coronavirus, offer preventative solutions, appropriate vaccine or treatment, whereas we cannot find this mass of actions against air pollution or other environmental problems in our world. The victims of the environmental crises are more than those resulted from Coronavirus, the victims of environmental problems are human and unhuman as well as future of the planet and next generation. This tragedy occurs every day and every year.

Different research shows during out breaking of Corona and the following results of the virus, the quality of air became better than before and our planet breathes again. In Los Angeles, New York, Manila and Milan, the blue skies became clear as air pollution dropped. In Venice, the canal water is clear enough to see fish, and dolphins return. What would the world be like if we decide to peruse this trend? Less asthma and cancer, fewer lung and heart disease, fewer deaths, more beauty in our lives and slowing global emissions.⁴²

Coronavirus is found to be a harsh challenge for human life; it is a new breath for the planet, proving that human activities and people lifestyles are against the planet and the environment. This means that researchers, cultural tools, social media, authorities and

⁴¹ https://www.who.int/health-topics/air-pollution#tab=tab_1.

⁴² <https://www.nytimes.com/2020/04/05/opinion/letters/coronavirus-climate.html>.

environmentalists must distribute sufficient, correcting reports and undertake substantial research into effects of COVID-19 on the environment. This is because although Coronavirus will be with us for some months or years and our lives have been victimized and faced destructive effects by it, we should not ignore its lessons all over the world. We should not lose sight of the fact that ecological problems victims are more than COVID-19; this dangerous situation, however, is repeating continuously.

The COVID-19 pandemic has taught us two important things: the first one is human activities are against the environment and the second one is environmental crisis has many victims every second and its victims are even more than some diseases and other problems, but we are not aware and don not have any organized schedules or preventative actions such as actions that took against Coronavirus. This issue has different reasons but the most important one refers to our attitude towards environmental crisis.

People think that environmental crisis is not as important as other problems (such as any disease or crimes against persons and properties or economic problems, etc.), because we cannot see its effects quickly and people believe if pay attention to factors and point which are compatible with the environment, they will lose their economic interests or comfort. Changing attitudes towards environmental crisis and its reality, is one principle of green culture which we express in favor of that incorrect attitude. In fact, people do not have any correct attitude towards environmental crisis, its victims and preventative solutions. So we should expand green culture attitude all over the world. In this regard, we should use cultural tools and cultural criminology achievements.

We cannot solve environmental crisis, until people believe that without the planet our generation cannot live, or our business and economics will not continue and all the vital activities will be destroyed,

so people and owners of wealth and powers should apply green culture attitude in all areas, and try to think green.

Awareness, public participation and consciousness conservation based on cultural instruments: As we discussed, the definition of culture is not simple, however, culture ties to human life such as education, social media, language, art, music, etc. Green culture approach endeavors to improve public awareness and consciousness conservation through all kinds of cultural instruments because one problem of environmental crisis refers to lack of knowledge.

Low level of awareness includes various factors such as exact statistics and reports which are related to environmental crisis and its phenomenon, recognizing acts and omissions that harm environment, citizenship duties, preventative steps for preserving our planet, etc. Result of increasing level of awareness can have various positive aspects for example, growing public awareness towards environmental problems became intertwined with a growing sensibility to the suffering of non-human beings.⁴³ Much of the burden of consciousness-raising to date has fallen on civil society organizations. With energy, commitment, but few resources, non-governmental organizations have advocated environmental issues in public debates everywhere. Schools and universities also have a critical role to play in rising public consciousness, and governments themselves must step up their contribution.⁴⁴

Public participations play a key role in green culture approach, meaning that all people should have basic information about their environment. In addition, they should have useful knowledge about

⁴³ Ted BENETON, *Rights and Justice on a Shared Planet: More Rights or New Relations?* (1998), Sage Journal, Volume 2, at 151.

⁴⁴ Fifty –fourth session, Agenda item 49(b), the millennium assembly of the United Nations, (2000). Available at: <https://undocs.org/en/A/54/2000>.

taking appropriate decisions in favor of the environment, also should participate in different events which are related to the issue. Nowadays, public participations in enforcing environmental rights has become an integral part of environmental law.⁴⁵

Green culture tries to create this attitude that our planet and environment is the only property which without it, we and future generations cannot live, so we should preserve it. In this regard, one of the Iranian environmentalists⁴⁶ confirmed that lack of public participation was the main reason for failure in Iran. Majority part of Iranian nature was known as protected areas and was under the government control, after Iranian revolution and because of mismanagement, the nature faced mass destruction, people did not have any information about nature, did not have any sense of belonging and did not participate in any actions for protecting the environment, in doing so, the result came unpleasant.⁴⁷ Principle 10 of the Rio Declaration posits that “[e]nvironmental issues are best handled with the participation of all concerned citizens, at the relevant level”. It then calls upon States to ensure that each individual has access to information, public participation in decision-making and justice in environmental matters.

Since then, international community expectations, as reflected notably in the Convention on Access to Information, Public Participation in Decision -Making and Access to Justice in Environmental Matters (Aarhus Convention), the 2010 UNEP Guidelines for the Development of National Legislation on Access to Information, Public Participation and Access to Justice in Environmental Matters and various resolutions of international

⁴⁵ Azar ALINEZHAD, Participatory criminal policy in environmental crimes, [Persian], (2016), Ph.D. Thesis, University of Tehran, Tehran, Iran, at 4.

⁴⁶ Eskandar Firouz.

⁴⁷ For more information, see: <https://www.bbc.com/persian/iran-37592783>.

organizations and conferences, have coalesced to the point where the normative provisions of Principle 10 must be deemed legally binding.⁴⁸

The last principle of green culture approach is ethnography⁴⁹ methodology: ethnography is a necessary methodology that should be applied to green culture approach. In fact, if we intend to apply green culture approach in all around the world and use it efficiently, we should pay attention to ethnography. This means that researchers and environmentalists should study based on ethnography, and also attempt to organize special schedules for people.

For example, crimes against the environment, or preventative actions in a modern city, are not as the same as a village or tourist destinations etc. People, who live in a city near to a nuclear installation, will encounter different environmental crisis. They should have specific educations and data about the environment around themselves. On the other hand, people who live in a city where the center of the fashion industry is located, have different situations and need special schedules for combating environmental crisis. Ethnography methodology allows to researchers to live situations and criminal experiences.⁵⁰ Accordingly, they could realize the reasons behind destructive actions toward the environment, and apply some workable solutions which are more compatible with the environment.

c) Green cultural approach as a practical way

We tried to introduce green cultural approach as a practical way which originates from green cultural criminology and principles of United

⁴⁸ Günther HANDLE, Declaration of the United Nations Conferences on the Human Environment (Stockholm declaration), 1972 and the Rio Declaration on Environment and Development, 1992, (2013), United Nations Audiovisual Library of International Law, at 6.

⁴⁹ This methodology is being used in cultural criminology.

⁵⁰ Sara AGHAEI, Crime Analysis in Cultural criminology, [Persian], (Tehran, Mizan Press, 2018), at 151

Nations programs on environmental crisis for preserving our planet and protecting the environment. Green cultural is an approach that aims fulfilling green criminology goals through cultural instruments and cultural criminology achievements. Furthermore, green culture is based on prevention, awareness, public participation and ethnography studies. Now some samples that can consider as a green culture approach will be discussed.

Consumerism has become an inseparable part of most societies. Industrial countries with huge companies and luxury advertisements encourage consumerism lifestyle. No doubt this lifestyle harms our environment, but in this step, we should improve our knowledge, change our mind about our planet and try to develop a green culture attitude. Maybe the owners of power and wealth think that, without consumerism, they cannot achieve their economic ambitious, or people believe, without consumerism, lives become too boring but all these thoughts refer to inaccurate attitudes. For that reason, we discuss the necessity of changing the outlook as a principle in green culture approach. Because most of time, our incorrect actions or lifestyle arise from our attitudes and low level of knowledge.

For example, all over the world, some companies collect clothes that people throw away. These companies make small changes such as repairing, washing and ironing, rent those clothes to people, so due to that most people use various clothes with low costs and help the environment. It is important to introduce and promote those economical businesses for all goods; this demonstrates that way of life is more beneficial for us from different aspects, although because of low awareness, changing lifestyles seems difficult, at least in the short run.

Eskander Firouz was an Iranian environmentalist and politician. Acting as the first director of the Department of Environment in Iran, he managed to develop Iran's ecological conservation and management

program.⁵¹ He was a hunter and explained how being a hunter changed his mind and became an environmentalist.⁵² When he tried to collect information about nature he changed his mind. Some of his students were hunter and then by correct education became nature defender, so it will be useful that before issuing the hunting licenses for hunters in any part of the world, governments organize special courses and classes for consciousness conversation. All these experiences show awareness, knowledge, cognition and training by cultural tools could have positive impacts on people and societies and lead to valuable conclusions for our green aims. Of course, we need to be assisted by more experts, researchers, professions in this area but public education is as important as other professional schedules.

Another green culture recommendation is green schools in all countries with organized and fun schedules, such as camps in nature for better cognition of nature and getting familiar with preventative solutions for protecting nature. This plan can prove useful; it can become a cultural activity in societies or a hobby for all ages. It should be borne in mind that most people do not read academic journals. Consequently, in order to change public perceptions toward what constitutes crime, (or for the purpose of enhancing public awareness about their environmental crisis and preventative ways) information must be presented to the public in a “friendlier” format.⁵³ In this way, we believe that cultural plans are so flexible and useful, while UNEP is pursuing similar goals all over the world when considering different strategies such as massive open online courses, earth school, green jobs for youth and playing for the planet.

⁵¹ For more information, see: Eskandar FIROUZ, the memories of two decades attempts for preserving Iran nature and environment, [Persian], (Tehran, Tadbire Roshan press, 2013).

⁵² See: <https://www.bbc.com/persian/iran-37592783>.

⁵³ Melissa JARRELL, criminology in action, (2013), Green Criminology Monthly, Delft conference on Environmental Crime and its Victims and an invited talk, at 4.

Greening justice is one of samples that we can discuss. Rob White and Hannah Graham in their article explained: “In a world that is rapidly being subject to the vagaries of climate change, more and more attention will be placed upon the natural environment and the Nature-human relationship”. The ‘greening justice’ initiatives, as discussed in this article, provide evidence that, in a number of respects, criminal justice institutions have the capacity to be at the vanguard of good ecological practice and conservation. Hence, there is a merger of interests as justice architecture and criminal justice reform (including personal reform for those with offending histories) circle around how best to make justice more environmentally sound. In this event, a win-win situation is created for humans and Nature alike.

We believe that this holds true for ethical and effective ‘greening justice’ initiatives that pertain to community policing, crime prevention, courts, prisons, probation and community reintegration. In the end, much depends upon the precise relationship between criminal, social and ecological justice that, in turn, is forged in the crucible of particular social practices occurring within specific institutional contexts.⁵⁴

In this regard, White and Graham discussed greening prisons, greening offender supervision and community reintegration.⁵⁵ Another example refers to green economy. A Green economy is defined as low carbon, resource efficient and socially inclusive. In a green economy, growth in employment and income are driven by public and private investment into such economic activities, infrastructure and assets that allow reduced carbon emissions and pollution, enhanced energy and

⁵⁴ Rob WHITE and Hannah GRAHAM, *Greening Justice: Examining the Interfaces of Criminal, Social and Ecological Justice*, (2015), the *British Journal of Criminology*, Volume 55, at 861.

⁵⁵ For more information, see: Charles JOSEPH KIBERT, *Green justice: A holistic approach to environmental injustice*, (2001), *Journal of Land Use and Environmental Law*, Vol 17, at 170.

resource efficiency, and prevention of the loss of biodiversity and ecosystem services.⁵⁶

The UN Environment-led Green Economy Initiative, launched in late 2008, consists of several components whose collective overall objective is to provide the analysis and policy support for investing in green sectors and in greening environmental unfriendly sectors. Beyond UNEP, the Green Economy Initiative is one of the nine UN-wide Joint Crisis Initiatives (JCI) launched by the UN System's Chief Executives Board in early 2009. In this context, the Initiative includes a wide range of research activities and capacity building events from more than 20 UN agencies including the Bretton Woods Institutions, as well as an Issue Management Group (IMG) on Green Economy, launched in Washington, DC, in March 2010.⁵⁷

Although green culture approach is mostly for prevention, we can use it in other areas. For example, offenders who harm the environment must be punished based on the green culture approaches. Some of these punishments include participating in classes which are about consciousness conservation, cleaning special rejoin, working voluntarily for defending animals or environmentalists or even following some special vegetarian diets for a certain period).

Conclusion

GCC as a new approach in critical criminology and criminal justice has been proposed by two professors of criminology, Avi Brisman and Nigel South. This research discussed the most important reasons why

⁵⁶<http://www.unenvironment.org/regions/asia-and-pacific/regional-initiatives/supporting-resource-efficiency/green-economy>.

For more information about green economy, see: Luigi ALDIERI and Concetto PAOLO VINCI, Green Economy and Sustainable Development: The Economic Impact of Innovation on Employment, (2018), MDPI Journal, Vol 10.

⁵⁷<https://www.unenvironment.org/explore-topics/resource-efficiency/what-we-do/policy-and-strategy/green-economy>.

this theory must be employed to confront environmental crisis, and also clarified various aspects of this new theory and its definition. Regarding environment, GCC and its practical ways are more comprehensive attitude, particularly in relation to environmental problems. In addition, it was argued that UN actions, its frameworks and principles are completely in accordance with GCC and green culture approach aims. In doing so, this article proposed the following, so as to contribute to the resolution of solving environmental crisis all over the world:

First, we submit that GCC should be taken into account as a useful and practical theory in political policy of various countries, particularly in legislation, judicial systems and executive systems and even in supranational political policy. In fact, the forms of crimes and harms against environment became more complicated, so politicians and experts will need to develop and work on new approaches and keep themselves up-to-dated.

Second, regarding the UNEP and other actions as provided by UN, GCC has many common points and aims with UN actions in environmental areas. In this regard governments and officials should provide appropriate fields for promoting GCC in international areas and creating atmosphere for adequate mutual cooperation between criminologists and UNO.

Ultimately, all practical ways of GCC such as Green Culture approach, green economic, green justice etc, should be considered and applied in national and international policies, particularly in UNO. All UNO members could provide funding for these types of research studies and apply their results.