

Hello everyone. Welcome to the podcast. Morally Wrong - Lawfully Right. My name is Ville Toivari and with me today, March the second I have Marie Ferran, Laure Boukhelifa, and Robert Schröder.

And with us today we have Pella Thiel. She is a Swedish maverick ecologist and activist who works with relational, systemic activism and change processes and leadership for a society in harmony with nature.

Thank you very much for taking this time and the time to speak to us and tell us a little bit more as well about your work, what you're doing, and your commitment to making our society more in tune with nature. So maybe before we begin, we could start pretty much all introduce ourselves.

So, yes, hi, Thank you for taking the time to speak to me. I used to introduce myself as an activist and that basically that means that I am an activist for a society in harmony with nature, and it means that I'm going to work for that regardless if someone pays me or not, basically. So my academic background is in ecology, and that means that I know quite a lot about the relationships between people and society and the rest of the living world, what we call nature, and if you do that and if you see what's happening in nature, well, I think a lot of ecologists start to become very worried and do something.

So I work basically for policy on different levels to change policy and laws for a better (what we call a) sustainable society, I suppose, and that means that I'm working for rights of nature and to understand that nature has the right to exist, basically, and that this right can be acknowledged in law and specifically for ecocide as an international crime, and I am also active in the transition movement of Sweden.

Okay. Thank you. Yeah, that's really interesting, and we had a look at your work and there is a term that is quite often used, ecocide. Could you maybe explain what ecocide is and where does it come from?

Ecocide, the word means it has the same roots as the economy and ecology and from the oikos or the home, and that is the world we live in, and it means killing our home, and I think it's quite understandable that it resembles genocide, and basically what we are seeing today in the world is a continuous and systematic ecocide.

So large scale damage of ecosystems, and when I use that term, it's often in the context to make it criminal on international level. So we have (what we call) the crimes against peace. So the only criminal law that exists on the international level is regulated by the Rome Statute of the International Criminal Court. So what we are working for is for ecocide to become a crime on the same level as genocide and crimes against humanity and also war crimes.

Yeah, so you must be referring to the project called Faith for Ecocide Law, and as well, we were wondering how did you move from a concept to a policy proposal?

So Faith for Ecocide is an initiative to gather faith communities and faith leaders for ecocide as a crime, that's quite specific. But we are working generally to elevate support and awareness for ecocide law on the international scale, and that is like an idea and a concept that's quite old. It was mentioned by the Swedish Prime Minister on of Parliament in the seventies, for example, and it has recently since well, since as I said, like the idea that the systematic ecocide is becoming more and more visible on the international scale.

And that means that also the need for criminalising that activity has become more urgent, and actually, some parliamentarians from Sweden asked Stop Ecocide International, which is an organisation that I'm also part of, and how would we define ecocide as a crime?

And they put together a panel of legal experts from around the world who made a proposal of how ecocide is a crime within the International Criminal Court would be defined, and they presented a definition in June 2021, and since then the like, the work and the awareness and the discussion internationally around this has become very lively. I don't know if I answer the question.

Yeah, you did. It's interesting to see that their views on ecocide have shifted and that now it's taken more seriously. There are numerous of actors and you have maybe examples? Examples of international maybe person that has used the term ecocide.

Yeah. So, since you mentioned faith for Ecocide Law, one of the first international leaders to speak about this was before it was defined, and that was the pope, and now recently, also, like the bishops of Sweden and the World Council of Churches, have given their support and also people like the U.N. Secretary-General Antonio Guterres and the network, I mean, in your sphere of interest, I suppose, is several businesses and also a network of investors, international corporate governance network who organizes, I mean among their members are like the big movers, the big actors in the field of finance.

They have urged governments to make laws against ecocide, and also if there is no discussions and proposals from, I think now 27 states around the whole world and that number is continually increasing. So it's really remarkable. I've been working for ecocide for like over a decade and it's really remarkable how the support is growing week by week now almost.

Yeah, it is impressive, and I was wondering, because we can see that today, law at the moment is often ignored and put aside by big companies, and that is not really helping a transition to sustainability. How can this law could be a powerful transformational tool in your opinion?

Yeah, so we are working with businesses in Sweden and it's really clear that the rules we have today is not supporting a shift towards sustainability. So companies that work to that have an ambition to be more sustainable, they have to compete with companies who basically don't care.

And that means that the playing field is very unequal. So if we would outlaw projects that are very detrimental, very destructive to ecosystems, that would also support a move across the board around for companies, because nowadays also the business actors, they are working on a global market, but there are no corresponding global governance.

So introducing law that would protect nature on a global scale would be like a transformational, and policy basically, because it would shift the landscape of risk. So today you don't risk I mean, you can risk if you work and could (my English is really very ... I'm sorry) but if you have projects that are potentially destructive for nature, you don't risk very much, you can risk having a fine, for example.

But as a company, you could always take that cost. But if it was a criminal activity to destroy nature, that would introduce a personal liability. So you would personally risk sanctions if you were a decision maker on that level, and we believe that's a very big cost in the landscape, where today you basically have impunity for the decision makers.

Yeah, definitely. No, I do agree with you. So how could then the ecocide law help mitigate the climate change? That we're facing today.

So today, I mean a lot of acts and projects that we know are detrimental to the climate are still not just legal, but we still invest in them. Because they are potentially profitable, and with the law of ecocide, that could be shifted. Also, a lot of things that are threatening the climate is about how we treat ecosystems and actually having protecting the natural world is really necessary. We cannot mitigate climate change without the help of healthy ecosystems. So basically that should be the core priority of society to keep ecosystems healthy and to help them regenerate because the climate isn't something outside of nature. It's actually part of of the living world.

And also, we need to have like that fundamental problem today is that we view humans as outside of nature, and if and basically no of us are built on that fundamental misunderstanding that there is a separation between humans and nature, that nature is something for outside is just a resource for us to use, and we believe that by criminalising ecocide, law would support us to understand ourselves as part of nature instead of something separate.

There must be a paradigm shift in how we see the world today with. To put the humans at the centre of everything.

Exactly, and I think law would like so that the international crimes today in the International Criminal Court, they are like the worst crimes that are so serious that they merit attention from the whole international community, like the gravest crimes. And if you put nature in that framework, that would do something with our understanding of ourselves and the relationship with nature.

Yeah, I do agree. Thank you. I let Robert continue.

Apparently, you work with something called eco psychology, which focuses on the relationship between the psyche and society and the environment. So could you tell us a bit more about that?

Yeah, well, that's also about how we understand ourselves, like we have thought that the psyche and the soul is something that pertains to humans only, and that's the rest of the world is basically stuff matter, things that we can measure and control and dominate and use while eco psychology makes another assumption, and that is the psyche of humans are basically part of a web of relationships where psyche is something that can be found also in the world, within other beings and between ourselves.

So I work with that in the course that it's called, the Earth is the home of the soul. So it's about like coming home to a context where our psyche is part of the psyche of the world.

Yeah. So you mean kind of the collective human psyche has become too distanced from the environment and from where we originally came from and now the mismatch seems to be so big that it isn't really sustainable long term.

It's not sustainable and also it's not true, like we have this idea that the psyche and the mind, the consciousness is something that only humans have, but actually we don't even know like if we ask researches, so what is consciousness? We don't have an answer to that.

Today we are also like, research is also finding that actually consciousness is something that may be inherent in the world and that our consciousness is kind of part of a consciousness that may be all around us. It's just looks differently depending on like who is being conscious of what sort of.

Yeah, I understand where you're coming from that. So if we consider purely that human psyche and, and our view of the environment and of the world, what do you think is kind of the main thing that's wrong in our perception of everything around us? what kind of shift in thinking do you think would be desirable for us to start moving in right direction?

Well. So basically what we have already touched upon that we collectively, so, for example, I mean, even children knows that there are other needs and interests in the world than the human needs and interests that also animals and plants have a will to live and that they have a certain consciousness or like yeah, well, they have needs and interests, but we have to understand that the institutions that we have built.

So our laws, our education, our political system, our economic systems actually don't understand that nature also has needs and interests. So that's like the basic, the very basic level that we have to recognise that actually we were wrong. We have built a lot of things in society on the misunderstanding.

Yeah, during this course, we've examined quite a lot of indigenous ways of viewing nature and environment and so on, so does this kind of draw from that sphere of thinking?

Yeah, definitely so like things that we have to correct as or things that we have to recognise is that I actually like the view of people and nature that we grew up with in the West and society. That's not like the truth, it's just a truth is a perspective and that there are a lot of other perspectives on these things, and then when we understand that, we can start to evaluate it so well, like the perspective that we hold, what does it mean? Where does it lead? And how can we when it when we see that it leads in a in a direction that's actually very dangerous, how can we shift that?

And that doesn't mean that we have to sort of rich and throw away all the things that we have done or that we have learned on the journey, like the journey of the Western society, where we're based on this understanding of the world. We have learned so much and we don't have to kind of cast that aside, but we can build on that and see that. Ok, we have done a lot of things and some of them weren't really helpful or healthy. And when we see that now, what do we do? Like, how can we change? Yeah, something like that.

Yeah. I myself, I'm thinking of this kind of that if you relate this to the ecocide law and and regulation and so on, could it be that this is more of the underlying problem, you know, a some kind of faulty perception of the environment and that our priorities are hugely wrong on the scale and that you know, the law may be able to somehow put a bandaid on the problem, but that it would really need a shift in the collective psyche to actually, you know, shift entirely the direction of where we're going. So how important do you see this part of the process that actually changing attitudes and how people perceive the world compared to and you know, more bureaucratic process of lawmaking and so on.

Yeah, that's a very good question, so to me, that is kind of the aim of what I do is to change those ideas that, we have and the perceptions that we collectively have in society, and I don't see the as like a different priority than changing laws. I see that's the same thing. So that law is not just a band aid, it's a method of changing how we view the world. So for example, Margaret Thatcher, she said that, when she made economic policy, that wasn't her priority, the priority was to change hearts and minds, but through economic policy.

So for me, I want to also change hearts and minds. But through law and I believe that law is very powerful as a method because the laws are, and they have been called the DNA of society, they are kind of our collective deal, the collective rules, how we regulate ourselves in relationship to each other and to the living world. And if there is a huge gap between, like how we would like in a discussion like this, how we would see what's morally right and wrong and what law says is right and wrong, which I think I believe we have. So, when I talked to anyone today, we would agree that it's morally very wrong to conduct large scale damage to the environment. But according to law, it's not wrong. It's legally right and even profitable to do that. As long as there's big gap between what is called like in legal terms is called *Malum in se* or wrong in itself, morally wrong, and *Malum prohibitum* do so wrong according to the law.

When that gap is very wide is becomes difficult for us to move forward basically. So law is about closing that gap saying that well we see that things are happening now that are bad and we can also collectively regulate that, and that means that it is more easy for us to move forward in our mental and our existential understanding of the relationship between humans and nature.

Yeah. That's a very insightful answer actually, that was exactly what I was looking for. Thank you that was really interesting. I love finished my part with asking you that what gives you hope and writes you forward in these things, because when you look around, it seems that things only seem to get bigger by very small increments, and it doesn't for me at least, it's sometimes hard to remain optimistic. So what are things that drive you?

Well, one thing is the inevitability of change, actually that, what we have is and the system that we live in today is so obviously dying, it is falling apart like it cannot hold like this. It's there is a poem. I don't remember who wrote it and where it has the line the centre cannot hold.

And that's what I see around me now. I think that the centre cannot hold so that our societies are falling apart and that's very painful and very turbulent and it's also unnecessary, and when that happens, we can move someplace else. Like we can put our beliefs and hopes in something else and where I'm working, like in the legal sphere, that something is also growing very much so, as I said in the beginning, very confusingly maybe, but this support for ideas like rights of nature and the ecocide law which, very few years ago was really seen as utopian ideas, like crazy ideas. They aren't crazy anymore. People are actually seeing that this needs to happen and that we also can make these changes and to me, that's very helpful.

All right. Well, thank you very much we'll continue with Marie.

As you just said today there is a lot of people that think we have to save the planet to have to act on this subject, but there is still a huge gap between the public opinion that's carried by the planets and then the international laws and organisations. So I was wondering, because you're all at the centre of all this process, what is for you the main obstacle to the adoption of the new law? Because I think ecocide adequate like what is the main thing like this process to happen.

I think maybe it's the lack of awareness, actually, I said it's an old idea, but it's also in a way, it's a new idea. So it's not generally known and there may be a strong opposition, like once it becomes really a tangible proposal, there may be a big opposition from actors who are gaining a lot from the current state of affairs.

We have not seen that yet, and I do believe that it's kind of difficult to be opposed to this idea without coming out as someone who think it would be good if ecocide was illegal. That's not something that you can actually in a credible way say, which is interesting in itself.

So that means that this whole discussion is kind of very revealing, if you would reveal yourself as being opposed to ecocide law well, why would you oppose that? Maybe you would be seen as someone who opposed that. So I do believe the main obstacle is actually as simple as a lack of awareness.

Ok. And so, in your opinion, what will we do to raise awareness about this subject? I mean, that's been raised and been to school within all of our vision of Earth and of sustainability and so on, what would you do to change this awareness?

I would discuss it as you are doing now. I would discuss it with people like me and with as many as you're getting in touch with them and coming back to the issue of hope. Actually, the big hope for me is that young people as yourselves, you are simply not accepting any longer the way that society's dealing with this things like we cannot.

It's too bad, like we can, we have to think forward like the hope, I think, is that so many people are giving up hope on the old system and start thinking, so what is the next step? And so what can we do is to have this discussion and like ask a lot of people like, so what do you think there is this proposal of criminalising ecocide? What do you think about that? And what can you do to make it happen and to really believe in, like the power of your own agency? That's something that I have learned a lot. I'm just a person, but I have taken my agency very seriously. And I think that a lot of people actually can do that when we do, we can change more than we think.

Ok, very interesting, and I have also a question about how you deal with climate sceptical persons like deny the climate change and so on. What do you do to convince people that climate change is a reality and so like people that are in complete denial?

I don't deal with them. I don't go into that, and I think that's one of the beautiful things also about the ecocide law, because at least in Sweden, I don't know how it is in Finland, but in Sweden the climate change is becoming part of a cultural war, really entrenched positions. So I think it's really not useful to start to discuss that issue, start to go into the problem. I don't do that. I just skip that. I go straight to what I think needs to be done to mitigate the climate change and ecocide could be one thing, but there are also other things like seeing, so what can we do?

Basically regardless if we agree on if climate change is a real thing or not. So we need ecocide to become a crime regardless if we believe that climate is changing or not. We need regenerative methods and policies for things like the agriculture or forestry or circular economy or whatnot, regardless if the climate is changing or not. So I just skip the discussion.

Ok, and I have one last question about because you are in the centre of the legal system, which is very slow to change, especially the international one. I was wondering, like according to you, how long do you think it will be before we can see real changes in the law regarding sustainability?

So, I think that, we are already seeing that and I have a lot of hope in, like not just the so for ecocide law basically that's a one or zero thing either we have it or we don't have it, and as I said before, I am struck by how fast this discussion is moving. It used to be like, I was talking about it and nobody had ever known and they thought it was just a fringe utopian ideas and not it didn't merit discussion.

That's not the case anymore. You have to run after this discussion because it's moving so fast. I believe one of the big merits of it is not just the decision to have ecocide as an international crime, but also the whole discussion around it. So the process is as important as the law potentially. So in that sense, maybe it actually doesn't matter so much that it takes time because that time is also needed for actors to start changing, to start just taking the possibility of ecocide becoming a crime on the international level and as a potential thing, they start changing how they do thinks. So it's basically working even if it's not a law yet, it's it's already working.

Ok. I agree with you with the change of mindset and the impact of these discussions. Thank you for all the great thing you said this is very interesting and hope that discussions and maybe a little will happen tomorrow.

Yeah, I'm sure, and thank you so much, happy to meet you, and thank you for engaging with this, this is really helpful and important.

Thank you very much.