

1 Keynote remarks, Kathryn Gwiazdon, 18 October 2021 for the Semana del Clima 2021 ©

2 Healing the Harms: ethics in action for the future of life.

3 Thank you Chair, and thank you to the Grand Lodge of Chile for hosting this engagement – and
4 for recognizing the importance and potential of identifying and highlighting ethics in our climate
5 action. Thank you to the Grand Lodges of Argentina, Colombia, Uruguay, and Paraguay, and to
6 the Women’s Grand Lodges of Chile, Uruguay, and Argentina.

7 Thank you for bringing us together and creating this space for ethical engagement and reflection,
8 so that together we can try to find a better way forward, in the face of our shared, our created
9 existential crisis: climate change.

10 Today I will be talking about Healing the Harms: ethics in action for the future of life.

11 Now, before we begin to talk about the importance of ethics in climate action, it is necessary to
12 look at what we mean by ethics. Ethics is the inquiry into right and wrong behavior and when
13 responsibility attaches. It looks at the values – secular and non-secular – that guide our behavior.
14 And so, climate ethics is the inquiry into right and wrong behavior concerning climate action, and
15 when responsibility attaches.

16 And ethics exists even if the term itself is never used. Ethics is alive in every action – and in every
17 non-action – we take, every statement we make, every amplification of good behavior, and every
18 identification of that which harms us.

19 And to see ethics applied, we can simply look to the program this week – the highlighted
20 discussions that show our concerns, our values:

21 • Today we explicitly discuss ethics – or the values that underlie all of our decisions,
22 whether individuals, organizations, or nation-states and our responsibility to act. Ethics
23 are seen through our agreements, our priorities, our policies, our budgets. Budgets are
24 statements of priorities, and power. For example, if the majority of a nation’s budget is
25 military – and they do not see climate change as a threat to national and global security
26 – what hope do we have to find the resources that we need to act on climate change?
27 Ethics looks at what do we value. And how do we act on those values.

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29 • Tomorrow the conversation turns to indigenous peoples – what are the rights of
30 indigenous peoples? What are the particular harms to indigenous peoples? And what is
31 the responsibility of others, of the power-holders in national and global governance – to
32 listen, to not harm, to recognize their own laws and governance structures, and to draft
33 and enforce laws that honor and protect them?

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35 • Wednesday, we will turn to the foundational issue of human development – this is looking
36 at the systems of good governance that foster human opportunity and capabilities,

37 human well-being, and the common good; as well as identifying the systems of harm that
38 destroy the foundations of life – and the reasons for life (that which motivates us, inspires
39 us, fosters our growth and creativity).

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41 • And then Thursday is gender and equity. Equity is a duty of nations in the climate change
42 agreement – and a duty often ignored. This conversation recognizes that the governance
43 systems that create power imbalances, and the economic systems that create extreme
44 wealth and extreme poverty, are not only not sustainable – they are not just. And perhaps
45 they are not sustainable because they are not just – as justice is foundational to secure
46 societies. This issue also highlights that, as there is unequal power, there is unequal harm
47 – with particular harm going to women, children, indigenous peoples, and racial and
48 religious minorities.

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50 • And there is also particular harm to future generations, and Friday’s conversation will turn
51 to intergenerational equity. It is the duty of present generations to recognize the rights
52 of future generations – they have a right to live in a livable world. We have a duty to listen
53 and learn from our youth, foster their knowledge and creativity, as well as pass on the
54 wisdom from our elders. Every decision we make must consider the people that will come
55 after us. It is our ethical, and legal, duty. And we also have a duty to recognize the rights
56 of nature before us and after us, the memory and evolution of nature, and its right to
57 exist.

58 These discussions on what guides us, what harms us, and who or what is responsible is ethical
59 engagement. This conference is ethics in action – it is ethical engagement.

60 As ethics is engagement on right and wrong behavior, ethics is also the foundation for justice, for
61 the rule of law – for governance structures, government action, and government leaders. Ethics
62 is alive and shown in the people, principles, and institutions which govern us, the representation
63 they give (or do not give), and the decisions they make (or do not make).

64 And my job is to work with local communities, governments, private actors, and global
65 governance bodies to highlight the underlying ethics of their actions, and also to identify harmful
66 behavior – and what actors, institutions, or systems are responsible for that harm.

67 I do this primarily through the Biosphere Ethics Initiative, an international soft law program that
68 seeks to highlight ethics in action and use those underlying ethical principles to advance
69 arguments for law and governance that better protects our human and natural world.

70 We do this through the *Relato* methodology – *Relato* from the Portuguese word “to relate, a
71 story” – that works with local communities to:

72 1. listen to their harms, and their hopes for a better future;

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- 74 2. bear witness to their community programs and projects in harmony with nature – or, their
75 values in action;
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- 77 3. highlight the underlying ethical principles that guide them, sometimes creating “Local
78 Ethics,” so that they can organize and strengthen their arguments for better laws and
79 policies;
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- 81 4. share their stories with other local communities that face great harms – to build
82 connections, share solutions, and let them know that they are not alone; and lastly
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- 84 5. share these stories and these guiding principles to national and global governance bodies
85 to effect national and global changes in law and governance.

86 We listen, we work together, and we share struggles and successes – as only through solidarity
87 can we have hope.

88 And what is most important to know is that no matter where we go – from Cape Town, South
89 Africa to Nova Friburgo, Brazil, from Gangjeong Village, South Korea to Amman, Jordan to Gary,
90 Indiana in the US – the stories of harm and the values for hope are the SAME. This does not show
91 a superficial uniformity or even an empty universality – what is shown is that the powers of harm
92 are wide, and embedded, and common in their approach and who they target. In other words,
93 the life of harm always occurs at the expense of the living.

94 And what is that harm? Harmful government action (or inaction) – harmful governance systems.
95 Their greatest, most consistent harm is the very institution that has the power and duty to
96 protect, to represent, to not harm. Government action, government inaction. A lack of
97 governance, a lack of justice, a lack of democracy – even an absence of government, an absence
98 of justice, and direct attacks on democracy. And this is at the local, national, and international
99 level.

100 We are talking about economic systems created with the intention to create vast inequalities,
101 and at the expense of the most vulnerable humans and nature among us. The intention of
102 capitalism and neo-liberal economics is to create wealth, limitless wealth – but it can only do so
103 by creating poverty and ignoring planetary limits. This is its intention, its framework for action. It
104 lives off of harm.

105 And we are talking about governance systems that thrive on power imbalances – systems rooted
106 in historical and present-day discrimination, racism, sexism, and violence or the threat of
107 violence. Trade and development is governed by the powerful; global negotiations on climate
108 change are governed by the powerful – who have attained their power through harm, predation,
109 and discrimination. This is the principles of colonialism, today.

110 We cannot separate our governance crises from our climate change crisis. After all, who created
111 the systems that caused our climate to change – our forests to burn – our oceans to acidify?

- 112 • We cannot talk about saving endangered species, ocean acidification, biodiversity loss,
113 and habitat loss without talking about trade, development, foreign direct investment,
114 mass illegal fishing, and mass illegal logging.
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- 116 • We cannot talk about saving forests without talking about the targeting and murder of
117 environmental defenders – mostly women – and at the hands of powerful corporations,
118 and alongside governments who do not draft or enforce laws to protect them (as is their
119 duty), governments who are absent, unwilling, uncaring, or corrupt. Governments who
120 sell their resources and the very lives of their people for some personal or political benefit.
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- 122 • We cannot talk about habitat loss without talking about public health. Habitat loss brings
123 humans closer to nature, which will cause more, and more severe, pandemics and
124 zoonotic transfer of diseases.
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- 126 • We cannot talk about protected areas without talking about poverty, hunger, and
127 homelessness – about the people who may live in those areas in harmony with nature, or
128 traditionally fish in those waters.
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- 130 • We cannot talk about desertification, soil depletion, or water scarcity without talking
131 about refugees – people who are in crisis because of the decisions of others; as well as
132 people who prey on those vulnerable people. We must talk about peace. With these
133 climate-induced harms, we must talk about the global rise in extremism and radicalism,
134 national security and global security, and the increased threats to democracy. These
135 issues must be discussed together because they exist together. We are witnessing first-
136 hand the threats to democracy – disinformation and attacks on truth; the denial of
137 information, transparency, voice, and representation; and unequal access to, and
138 application of, the law – that only exacerbate climate harms, and prevent meaningful
139 climate action.
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141 Food security, national security, public health – these are all things our governments already care
142 about – and climate change affects each one.

143 We will not have meaningful, necessary, and urgent climate action until we confront our
144 governance challenges – which is why we do not have meaningful, necessary, and urgent climate
145 action. At the climate change conferences – nobody wants to talk about *how we got here* (well
146 those with power do not want to talk about how we got here). And that is because, more often
147 than not, we are here – at this existential crisis – because of the acts of the powerful. It is because
148 of their decisions, and their underlying values, that we see the harm we see today.

149 So, how can we change the system, how can we hold the power-holders to account?

150 When we speak of climate ethics, we could simply say “ethics.” We need ethics. We need ethical
151 action. We need ethical systems – we need ethical leaders.

152 First, let us look at the foundational ethical – and legal – principles that should be highlighted in
153 any argument for climate action (and please note that these are all inter-related):

154 1. The duty not to harm (no harm principle) – individuals, organizations/industries,
155 governments

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157 a. And with the duty to harm is the principle of responsibility – to hold those who
158 caused the harm accountable. That is justice.

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160 b. If you do harm, heal that harm, and take action to stop or prevent the behavior
161 that caused that harm.

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163 2. The duty to protect (within the social contract between nations and people)

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165 a. And when nations protect, they have a duty to recognize the principle of non-
166 regression – that when they reach a certain level of protection, they cannot move
167 backward.

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169 b. With a particular duty to protect the vulnerable, for if the most vulnerable are
170 protected, we are all protected.

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172 c. Nations have a duty to protect their citizens, but within this duty is the
173 understanding that you cannot protect your citizens if you act in a way that harms
174 others outside your borders. So, within this duty is the recognition of state
175 responsibility to protect others, to protect nature and the foundations of life upon
176 which all humans depend, and to take part in global action to ensure that
177 protection.

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179 d. And also within this related responsibility are common but differentiated
180 responsibilities. We are not all equally responsible for the harms that caused and
181 are causing climate change, and the historic emissions of wealthy nations is, in
182 large part, how they became wealthy. They are a greater contributor to this harm
183 – they bear a greater responsibility to fix it.

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185 e. We cannot deny that our climate crisis is a crisis, an illness, of wealth. The wealthy
186 – individuals and nations – consume more, emit more, and see more of the
187 financial benefits, while feeling less of the harm. This is fundamentally why climate
188 change is an issue of ethics. We, the wealthy, cause the harm – they, the poor,
189 who did not cause the harm – feel it.

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- f. And part of measuring responsibility is also looking at when individuals, corporations, and nations knew that their actions were contributing to the harm. Like with tobacco, like with COVID – corporations and governments are purposefully disinforming the public on the causes and harms and science of climate change, and for decades. They are knowingly causing harm, which bears a greater responsibility.
 - g. But it is also important to note that regardless of any individual, industry, or government’s contribution – because we know what actions cause climate change – every individual, industry, and nation has a responsibility to act on climate change. It is ethically indefensible to say, “well, China or the US is doing nothing, so why should we.” When you have knowledge of harm, you have a duty to act – regardless of other actors.
3. Principles of interconnectedness and interdependence (which requires an interdisciplinary approach to climate action – lawyers, scientists, educators, media, mothers, fathers, youth)
- a. Ultimately, this is about relations, and about our utter dependence on one another and the foundations of life. And we need to say that more – our leaders need to say that more “we are all connected” – “we are utterly dependent on nature.” If our decisions started with those simple truths – think of what would follow.
 - b. For us, when we talk about relations, we talk about *ubuntu*. Ubuntu is an ethical and legal principle from southern Africa that is a worldview, a way of life, and a methodology to address harm through truth and reconciliation.
 - c. Ubuntu means, I am because we are – my identity is wrapped up in your identity. And we have extended that to humans and nature (I am because nature is), as well as the relations between states (a state is only a state through other states).
 - d. Our relations must guide our actions, and they are also at the root of building solidarity – another ethical principle at the root of climate action. We cannot do this – any of this – alone.
4. Connected to our relations and solidarity, connected to our motivations – is the ethical principle of love, and the four loves: biophilia – the love of living things; locophilia – the love of our places; sociophilia – the love of one another, and I believe we also need a little ego-philosophy, for how can we love others if we do not love ourselves? Admittedly, ego when

231 too great can cause great harm. But I speak of love because I cannot speak of love – and
232 what motivates us in our actions. And remember, it is how the Chair opened this entire
233 event this morning.

234 There are also democratic principles that are fundamental duties to any democratic nation – and
235 any global institution – that they must abide by, but unfortunately, and as discussed above, these
236 are under attack and eroding in many nations, and even in global governance organizations:

- 237 1. Truth – in the face of disinformation
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- 239 2. Acting in good faith and for the common good – in the face of corruption, dark money,
240 and hyper-individualism
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- 242 3. Access to information and transparency
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- 244 4. Access to justice and the courts (...and these are all principles of procedural justice, as
245 seen in the Escazu agreement)
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- 247 5. Equality before the law
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- 249 6. Having a voice in decision-making, and choosing your elected leaders and having
250 representation – particularly concerning decisions that affect you.
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- 252 7. The recognition and protection of human rights, civil and political – and the enforcement
253 against violations of those rights. Human right to a healthy environment, to future
254 generations, to a stable climate – our human right to life.

255 There are also specific, powerful ethical principles already embedded within the climate change
256 agreements – that are explicitly required by the agreement – but are too often ignored. These
257 include the principle of equity (fairness) and the precautionary principle.

- 258 1. The agreement requires nations to consider equity in their Nationally Determined
259 Contributions – but few of them do.
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- 261 2. Equity brings into account common but differentiated responsibilities, but also the
262 underlying injustice that the harm is caused here, but the harm is felt there.
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- 264 3. It also requires wealthy nations to finance climate mitigation and adaptation measures in
265 developing nations – but this is limited, or voluntary.
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- 267 4. Equity also requires that those who attained wealth from historical emissions, pay for
268 those historical emissions – and although this is raised at every COP, there is never any
269 action. This is an act of unfairness, of injustice.

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5. The precautionary principle demands that nations act on climate change even in the face of scientific uncertainty. But what is interesting here is that the science is clear on climate change, the cause of the harm is clear, yet nations still use uncertainty as a reason not to act, or act strongly enough. This is ethically and legally indefensible.
 - a. One – they have already agreed to act in the face of uncertainty.
 - b. Two – they have an ethical and legal responsibility to not lie, to not disinform. They all have access to the science, and have a duty to act on it.

These ethical principles are the foundation of democracy, the rule of law, and just governance systems. In other words, they already exist under our current understanding of law and governance and what is required of nations. We have not been brought to this crisis because of a lack of ethical principles to guide us – but because of a lack of ethical leaders to lead us.

Climate change – climate action – is ultimately an issue of power, and in state and global governance, the nation is undoubtedly the power-holder. The government decides what developments occur where. How much water or soil or land – and where – can be poisoned. What laws will be drafted – what laws will be enforced. Governments quite literally decides who lives and who dies – and with emissions, even to people outside their borders.

1. Today, we see climate change action stop under the banner of nationalism.
2. We see climate change action stop – or be manipulated, weakened, or corrupted – at global negotiations, where one or two nations have more power than the G77, now at 134 nations.
3. We see how systems of colonialization are still in place today, where the voices of some are valued more than the voices of others.
4. We see how state action/inaction harms other states, violating their duty not to harm – and with no consequence.
5. We see how states multiply harms to those outside their borders by first causing harm and then denying aid, building walls, or refusing refugees – and with no consequence.
6. We see states – and even environmental organizations – adopt the language and methodology of the economic and governance systems of harm that have brought us to these crises. Carbon trading – carbon markets, this is nothing more than a system to allow the polluters to pollute, to allow the wealthy to not change their harmful behavior. A forest is a forest – not a carbon sink. We cannot lose the language that motivates us.

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310 7. We see power without wisdom – how states deny science, act without precaution or even
311 knowingly harm their citizens and neighbors – and with no consequence.
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313 8. We see how issues of governance, leadership, justice are directly linked to issues of
314 conservation.
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316 9. We see how states look global youth movements in the eye – laud them, applaud them,
317 and ignore them. Pretty words need to be followed with powerful action.
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319 10. We see how states fail to use their power for good – to acknowledge and confront the
320 existential crises we face, and to act with the seriousness and urgency it demands.
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322 11. And we see teenagers, and indigenous peoples, community leaders, and women, with
323 more courage than the most powerful global leaders in the world.

324 And it is because of that last point – courage – that I have hope. I have the courage to care and I
325 know that each of you do, too. But I have real concerns about climate action at the global stage,
326 and in this current methodology – where we expect the nations who have caused this harm to
327 determine the path to fix it.

328 The UN, and other international bodies, must have the courage to look within, recognize that
329 what they are doing is not working, and strengthen their *structures* to ensure good governance.
330 Perhaps instead of going to those who caused the problems for solutions – go to those who did
331 not cause the problems, and listen. Go to indigenous peoples, go to developing nations, go to
332 matriarchies and women-led communities, and small island nations.

333 And nations are the same – they may have all of the right laws in the books, but if one hostile
334 administration comes in, we quickly see how political will can trump the rule of law. Nations must
335 look within, recognize that what they are doing is not working, and strengthen their *structures* to
336 ensure good governance. Go to the affected communities, the ignored people, the racial and
337 ethnic and religious minorities – go to those who have been made vulnerable by these harmful
338 economic and governance systems and look explicitly for ways to empower them and foster their
339 human capabilities.

340 And nations and global bodies alike need to draft or strengthen their anti-corruption principles;
341 advance the principle of non-regression; recognize the reality of state global responsibility and
342 their relations with one another; and include enforcement mechanisms in all climate action. They
343 need to raise the seriousness of the harms to the criminal level – of disinformation, inaction, and
344 harm. They need to use international shame and use related treaty agreements, or even free
345 trade areas, to move action. States should not receive the benefits of the community of nations
346 if they harm the community of nations. And they need to strengthen and expand rights – but also
347 duties – their duty to protect; their duty not to harm.

348 Ethical engagement creates the space for the most important issues that we face – and climate
349 change is our shared, our created, existential crisis. Only through the honest recognition of the
350 harms, of the injustice, and of who is responsible, can we hope to not only see a path ahead, but
351 live a path ahead – and one that honors the human condition and the good that we can be.

352 Ultimately, we cannot turn away in the face of such harm. We cannot turn away in the face of
353 such injustice. And the longer we wait, the less ability we have to respond. We have an ethical
354 duty to act, as individuals, as organizations, as nations – through us, with us, alongside us – for
355 those we do not know, for those we do not see – for the humans and nature who have no voice,
356 who have no strength – for the humans and nature that came before us and that will come after.
357 For the future of life, our harmed communities must now find a way to stop that harm – and
358 ethics can help guide us.

359 I wish you truth and courage in the days ahead, in the years ahead. I wish you care and
360 community.

361 Thank you.