



From Meaning to Ecocide: The Value of Phenomenology for Green Criminology

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Abstract

The planetary crisis that we face today is not only a result of human-induced environmental degradation, but also of a deep crisis of meaning and value in human existence. In consequence, this article will demonstrate the value of phenomenology towards the existential paradigm within green criminology and its importance to overcome a lived experience that is opposed to the planet's ecological balance. The article will present Martin Heidegger's phenomenology through his conception of 'being-here', which elaborates on the modes of unreflective and unselfconsciousness of everyday existence. This will then be developed into the theory of being-towards-ecocide that is concerned with the meaning of the individual's encounter with ecocide. Finally, the value of phenomenology as a conceptual tool for the analysis of green crimes and harms will be outlined as a necessary shift towards transcending ecocide and for an existential, theoretical, and systematic construction for the world of everyday life.

Green Criminology

The planetary crisis that we face today is not only a result of human-induced environmental degradation, but also of a deep crisis of meaning and value in human existence. As the biosphere's resilience is collapsing and humanity is pushed further into an unsafe zone of operation, humanity faces the prospect of a futureless world with respect to human life, resulting in 'ontological insecurity', which is 'the loss of feeling of place in the world' (Smith & Brisman, 2021: 293). Ontological insecurity denotes the unstable self-identity that is a consequence of the existential disruption of an individual's certainty, security, and safety, caused by a lived experience that is opposed to the planet's ecological balance (Goyes, 2019). This lived experience, which I shall refer to as the meaning of the individual's encounter with ecocide, is the core of phenomenological value as a conceptual tool for the analysis of green harms and crimes, and for green criminology more broadly.

Researchers of green criminology have undertaken a rigorous analysis to develop diverse perspectives and theoretical frameworks that can explain this encounter (or lack thereof). For example, Brisman & South (2014), situated within the context of *green*

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cultural criminology, have argued that the habituality of everyday life serves as a material lived ideology, in which our damaging levels of consumption are both conscious and unconscious behaviour. The ability to cause environmental harm unconsciously, also known as ‘everyday ecocide’, demonstrates the dissociation of the individual’s relation to nature, thereby undermining an environmental ethic and promoting the passive acceptance of environmental damage (Brisman & South, 2014; Jones et al., 2020).

Goyes et al. (2021), situated within the context of *southern green cultural criminology*, demonstrates the significance of indigenous environmental ontologies for the meaning of human experience and nature. Where the Western worldview is contingent on the exploitation of nature, anthropocentrism, and false technocratic beliefs, most indigenous worldviews promote harmonious ways of living with nature and embody an holistic system in which the well-being of humanity is intricately linked to the well-being of the non-human world (Goyes et al., 2021; Kohn, 2013; White, 2021). Apaza Huanca (2019), for instance, highlights the epistemology of the Aymara culture and the non-existence of the term ‘environment’ within their native language.

In closest resemblance, the term *Pachamama*, otherwise known as ‘sacred Mother Earth’, embeds a biocentric perspective and refers to a living entity that coexists with different dimensions and worlds inside *pacha* (space–time), which resembles time as a loop or a spiral, rather than the linear experience of time that dominates the Western world (Apaza Huanca, 2019). Moreover, the indigenous principle of *Sumak Kawsay* or ‘Good Living’ epitomises a public coexistence with *pachamama*, containing a deep ethical, reciprocal, and spiritual experience with and within the world. The legal recognition of *Sumak Kawsay* in the Ecuadorian Constitution demonstrates that nature is a subject of rights, rather than an object of exploitation (Berros, 2015). The meaning of human experience and nature can thus provide cultural frameworks that enhance ecological justice and the practices of green criminology.

Green criminology thrives in its intellectual diversity and sets the foundation for exploring the complexity of environmental harms, many of which achieve invisibility in the forefront of everyday experience. According to the Slovakian green criminologist Pečar (1981), environmental degradation results from carelessness, ignorance, and unenlightenment that stems from the social products of our daily life and the inappropriate handling of nature. Pečar, in consequence, proposes that we must recognise that our most dangerous enemy is misunderstanding. Before elaborating, I shall add that my proposal for the value of phenomenology for green criminology aims to further the zemiological turn analysing the normalisation of mass harms (Davis and White, 2022; Rothe and Kauzlarich, 2022).

The leading figures of the zemiological turn recognise that the ontological bases of harm contains a conceptual flexibility (Canning and Tombs, 2021; Hillyard et al., 2004; Hillyard and Tombs, 2007). This suggests that the concept of harm is not confined to a specific analytical perspective, but rather an area that enables us to thematically engage, and more importantly, challenge, the criteria of harm and non-harm. The perception of non-harm is equally crucial to our perception of harm because the cultural knowledge of non-harm corresponds to a routine exposure to environmental harm, which reinforces the material lived ideology of everyday ecocide (Brisman & South, 2014; Jones et al., 2020; Schiebinger, 2005).

The notion of harm, therefore, is an evolving concept that reflects the diverse and contested aspects of our individual and collective lived experience. While harm, like crime, is a socially constructed process, it retains a substantially broader theoretical and imaginative scope, which enables zemiologists to challenge presupposed understandings, attitudes, perceptions, and experiences that might otherwise be neglected (Hillyard and Tombs, 2007).

It is, therefore, necessary to examine beyond the occurrence of an environmental harm, and critique the world visions and ethics with which it exists. In this article, I shall situate the phenomenological value for green criminology within the zemiological turn and argue that the meaning of the individual's encounter with ecocide is the most fundamental level of causation for the planetary crisis.

In what follows, this article will contribute to this expansion by identifying a phenomenological value for green criminology that seeks to appropriate fundamental ontology with the analysis of environmental and ecological crimes and harms. *Ontology* is the study of what exists, the way in which existing things exist, and how best to classify and codify existing things, although it is sometimes used erroneously to imply a particular mode of existence—most often 'objective' or 'found in nature' (McGregor 2021). *Fundamental ontology* is derived from Heidegger's (1927: §4: 32) hermeneutic phenomenology, which I will discuss in the next two sections, and refers to 'theoretical inquiry which is explicitly devoted to the meaning of entities'. Where ontology is primarily concerned with the way in which existing things exist, fundamental ontology is primarily concerned with the meaning of existing things. In being concerned with the meaning of existing things, fundamental ontology therefore operates within a phenomenological register.

Phenomenology is concerned with returning to basic philosophical views of the world, which is associated with the maxim of traditional phenomenology—'we must go back to the things themselves' (Husserl 1900: 168). My purpose in sketching a phenomenological approach to green criminology is threefold, to: (1) utilise a phenomenological approach to personal and public levels of environmental and ecological crimes and harms; (2) expand on the intellectual diversity of green criminology; and (3) place the ethical responsibility for the contemporary environmental catastrophe on the meaning of the individual's lived experience. The complexity of individual lived experience is currently deeply tied to our conceptually colonised (predetermined paradigms of epistemic values) ways of viewing and destroying the world (Albrecht, 2019; Kohn, 2013; Mills 1959). As such, the approach can be utilised for analysing criminality and harmfulness in terms of intentionality, intersubjectivity, and lived experience. The approach also provides significant value for green criminological research by virtue of the ethical and existential application to what zemiologists refer to as the causation, reproduction, and legitimisation of environmental harm and crime (Barton and Davis, 2018; Presser, 2013).

First, in providing critiques of the private and public levels of environmental harms and crimes, the phenomenological approach in green criminology seeks to elucidate the taken-for-granted attitudes and modes of being that shape the normalisation of those harms. This elucidation ranges from the identification of the meaning of human existence as a cause of environmental and ecological harm, the role of the sense of temporality in the disconnection from environmental catastrophe, and the connectedness of place and flight from death in climate change denial. As such, a phenomenological approach in green criminology is focused on both lived experience and the meaning of lived experience.

Second, a phenomenological approach in green criminology seeks to extend the existential domain within green criminology, as developed by prominent researchers (see Goyes et al., 2021; Lampkin 2020; Mayer 2021; McClanahan 2020). This extension is important because the existential grounding of our understanding is crucial to the process of social construction that determines what is (and is not) regarded as an environmental crime or harm. A phenomenological approach in green criminology is, therefore, an invitation to green criminologists to subject the way in which environmental crimes and harms are constructed to deeper scrutiny. This scrutiny would not be restricted to my appropriation of Heidegger's hermeneutic phenomenology, but would include other approaches, such as

eco-phenomenology (Küle 2018), transcendental phenomenology (Husserl 1900, 1901), and ethical phenomenology (Levinas 1961).

Finally, a phenomenological approach in green criminology places ethical responsibility on the meaning of one's lived experience. In this framework, priority is accorded to the relationship between the meaning attributed to the individual's lived experience and the ongoing destruction and disengagement with the Earth. Central to this relationship is the concept (or, more accurately, the lack of such a concept) for the everyday experiences that we take for granted and upon which we standardly fail to reflect. The essence of such self-evident concepts is the starting point for phenomenology and the starting point of the hermeneutic phenomenology I explore in the next two sections. To place ethical responsibility on the meaning of one's own encounter with environmental catastrophe is to extract value from intentionality, intersubjectivity, and lived experience.

I return to the question of the value of a phenomenological approach in green criminology for green criminology, and the social sciences more generally in the final section of this article, but it is worth stating at the outset that inquiry into the meaning of the individual's encounter with environmental catastrophe is more relevant today than at any preceding time. We are in the age of *ecocide*, which is understood in White's (2018: 22) terms as the global destruction of Earth's ability to support human and non-human life, or 'genocide through "geocide"'. Ecocide is occurring in the form of mass habitat destruction, severe impacts on the well-being of many human and non-human animals, increasing species extinction, and the diminishing of future life on Earth (Albrecht 2019; Barnosky et al. 2011; Broswimmer 2002; Higgins et al. 2013).

Ecocide and the meaning of the individual's encounter (or, more accurately, the lack of such an encounter) with ecocide is the basis of a phenomenological approach in green criminology. The remainder of this article proceeds as follows. First, I introduce Heidegger's hermeneutic phenomenology and explain the significance of his conception of being-here. Second, I explain the significance of Heidegger's conception of being towards death, the third of the three modes in which being-here exists. Third, I extend and develop being towards death into the concept of being-towards-ecocide, which is the linchpin of a phenomenological approach in green criminology. Finally, as noted above, I argue for the widespread value of the concept.

Hermeneutic Phenomenology

Phenomenology had been a part of philosophy for centuries, but the discipline in its contemporary form was inaugurated by Husserl (1900, 1901) with *Logical Investigations*. Husserl focused phenomenology on intentionality, which was to be researched from a first-person point of view. One of the core principles of Husserl's phenomenology was that human beings could not gain direct access to objective reality, which is why the discipline took the structure of conscious experience as its subject. Heidegger (1927), who had been Husserl's research assistant, turned phenomenology from the structure of conscious experience to the meaning of conscious experience—specifically the meaning of being (to which I return below)—which he explored in his magnum opus, *Being and Time* (McGregor, 2023). The original text was produced in German and I shall use its English translation while referring to the original terms.

For Heidegger, understanding is a mode of being and the meaning of being is revealed in the hermeneutic process of self-interpretation. Hermeneutics is the study of interpretation,

which involves progression through distinct stages, circles, or spirals. Heidegger's hermeneutic phenomenology is thus distinguished from its predecessors by his concepts always having at least three distinct levels of meaning. Richardson (1986) refers to these as the everyday, the epistemological, and the phenomenological and while there is a sense in which this is accurate, 'phenomenological' does not connote the extent to which the third level is intersubjective. I shall, in consequence, describe the levels as the everyday, the phenomenological, and the ethnological. The threefold layering is evident in *Being and Time*, which is split into two parts—Division I and Division II—but in which Division II is itself split so as to divide the monograph into three parts: the everyday (Division I, Chapters 1–6), the phenomenological (Division II, Chapters 1–3), and the ethnological (Division II, Chapters 4–6). I begin with the focus of Heidegger's study, 'being'.¹

At the everyday level, *being* denotes its standard meaning of existing in relation to a place or condition. At the phenomenological level, it denotes a combination of intelligibility and possibility. Intelligibility refers to that which is understandable and possibility refers to that which is possible, but not yet actual. At the ethnological level, it denotes a combination of intelligibility and possibility that is rooted in a particular spatiotemporality (Heidegger 1927, §1: 22–23; Mulhall 1990). The ethnological meaning is the sense in which intelligibility and possibility are rooted in a particular culture and thus intersubjective. Heidegger's project in *Being and Time* is to reveal the meaning of being by means of self-interpretative progression through its everyday, phenomenological, and ethnological significations. Heidegger is often accused of coining neologisms unnecessarily—most famously by Adorno (1964)—but he was attempting to provide a rigorous description of the experiential structures of awareness and understanding that facilitate intentionality and agency and for which existing language is strikingly lacking.

There are three modes of being: *present-at-hand* ('Vorhandenem'), for substances, which are things that exist independently of any use or function (Heidegger 1927, §9: 68 fn.1); *ready-to-hand* ('Zuhandenheit') for equipment, which applies to entities that have been assigned a certain use or function (Heidegger 1927 §15: 98); and *being-here* ('Dasein') (Heidegger 1927, §4: 32).² Everyday being-here can be thought of as simply human being. Being-here has a unique relation to being, but this relation is contingent rather than necessary as Heidegger does not rule out the possibility of non-human animals or extraterrestrial life having an identical relation. In consequence, everyday being-here is more accurately described as agency or selfhood (Wheeler 2005). 'Being-here' initially appears unnecessarily convoluted, an example of the jargon Adorno rejected. Division II of *Being and Time*, however, reveals that being is always related to time.

Being-here exists in a shared temporality, in consequence of which individual identities are most obviously distinguished by the discrete space they occupy at any one time. At the phenomenological level, being-here replaces the subject (Cartesian or otherwise) as the entity that is both the agent and the object of the search for understanding. The self-understanding that being-here achieves in this way is called *existentiell* ('existenziell') and can

¹ There is no need to use 'Being' instead of 'being' for Heidegger's conception of the noun. Although John Macquarrie and Edward Robinson's 1962 translation of *Being and Time* is the most faithful of the English translations to the original German and established the convention, their use of the capital is misleading.

² The literal translation of Dasein is 'being-there'. While most English translators of Heidegger retain the German original, my preference is to translate all of his terms for the sake of clarity. 'Being there' draws attention to both the temporality and spatiality of agency, as we discuss below, but as Heidegger is concerned with the being of the self rather than the other, 'being-here' is a more accurate (albeit less literal) translation.

be described as being-here's essential tendency to press forward into possibilities or project itself (Heidegger 1927, §4: 33 fn.2). Finally, ethnological being-here is the entity that is both the agent and the object of the search for understanding as it exists in Heidegger's particular conception of 'world'.

At the everyday level, *world* ('Welt') is simply the physical world in which agency exists, which is sometimes referred to as the universe to distinguish this level from the other two (Heidegger §4: 33 fn.3; Wheeler 2005). At the phenomenological level, world replaces object as the spatiotemporal reality within which being-here presses forward into possibilities and projects itself. At the ethnological level, world is the system of assignments of intersubjective meaning within which being-here presses forward into possibilities and projects itself. The ontological structure of being-here is called *care* ('Sorge') and it is important to note that 'care' is used in its denotation of feeling uneasy or troubled rather than feeling concerned (Heidegger 1927, §12: 84 fn.1). Care is essentially and crucially temporal, a unique unity of past, present, and future as follows: *thrownness* ('Geworfenheit'), meaning that we have been thrown into a world which is not of our own creation (Heidegger 1927, §29: 174 fn.1); *being-in-the-world* ('In-der-Welt-sein'), which replaces the traditional subject-object distinction and denotes being-here's intentional and practical coping of the spatiotemporal reality within which it exists (Heidegger 1927, §29: 176 fn.1; Dreyfus 1991); and *for-the-sake-of-which* ('Worum-willen'), the end of the teleological chain of assignments of meaning towards which being-here presses into possibilities and projects itself (Heidegger 1927, §18: 119).

Being-here, however, is ultimately thrown into a system in which meaning has been assigned and within which it must create its own teleology.

There is one more element of Heidegger's analytic of being-here, which I have left until last because it provides a bridge between Division I and the first part of Division II of *Being and Time* and because it introduces my substantive concern with his hermeneutic phenomenology, which is the three modes of being-here: everydayness, theoretical attitude, and authenticity. *Everydayness* ('Alltäglichkeit') is the background understanding that is a necessary condition for the possibility of our everyday experience (Heidegger 1927, §9: 69 fn.2). Everydayness is characterised by *falling* ('Verfallen'), which denotes setting about an activity, i.e. falling to work, rather than the literal or metaphorical movement from a high position to a lower one (Heidegger 1927, §29: 172).³ The *theoretical attitude* ('Überlegung' or 'circumspective deliberation') examines an entity as an object rather than as equipment and is typical of the kind of scrutiny to which scientists and artists subject the determinate and isolable entities with which they work (Heidegger 1927, §69: 410; McManus 2012). *Authenticity* ('Eigentlichkeit') is the recognition of the essential temporality of being-here and the essential lack of grounding of the for-the-sake-of-which (Heidegger 1927, §63: 361 fn.1), which I discuss in detail in the next section. Most people spend most of their lives in everydayness, but everyone has the capacity for all three modes of being-here and being-here is capable of switching among the modes as it pursues projects of its own design (Baldwin 2007). It is this particular conception of 'authenticity'—as opposed to those that preceded and succeeded it—with which I am concerned here (see, for example, Kierkegaard 1843; Beauvoir 1944; Sartre 1952; Fanon 1952).

³ Though Heidegger (1927, §38) is explicit that 'falling' is not a pejorative term, there is a strong sense in which he quite clearly believes that we should be living authentically rather than inauthentically.

Being Towards Death

As revealed in care (the ontological structure of being-here), the ontological basis of human agency is temporality. Being-here cannot escape its temporality and moves inexorably towards its own end at an uncertain point in the future. There are three distinct types of death in Heidegger, two of which are relevant to being-here: perishing, demise, and dying. *Perish* ('Verenden') denotes the biological expiration or termination of living organisms other than being-here (Heidegger 1927, §47: 284). Being-here expires or suffers termination and has an awareness of its own finitude and the limits that this finitude places on its possibilities and projects. As such, being-here does not perish but ends with *demise* ('Ableben') (Heidegger 1927, §49: 291 fn.1). Demise is not only the culmination and expiration of being-here's individual possibilities, but is unique to each being-here, distinguishing self from other and shaping individual selfhood (Heidegger 1927, §50: 295). Demise determines selfhood because it is the only feature of being-here that is both unique and necessary: while one can sacrifice one's life for another, such a sacrifice can only ever delay the other's demise, not substitute their demise for one's own, i.e. one can only die *in the place of* another not *for* another (Heidegger 1927, §47: 284). *Dying* ('sterben', from 'stirbt') is not the event of one's demise, but a particular comportment, attitude, or 'way of Being' towards that demise (Heidegger 1927, §51: 297 fn.1 & §49: 291; Carel 2006). Paradoxically, therefore, dying is actually a way of living for Heidegger—living towards one's demise, which is synonymous with *being towards death* ('*Sein zum Tode*'), the everyday level of authenticity (Heidegger 1927, §45: 277).

Being towards death induces fear (of demise) and *anxiety* ('Angst') (Heidegger 1927, §39: 227 fn.1). Anxiety has three causes: the ungroundedness or contingency of our for-the-sake-of-which, which we deny in guilt (Heidegger 1927, §58: 327–328); choice, which Heidegger does not explore in detail (Heidegger 1927, §40: 232–233); and the peculiar combination of certainty (we all die) and uncertainty (we almost never know when) in demise, which I refer to as *being-ever-at-the-point-of-death* (Sheehan 2011). As this three-fold description of anxiety suggests, it is an uncanny, distressing, and even dreadful experience that being-here typically avoids by adopting its everyday mode (Millie, 2017).

Recall that falling denotes absorption in the various activities that constitute one's projects and flight from the anxiety that accompanies the authentic mode of being. Falling being-here belongs to *the one* ('Das Man'), which is the collectivity of being-heres existing in relational possibilities with one another such that one can be substituted for another (Heidegger 1927, IV: 149 fn.1; Dreyfus 1991: xi).⁴ Falling is flight from anxiety and because anxiety is caused by being towards death, which is what individuates selfhood from otherness, falling is also conformity to collective norms, an avoidance of acknowledging one's freedom of choice. *Freedom towards death* is '*freedom which has been released from the Illusions of the "they" [the one], and which is factual, certain of itself, and anxious*' (Heidegger 1927, §53: 311). In individualising being-there by wrenching it away from the one, freedom towards death transforms it existentially to '*authentic*

⁴ I prefer Dreyfus' (1991: xi) translation of 'Das Man' as 'the one' rather than Macquarrie and Robinson's (IV: 149 fn.1) 'the "they"' on the basis of Dreyfus' own rationale. *The they* suggests a group to which being-here does not belong, i.e. the totality of being-there(s) in our terminology. Heidegger is, however, clear that being-here is both distinct from and a part of Das Man, in consequence of which *the one* is more accurate.

Being-one's-Self' (Heidegger 1927, §54: 313). *Being-one's-self* is the phenomenological level of authenticity.

Being-one's-self is being towards the possibility of impossibility (being-here's ownmost demise), which is called anticipation ('*Vorlaufen*') (Heidegger 1927, §5: 306 fn.3). Being-one's-self requires resoluteness ('*Entschlossenheit*'), disclosure of the situation—being-here's ownmost potentiality for being—which is projected onto distinct and discrete factual possibilities (Heidegger 1927, §54: 314 fn.2). Resolute being-here accepts that it is being-ever-at-the-point-of-death, does not look to the one for guidance, and seeks an appropriate response to its unique situation. The ethnological level of authenticity is thus *anticipatory resoluteness* ('*vorlaufende Entschlossenheit*'), which can be understood as acceptance of the arbitrariness of choice while nonetheless retaining commitment to the for-the-sake-of-which in the face of being-ever-at-the-point-of-death (Heidegger 1927, §61: 352 fn.2).

As such, death is the end of being-here in both denotations of the term: the (temporal) limit in duration of being-here (demise) and the aim or purpose of being-here because authentic being-here is always already aware of the significance of its own impossibility in the possibilities towards which it projects itself (dying). Heidegger maintained that anticipatory resoluteness was accompanied by a 'sober anxiety' that enabled being-here to accept its ownmost potentiality and an 'unshakeable joy' in the possibility of authentic existence (Heidegger 1927, §62: 358). Given the intersubjective character of the ethnological level, one might expect some kind of shared satisfaction in anticipatory resoluteness, but Heidegger's phenomenology is almost solipsistic in its egoism, a point to which I return in the final section.

As noted in the previous section, Heidegger is explicit that the fall from the authentic mode of being-here is not an ethical fall—it is not, of course, a *fall from* anything, but a *fall to* activity and distraction from demise. He furthermore offers no rationale for adopting the authentic mode of being-here except for an epistemic one, i.e. that authenticity discloses the reality of being-here. Imagine, however, that after reading *Being and Time* several times over and fully grasping hermeneutic phenomenology in all its complexity I, the author, decide I would rather live in falling everydayness than anticipatory resoluteness because the former will be more pleasurable and less depressing than the latter (sober anxiety and unshakeable joy notwithstanding). Heidegger clearly believes that we ought to live authentically—or at least aspire to authenticity—but his phenomenology is descriptive rather than prescriptive.

In keeping with the focus of *Being and Time* on the self rather than the other or the relation between self and other, there is very little discussion of ethics. When Heidegger (1927, §59) does mention morality, it is to state that the ontology of being-here is a precursor to both ethics and value theory. He goes on to clarify that authenticity in all of its instantiations (being towards death, being-one's-self, and anticipatory resoluteness) has no 'positive content', i.e. does not and cannot provide a guide to ethical agency or action (Heidegger 1927, §59: 340). This is in spite of his use of care, falling, and guilt—discussed above—as well as terms such as 'conscience' and 'call of conscience', which I have omitted to avoid ambiguity (Heidegger 1927: §45: 277 & §56: 319).

The question of whether Heidegger's ontology of being-here is indeed premoral is debatable and one of his students, Levinas (1961), argued that ethics in fact preceded ontology as philosophy. The more pressing problem is that authenticity is an explicitly amoral concept, in consequence of which the authentic mode of being-here can motivate almost any action. Heidegger's own life is exemplary in this regard. He was a longstanding member of the National Socialist German Workers' Party (NSDAP), joining when Adolf Hitler

assumed power in 1933 and remaining loyal until 1945, when he served in the *Volkssturm* (NSDAP Home Guard) (Safranski 1994). In addition, he never expressed either regret or remorse for his support of the NSDAP, notoriously compared the German genocide to mechanised agriculture, and was proscribed from lecturing until 1951 (Heidegger 1947, 1954).

The posthumous publication of Heidegger's (2014a, 2014b) *Black Notebooks* reveals a deep-seated anti-Semitism, in spite of his affair with Hannah Arendt (who was also one of his students) and it is easy to reconcile the ethnological level of his phenomenology with a vision of the superiority of German culture and civilisation compatible with NSDAP politics. The dilemma here is twofold. First, I want to appropriate a concept whose normativity is in question for explicitly normative ends. As noted above, there is ample evidence that Heidegger regarded authenticity as preferable to everydayness, even if he failed to provide a rationale for the hierarchy of the three modes of being-here. I shall, in consequence, take authenticity as a normative concept while recognising its supervenience on the descriptive analytic of being-here. Second and much more serious, I must ensure that my appropriation of authenticity is not lacking in content and not open to either amoral or immoral implementations.

Being-Towards-Ecocide

Ecocide threatens our contemporary ways of ordering existence (Abram 2010; Black & Cherrington 2021; Chakrabarty 2018; Guattari 2014; Klein 2014; Scranton, 2015). According to Duffy et al. (2021), the terrestrial biosphere (the Earth's land vegetation, soil, and capacity for natural carbon sequestration) is heading towards temperature tipping points within the next 20–30 years. On this trajectory, the terrestrial carbon sink, which holds up to a quarter of the world's anthropogenic greenhouse gas emissions, will decrease by 50%, furthering land degradation and weakening natural mitigation processes of the increasing global surface temperature (Prävälje 2021; Duffy et al. 2021). The changes in aridity (the degree of dryness of a climate through the absence, imbalance, or insufficiency of rain) caused by anthropogenic climate change can now be understood on a global scale as affecting 45% of the Earth's terrestrial area (66.7 million km²) (Duffy et al. 2021). The implications for the Earth's global arable land of 7.8 million km² are decreases in global agricultural production and food security (Prävälje 2021). According to Borrelli et al. (2017), global soil erosion is now occurring at an estimated 75 billion tonnes per year, exceeding that which can be restored in human time scales. Desertification (degraded soil fertility to the extent that land can no longer support vegetation) continues to be amplified by anthropogenic climate change and is predicted to affect a growing number of populations relative to the increasing global surface temperature (IPCC 2021). The Intergovernmental Panel on Climate Change (IPCC) (2021) further demonstrates that soil erosion is 100 times faster than soil formation which, to paraphrase Wallander (2014), will challenge the fundamental basis of human existence alongside all land-based ecosystems (see also: European Commission Joint Research Centre 2018). We are already living in a time of definitively catastrophic measures. If left unchecked, planetary degradation will destabilise the conditions for flourishing human existence.

On the nature of existence, Heidegger (1927) explores two levels of inquiry: the ontic (a term he uses for the standard use of 'ontology' as defined in the first section) and the ontological (fundamental ontology; the meaning rather than the mode of existence).

The distinction is not only important in understanding that the latter constitutes the former, but also that the ontical priority is an unreflective questioning of existence that ignores reflection on the meaning of being (Heidegger 1927, §3). The contrast between the ontic and the ontological—i.e. the *ontological difference*—demonstrates that ontical inquiry actually presupposes being-here without reflecting on or even acknowledging its existence (see Heidegger 1927, §77). Ontological research, when appropriately used, precedes the varieties of ontologies that are founded on pre-existing understandings of being and questions the existential conditions that are produced in advance of any analytical inquiry. Thus, it recognises the meaning with which we apply to ourselves and the world is relative to hermeneutical (self-interpreting) state of being that is prior to the act of understanding itself (Heidegger, 1927, §4).

Most green criminology, like most criminology and most social science, is concerned with the ontic rather than the ontological level (McGregor, 2023). The focus on ontical ecocide ignores the way in which the ontological presupposes the ontic and the fact that ontological ecocide is constitutive of ontical ecocide. The relation between the two is therefore inextricably tied by a conditioned existence; ontical ecocide will correspond to the changing intelligibility of ontological ecocide, but it will always remain behind. In consequence, the traditional approach does not address the most fundamental level at which ecocide takes place, which is that of unreflective and unselfconscious everyday being-here. To surmount this problem, I propose the concept of *being-towards-ecocide*.

Being-towards-ecocide is the foundational existential priority of planetary degradation: an explicit way of existing that requires a re-attunement of the self and the complete overhaul of the individual human experience with respect to the annihilation of our species and the earth from which we ultimately derive (see, for relevance, Heidegger 1927, §71). The ‘being-towards’ of being-towards-ecocide is to be firstly understood as ‘concerning ourselves with its actualisation’ and should not be mistaken for mere thematic concern or reflection on its possibility; the term denotes, rather, the ‘anticipation’ of the actualisation (Heidegger 1927, §53: 305). From our concern of actualisation, we can concur that the true totality of ecocide—the global destruction of Earth’s ability to support human and non-human life—cannot be easily comprehended or imagined, despite our consistent everyday experience of its smaller functions.

The overwhelming harm of ontical ecocide creates what is now known as ‘climate nihilism’ or ‘analysis paralysis’, an inability to change the destructive present order of things (Brisman, 2012; Kornbluh, 2020). This change, however, must begin on the individual level through the phenomenological alteration of one’s lived experience and intentionality towards ecocide. Thus, the aim of the theory is to produce an individual reciprocity that addresses the disconnection from environmental catastrophe, otherwise explained as ontological ecocide. In following the hermeneutic phenomenology discussed throughout this article, I shall identify being-towards-ecocide as authentic existence which involves shattering the tenaciousness of current ways of existing, recognising one’s ownmost relation to ecocide, and shielding oneself from ‘falling’ (Heidegger 1927, §53: 308). I note that falling into everydayness is similar to Freire’s (1970: 148 fn.24) concept of massification—that is, ‘the process of reducing the people to a manageable, unthinking agglomeration’ that submerges the masses into a reality that precludes any threat to the present order of things—and can only be remedied by a critical optimism that is more authentic and resolute. I shall further argue that authentic being-towards-ecocide (everyday) has two further levels of meaning: ‘being-oneself-in-the-face-of-ecocide’ (phenomenological) and ‘reckoning-with-ecocide’ (ethnological).

Being-oneself-in-the-face-of-ecocide is the phenomenological level of authentic being-towards-ecocide which, when understood existentially, constitutes the primary feature of the theory; that is, ecocide *individuates*. Within this, we must recognise that being-here inescapably faces the finitude of existence that can be experienced authentically or inauthentically. The latter, to use Heidegger's language, refers to the fleeing in the face of own's ownmost relation to ecocide: a return to the mass sociogenic unreflectiveness and the quasi-individualistic intelligibility confined by the unwritten rules of the One. In contrast, the former reveals an experience of deeper individualised selfhood that is non-relational (i.e. the other cannot experience for you) that enables being-here a newfound sense of solicitude that is devoted towards the responsibility of existence (Heidegger, 1927 §26 & §50).

Authentic being-oneself-in-the-face-of-ecocide does not, however, encourage a disheartening and nihilistic experience; rather, it reveals an accomplished wisdom for the perseverance of the world and its great diversity of life; a world that may be well a cosmological accident, yet is constructed perfectly for the purposes of humans, allows for gaiety, wonder, emotion, and astonishment towards the possibility of alternate being. What I thus have in view is an individualisation phenomenon that disrupts the absurdity and the 'empty mercilessness' of public intelligibility (Heidegger, 1927 §68: 393) that is responsible for ontological ecocide and which currently serves as the foundation for normalising cataclysmic catastrophe (see Jones et al., 2020; Walters 2022). Being-oneself-in-the-face-of-ecocide offers existential value by virtue of its combination towards the two levels of ecocide and the further analysis to being-here's conditions of disclosedness. It also provides green criminological value by expanding the scope of climate inaction to the phenomenological characteristics of the self and the limited perceptual view of meaning towards ecocide.

In order for being-oneself-in-the-face-of-ecocide to exert an impact on the meaning of the everyday level, which is the most important level for shaping being-here's ontical possibilities, I contend that temporality (or more appropriately the lack thereof) must be made clear. In alignment with Heidegger's phenomenology, temporality must be recognised as that which is fundamentally constitutive of the understanding of being and provides both the interpretation and validation of one's relationship, values, and meaning towards the world. Time, and our relationship towards it, is the source of existential meaning that is ascribed to the ordering of our existence (Heidegger, 1927 §43 & §58). The current temporal forefront of human experience conceals and limits the meaning of the individual's encounter with ecocide (see for relevance, Heidegger, 1927; Berger & Luckmann, 1966).

On the one hand, this can be empirically evinced by, but not limited to, the aforementioned ontical harms that disregard intergenerational and posthuman mass harms (Chakrabarty 2018; Hazen, 2013; Fornoff et al., 2020; Fussey and South, 2012). On the other, this is demonstrated theoretically through the harms that perpetuate the ontological difference and, thus, contribute to Heidegger's (1927 §65: 379) notion of 'temporalising an infinite time out of the finite', which, in consequence, ceases being-here's significance towards time, allowing it to become hollow and normalising unreflectiveness of ecocide. In contrast, the temporal structure of being-one's-self-in-the-face-of-ecocide allows one to contemplate the temporal human imagination and the positioning of the self in the complexity of ecocide and time, each of which are derived from the ethnological level, to which I now turn.

In the face of a sixth mass extinction facilitated by mass heat death, exceedance of planetary boundaries, geological rifts, and record-breaking thresholds of ecological destruction (Stockholm Resilience Centre, 2015; UNFCCC, 2015), we are forced to face the 'possibility of the impossibility of any existence at all' and to grasp that ecocide, like death, has become both certain and indefinite (Heidegger 1927, §53: 307).

This threat of human finitude, which I will explain as *reckoning-with-ecocide*, provides a temporal framework that manifests into a form of intelligibility and the shaping of being-here's world (see for relevance, Heidegger 1927, §53 & §67). The framework, in correlation to Heidegger's mode of being-towards-death, consists of 'anticipation' and 'the mode of anxiety'.

In the anticipation of the indefiniteness of ecocide, being-here should not only accept ecocide as a possibility but cultivate it as an ontic and temporal disclosure of its existence, as explained earlier as the spatiotemporality. This would first involve moving beyond the process of dissociation that perceives ecocide, like death, as a futural event—something always impending, deferred, and veiled, resting in the absurd notion of being a mere social inconvenience to the normalcy of everyday life (see Heidegger 1927, §51). The particular emphasis on anticipation as the appropriate method of temporality recognises that the possibility of ecological collapses have reached a point in which they can now suddenly occur at any given point in time, along with significant irreversible changes (Newton 2021; Taylor 2008), the consequence of which reveals being-here's belonging to a time scale of indefinite destruction that situates the individual in constant proximity, but limited understanding, to ecocide and the totality of humanity's demise (see section on Being Towards Death for notable relevance). The anticipation of ecocide, therefore, demonstrates the temporal basis on which ontological ecocide takes place and prevents one from falling into the conditions that reproduces it.

The mode of anxiety, despite its distressing and avoidable experience, is necessary if being-here is to reach the level of *reckoning-with-ecocide*. For Heidegger (1927 §188), anxiety reveals being-here's thrownness, which I defined earlier as being 'thrown into a world which is not of our own creation'. Anxiety is the mood that occurs during being-towards-death and reveals the understanding of the insignificance of the world, the nullity of existence in which being-here first belongs to, and the recognition of the ontological difference towards the present-at-hand (Heidegger, 1927 §40). Having ascertained anxiety towards existence, being-here must reckon with the deficiency and destructive nature of the present order of things while equally recognising the lack of an intersubjective alternative which all forms of intelligibility first derive.

The cornerstone of traditional phenomenological thought, however, shows that we can never gain true access to the things themselves because understanding is a product of the inevitable limitations and biases of the human mind. Rather, we can only begin to comprehend a subject by understanding what it is not or what it cannot effectively be. Anxiety, therefore, does not reveal a conclusion to the subject but rather serves as a disruption to the ethnological level which is necessary to expose the unreflective and unselfconscious everyday being-here that facilitates ontological ecocide. The temporal meaning of *reckoning-with-ecocide* is constituted by the possibility of an authentic future—that is, being-towards-ecocide. This, however, is only possible if being-here abandons its commitment to the world that is responsible for ontological ecocide through the mode of anxiety.

The unity of the three levels: 'being-towards-ecocide' (everyday), 'being-oneself-in-the-face-of-ecocide' (phenomenological), and 'reckoning-with-ecocide' (ethnological) is, as I have argued, authentic existence. Together, the levels serve to integrate an individual relation and meaning in the face of the destruction of Earth's ability to support human and non-human life. The theory also challenges the mass unreflective and unself-consciousness that it is constitutive of the levels of ecocide I have identified. And, lastly, the theory as an appropriation of Heidegger's phenomenology argues that individual

and existential liberation has now become an ethical necessity if we are to engage with ecocide.

Phenomenology in Green Criminology

The value of a phenomenological approach to green criminology—understood as the appropriation of fundamental ontology with the analysis of environmental and ecological crimes and harms—is significant for green criminology, criminology, and the social sciences more generally by elucidating the meaning of the individual's encounter towards ecocide and its everyday, phenomenological, and ethnological basis. As evinced in the previous section, it offers an insight into the phenomenological conceptualisations with which we are confined relative to our hermeneutical state of being and how this can contribute to the causation, reproduction, and legitimisation of environmental harm and crimes.

A phenomenological approach to green criminology further reveals the degree of inauthentic being with respect to the temporal forefront of human experience and the limited understanding of intersubjective human finitude with ecocide. In addition, the area explores the complexity of the meaning of being, which I will discuss in more detail shortly, to the analysis of criminality and harmfulness. It is important, however, to understand that my proposal does not simply constitute a phenomenological method within contemporary green criminological areas; rather, it serves as a unified and wide-reaching area that engages in the core philosophic questioning of the phenomenological paradigm and how it can be used for the analysis and prevention of environmental and ecological crimes and harms.

In the absence of a phenomenological approach, green criminology is at risk of reinforcing the ontological difference. This risk should not be taken lightly if the purpose of the sub-discipline is to broaden its intellectual boundaries and—more importantly—to engage efficiently in the theoretical reconfiguration of the world around us (see, for relevance, White, 2021). To overcome this, I propose a set of core principles for a phenomenological approach to green criminology: humans as the entities to be analysed, the inquiry into the meaning of being in the Anthropocene, and the importance of phenomenological theorising.

First, the uniqueness of human beings and the moral and intellectual superiority that they claim implies, as Sollund (2020) suggests, that we have a duty to act as guardians for the non-human world. Neither I nor Heidegger rule out the possibility that other such moral and intellectual species may exist; however, our present understanding shows that humans hold the possibility of knowing the purpose, meaning, and necessary ontic configuration of this world. No other entity contains the knowledge of forthcoming destruction, the capabilities of judging everything present in relation, or the means to alter the nature of this world. Humans, alone, have the conscious ability to exemplify or restrict their responsibilities towards the planet's life sustaining processes, and we are, therefore, the entities to be analysed (see Heidegger, 1927, §9).

Secondly, green criminology should not ignore the meaning of being, a subject of crucial—and fundamental—importance, to our contemporary ecocidal chronology. This subject, which has been the basis of much phenomenological study throughout history, offers an insight into the deep holistic webs of meaning contained in the domain of human experience and, as a result, allows opportunity for green criminologists to explore and dismantle the complex philosophical dynamics of the origins of ecocide. Lastly, the importance

of theoretical practice must not be understated: *phenomenological theorising*—the theoretical development which is guided by the areas of intentionality, intersubjectivity, and the meaning of one's lived experience—must be rigorously used to deconstruct our philosophical and conceptually colonised ways of viewing and destroying the world. This theoretical inquiry begins on the personal level as the critique of the sources of intelligibility deemed harmful, and the connection to the wider public level constitutes its continual succession.

The Anthropocene—the age of ecocide—represents the anthropogenic signatures of planetary degradation, the immense disruption of space and time that underpins the Earth's natural systems, and the seemingly immutable threat towards the making of an uninhabitable world (Gaffney and Steffen, 2017; Guattari, 2014; Wallace-Wells, 2019). The 'ontic certainty' of the Holocene, the unofficial previous epoch of climatic stability allowed for humans to unreflectively enjoy the conditions, materials, and bountiful properties that supplied the growth and preservation of our species (Chakrabarty, 2018). It was, as Rockström et al., (2009) suggested, a safe operating space for humans: a time of natural environmental change and flourishing ecosystems.

The Anthropocene, in contrast, does not afford us this luxury; presently, there is increasing sea level rise and ocean acidification, loss of biodiversity and rising extinction rates, resource depletion, record-breaking atmospheric carbon dioxide levels, and climate-induced genocides (Stockholm Resilience Centre, 2015). We are, in effect, living *ontic uncertainty*. A time whereby the intelligent human can no longer forgo the ontical inquiry of the environment and is forced to contemplate the conditions that render the annihilation of life throughout the world, along with the judgement of the futural destruction of species that we would otherwise not know. In consequence, the contemporary human experience must be revisited phenomenologically through the implications towards one's finitude, temporal positioning, and the meaning of being in the Anthropocene.

Much existing literature on the philosophy of the Anthropocene is focused on developing or enhancing species-level conceptualisation, which is often under the scope of ecocentrism, e.g. the collective human encounter with the natural world and the coexistence of multi-species communities (see, for instance, Abram, 2010; Buchanan, 2017; Washington et al., 2017). This task of species-level conceptualisation, however, is logically incomprehensible on the personal level and poses limitations to a phenomenological approach to green criminology.

According to Chakrabarty (2009, 25), 'we can only intellectually comprehend or infer the existence of the human species but never experience it as such. There could be no phenomenology of us as a species'. Species-level conceptualisation is, therefore, at best, an ontical affirmation based upon the discourse of a phenomena that can never be experienced.

The shortcoming of this line of inquiry indicates the need for an alternative approach towards the meaning of being, particularly in the Anthropocene; the alternative, as indicated earlier, is through the meaning of the individual's encounter with ecocide.

The meaning of the individual's encounter with ecocide, as with Heidegger's phenomenology, must be addressed in the undoubtable critique on solipsistic egoism. Heidegger neglects to reference an 'authentic intersubjectivity', nor does he mention the relation of any of his modes of being with respect to the sustainment or destruction of the environment. In part, his phenomenology has been criticised as a subjectivist point of view in which the other is given much less importance than the self. Heidegger's interest, however, is to ascertain the meaning of authentic human existence on the personal level while recognising the inescapable effects of others. Though his work draws on the larger thematic framework of the ethnological level, albeit it is not in much detail, his phenomenology is

not concerned with an ethics of existence or a particular form of community (O'Brien, 2014).

Being-towards-ecocide, in contrast, is a theory concerned with the individual reciprocity that addresses the disconnection from environmental catastrophe. The theory further serves to establish a personal ethical relation to ecocide and to subvert the mass sociogenic unreflectiveness embedded within the quasi-individualistic intelligibility of the present day. The lack of genuine meaning of authentic human existence, which is concealed by the ontic existence with which the individual is first concerned, reveals the need for a non-relational deeper individualised selfhood with respect to the preservation of the world and its great diversity of life. Being-towards-ecocide is ultimately, therefore, a theory of ethics that heightens one's responsibility for environmental catastrophe. The theory is not based upon a solipsistic worldview, as Heidegger is critiqued for, but recognises the significance and upmost value of the phenomenology of ecocide to prevent the reproduction and legitimisation of mass harm.

A phenomenological approach to green criminology in sum offers new ethical frameworks, forms of conceptualisations, and future directions for green criminology. The systematic appropriation of fundamental ontology to environmental and ecological crimes and harms is presented here as a response to the 'crisis of meaning' which characterises contemporary ecocide (Brown and Toadvine, 2003; Hyland, 1997; Küle, 2018; Padrut, 2009). The absence of meaning, to which I have explained through the lack of engagement towards ecocide, is constrained by the priority of ontical knowledge that ignores reflection on the meaning of being—a subject of crucial importance to understanding the philosophical dynamics of the Anthropocene.

The task of exploring the meaning of being, irrespective of the criminology or discipline from which it derives, however, is much more important to the existential frameworks of human existence than any concerns of disciplinarity. It is not my intention to restrict the analysis to the domain of green criminology, but rather to revitalise a subject that can provide solutions to the rapidly changing world within which we find ourselves. We are, at present, watching the destruction of the Earth, albeit within the perceptual limits of our observation. This subject, as discussed earlier, is vital to humanity. We are the only species that can foresee crisis on an existential level, and who must, for all its limitations, seek to transcend the conditions of our everyday existence to engage with ecocide.

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