

Existentialism and environmental destruction: Should polluters face criminal punishment or an existential crisis?

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Abstract. This study examines how existentialism, which emphasizes purpose, freedom, and individual life, affects environmental harm. The study asks: should environmental polluters face only criminal penalties or existential crises as a deeper moral responsibility? Conceptual normative research is used in this work. This study analyses existentialist and environmental criminal law literature to link existential crises to environmental degradation. The results imply that existentialism—a philosophy that analyses meaning, freedom, and existence—is linked to rampant environmental deterioration. This study suggests that environmental harm perpetrators should confront an "existential crisis" rather than criminal punishment. The crisis is forcing a reorientation of values and actions, which affects business behaviour, environmental ethics, and criminal law. Existentialism in Environmental Law and ethics broadens "responsibility" and "accountability," while offering a more inclusive, democratic, and sustainable paradigm.

1 Introduction

This research is centred in the environmental issues that are worsening daily due to individual and institutional actions. This issue raises serious problems about environmental damage contributors' morality. Responsibility and accountability are becoming more critical as global environmental devastation increases. Existentialism, which emphasizes meaning, freedom, and individual existence, may offer a new viewpoint on this issue. Existentialism helps us understand how people seek meaning and freedom while simultaneously taking on great moral duties. This concept raises questions about whether criminal punishment is sufficient to address environmental damage.

Existentialism's inclusion in environmental ethics and legal discourse highlights individual agency as a seeker of meaning and freedom with moral duties. Existentialist Jean-Paul Sartre believed that humans are doomed to be free, which brings moral responsibility [1]. Individuals who harm the environment may be morally responsible for their misused freedom.

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However, another existentialist, Albert Camus, established the concept of absurdity, which asks whether people can be responsible in a meaningless, uncertain world [2]. Criminal law approaches may be too reactive or authoritarian, fostering the individual-universe antinomy.

Existentialist Martin Heidegger believed that humans and nature are one 'Being-in-the-world' [3]. This promotes an ontological, not normative, ethic of care for nature. Are conventional criminal laws sufficient to solve this? Maybe not, from an existentialism perspective. Sartre may argue that legal sanctions highlight 'mauvaise foi' or 'poor faith' and avoid freedom accountability. In an absurd universe, Camus doubted punishment's efficacy, whereas Heidegger suggested rethinking our ontological relationship with nature to establish morality.

This approach adds another dimension to the argument between criminal punishment and the existential dilemma of environmental degradation in Indonesian law. Environmental infractions are criminalised by Law no. 32 of 2009 on Environmental Protection and Management. Criminal punishment's efficacy, notably in moral accountability and ecological justice, is still debated. Existentialism can help Indonesians understand environmental devastation from the standpoint of individual freedom and responsibility. The power mismatch between huge businesses and local communities underscores the necessity to explore existential concepts of responsibility and freedom. How can existentialism promote social and individual responsibility in a society that feels powerless against environmental degradation?

Criminal laws and fines may be 'bad faith,' an attempt to avoid existential duties, according to Sartre [4]. Is the freedom to destroy the environment, however regulated by legislation, comparable to the freedom to live sustainably? In Indonesia, Camus will challenge us to find meaning in the absurdity of environmental damage that often appears inevitable and question whether criminal law can help. Heidegger will challenge us to rethink our ontological relationship with the environment and local culture and consider our 'Being-in-the-world' role in creating a more harmonious world.

"Should Polluters Face Criminal Punishment or an Existential Crisis?" cannot be answered by law or philosophy alone. Considering Indonesia's social, cultural, and ethical differences, the two must talk. Criminal punishment may be required, but long-term environmental remedies will remain a dream without significant existential contemplation on freedom and responsibility. Existentialism's critical and constructive framework provides a philosophical foundation for rethinking how we engage with the world as individuals and a collective.

2 Literature review

This literature review explores the relationship between existentialism and environmental destruction, with a particular focus on the question of whether perpetrators of environmental pollution should face criminal punishment or existential crisis, in the Indonesian context. In Donnelly and Bishop's article [5], discussed natural law and ecocentrism. They highlighted the challenge of understanding law as a human institution designed to meet human needs, but which also has the capacity to protect the environment without direct human benefit. This is relevant for Indonesia, where environmental laws and regulations must balance human needs and ecosystem protection. Traditional natural law approaches that focus more on a deep understanding of 'nature' can provide new insights in formulating ecocentrism-oriented environmental policies.

Faroque dan South highlights the challenges of law enforcement against environmental crimes in Bangladesh [6]. This study provides an important perspective on how developing countries like Indonesia can tackle environmental crimes that often go beyond the capacity

of traditional criminal justice systems. It demonstrates the need for a collaborative approach between law enforcement agencies and environmental bodies, as well as the need to strengthen the environmental legal framework. In the article by Cao and Wyatt, discussed the conceptual compatibility between green criminology and human security. They proposed an interdisciplinary framework to examine victimization due to environmental crimes [7]. This approach could be very meaningful for Indonesia, especially in the context of human victimization from environmental crimes such as forest destruction and pollution. It shows the importance of looking at environmental crimes from the perspective of human victims, not just ecological damage.

Simangan discusses how International Relations (IR) should deal with the "end of the world" in the Anthropocene era. The article emphasizes the importance of thinking about existentialism in the context of global environmental change and provides insights into how existentialism can help understand the relationship between humans and the environment [8]. For Indonesia, this means considering how environmental policy is not only about laws and regulations, but also about a deep understanding of the relationship between humans and nature.

Vaughan challenges the conventional understanding of lawyers' liability for environmental damage caused by their clients. This article is relevant for Indonesia in the context of legal ethics and the role of lawyers in addressing environmental damage. It suggests that lawyers have significant ethical agency in taking a responsible stance towards environmental damage [9]. Finally, Jones investigates the relationship between existentialism and environmental values. Existentialism emphasizes freedom and choice, as well as responsibility for our actions, including their impact on the environment. In the Indonesian context, this means that every individual and institution should rethink their relationship with the environment, recognizing that every action has far-reaching environmental consequences.

Taken together, this literature suggests that approaches to environmental destruction must go beyond criminal punishment and consider existential crises. In Indonesia, this means adopting a more holistic perspective towards environmental policy, one that emphasizes not only laws and regulations, but also on individual and collective awareness of our relationship with nature. Ethical, existential and ecological considerations must go hand in hand in responding to environmental challenges, understanding that any action against the environment is not just about legality, but also about our human values and existential responsibilities.

3 Research methods

This research is normative legal research based on its topics. Philosophical and analytical research focuses on rational, critical, and philosophical ideas and finishes with a conclusion that tries to provide fresh findings to solve the main problem [10]. Descriptive analytical methodologies will be used to describe legal theory and positive law enforcement practises relevant to the situation [11]. In the methodology of normative legal research, the data collection process begins with the identification of a comprehensive source of data, including legislation, court decisions, legal documents, and relevant literature. The researcher examines and analyzes various sources of law related to the research topic through an intensive literature study to collect this data. This process involves a thorough and critical search of the literature, including books, journal articles, official documents, and other relevant sources. The objective of this process is to collect sufficient and in-depth information that supports the analysis and discussion, ensuring thorough identification and exploration of all relevant legal and theoretical aspects related to the research problem. This approach is important to ensure the accuracy and validity of the legal conclusions that will be generated.

4 Results and discussion

4.1 Existential crisis as accountability

Existential crisis is emotional instability when someone questions their identity or existence. This disorder causes people to wonder their life's meaning and purpose. He will struggle internally if he doesn't get an answer. Existential crisis sufferers' inner battles might interrupt daily living. Chronic emotional instability and uncertainty can induce stress and anxiety. Skolimowski believes that people's spiritual capacity as God's creation should make them sensitive and self-aware to build spiritual relationships with other creations, such as humans and environment. The spiritual dimension morally guides human interactions with nature. Humans can live spiritually by seeing nature fully. According to Skolimowski, humanity must first recognise the spirit of oneness, the unity of all things in nature [12].

Humans and nature are one. We begin as humans. Humans must respond to the multidimensional environmental catastrophe as conscious beings on the stage of the universe. Humans' atomistic-mechanistic view of nature taps into our spirituality to ask what kind of treatment we deserve from nature, *hic et nunc*. Materialistic economic progress traps humans in a tragic ecological impasse.

Life is full with greed; "I have enough" never exists! Humans need "I have to have more because I don't feel like I have enough"! Hedonistic, consumptive, consumeristic humans don't care and compete to obtain material wealth since 'having more in life is better than having little/less'. Thus, humans exploit nature arbitrarily. Both humans and environment are injured, ruined, and near extinction. Now, humans live with a melodious resonance of soul worry that never ends. Ideal ecological (spiritual-ecological) human living is far from ideal. Humans encounter a value and existential dilemma in the fragments of their life's voyage. This calamity pulls people into the soul-shaking darkness of life [12].

4.1.1 Existential crisis its impact on individuals

Only contemplative philosophical reasoning can give human existence purpose. Philosophy is a subjective critical-rational endeavour to investigate the ultimate meaning of who I am and what my existence means in this global reality. Humans question ourselves and our true existence in the cosmos by asking who the topic is (me, you, him, you, us, and them). Our understanding of nature needn't contradict with materialism. Because each paradigm's truth assertions are hard to change. Henryk Skolimowski's philosophy states that humans are spiritual beings, hence we must start with ourselves. Humans are spiritual entities. Spirituality is important to human existence in time and space. Spirituality embodies the human situation at a given period [13].

Spirituality exists in all of human reality. Man cannot ignore this mother reality. Spirituality is important to human nature and defines us. Humans cannot be fully humane or face a spiritual crisis without this spiritual dimension. Humans become less human when this spiritual dimension is gone. Our fate as people and species is sad."Spirituality is a distinguishing quality of the human situation, not an accident. Our humanity is incomplete without it. Without spirituality, humans are less than human." [14].

Skolimowski emphasises the importance of one of the basic human traits being spiritual. Every society has wonderful spiritual traditions. Humans develop spirituality differently throughout cultures. Human cultures throughout created spiritualism. Spiritualism was culturally distinctive. Spiritualism is self-directed spiritual development. Skolimowski says every religion develops one facet of human spirituality. This spirituality is expressed differently in each faith. Individuals explore their intuition and soul to convey spirituality. Humans can unite with metaphysical things without words through soul investigation.

Humans can only realise this reality in silence, alone, and serenity. Each major religion patterns our spiritual endowment and propensities. Each major religion promotes a particular spirituality. There is no phrase for the ultimate unity we experience as individuals. Our unfathomable spirits can only reveal the ultimate unity of all things spiritual in solitude. According to Skolimowski, people' spiritual capacity as God's creation should make them sensitive and self-aware to form spiritual relationships with other creations, such as humans and humans or humans and nature [15].

The spiritual dimension morally guides human interactions with nature. Humans can live spiritually by seeing nature fully. According to Skolimowski, humanity must first and foremost recognise the spirit of oneness, the unity of all things in nature.

Humans, as a minuscule component of the universe, lack true significance in life during the dark period [16]. Darkness hurts and binds humans, not nature. Greed, covetousness, greed, hedonistic-egoistic mentality, and consumerist packaging make humans oblivious to the true light, causing self-darkness. Humans live in nature as a house of light, which should be able to see and think about light. If people could see that light, they could enlighten others. However, this is not true. Human arrogance towards nature persists because they are blind. Human instinctual wants remain primitive, egoistic, and destructive, causing nature to scream, sacrifice, and objectify [17].

Nature is also moral, far from people' spiritual consciousness and awareness of treating others spiritually [18]. People prefer the dark status quo to the bright spot zone. People prefer darkness over light. Humans prefer dark patches to bright ones. This situation persists systemically in the human personality structure, causing us to slumber in a horrible illusion of self-unconsciousness that is not spiritually perfect.

Materialism, based on an atomistic-mechanistic worldview, caused the ecological disaster. Nature is exploited because humans are isolated from it. Even though nature is humans. Living in nature and growing with it is our reality. Each of us is nature. We get life and growth from nature, our basic source. We are microcosms of larger natural entities. Because humans are part of nature and nature itself, damage to nature signals human devastation and damage.

4.1.2 Existential crisis and reflections on environmental destruction

Environmental issues began as natural events. This natural process does not harm the environment and can recover (homestasis). Human factors cause significant and variable environmental events, and the environmental problems that result from them are much larger and more complicated than those caused by natural factors. With the mobility of reason and thought and the development of cultural aspects, humans and time/period processes that change human character and outlook become more environmentally relevant. Environmental problems like destruction of natural resources, shrinking forest reserves, destruction of many biological species, erosion, flooding, and even new diseases are believed to be negative symptoms of human activity [19].

Industry and population growth, especially in developing nations, are worsening global environmental issues. Environmental quality is deteriorating irreversibly.

- The disturbance of environmental quality is linked to the unplanned and excessive use of natural resources (over exploitation). Pollution gradually degrades the environment. Long-term pollution by specific materials or substances causes it.

- Pollution hinders the environment's ability to support human existence. Continuous pollution harms the ecosystem. Pollution harms nature and its inhabitants. According to Daniel Callahan in *The Tyranny of Survival*, technology contributes to environmental degradation.

- This is evident in the Union Carbide pesticide factory leak in Bhopal, India and the Chernobyl nuclear reactor accident in the Soviet Union.

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This is evident in the Union Carbide pesticide factory leak in Bhopal, India and the Chernobyl nuclear reactor accident in the Soviet Union [20]. Undoubtedly, the environment is vital to human survival. The living environment and its contents profoundly affect human life quality. However, it is strange that environmental issues persist without solutions or sustainability. Due to their humanitarian impact, environmental issues are difficult worldwide. Increasing world population, shrinking natural resources, and the latest problems with modern technological tools that humans use to seek profit or exploit nature are worsening this.

Skolimowski's environmental philosophy strives to restore coherence between human values and the universe so that they become one, as in traditional societies. In response to the 1960s realisation that industrial civilization had generated an environmental disaster, J. Baird Callicott says environmental ethics arose as a separate scientific subject in the early 1970s. Arne Naess believes modifying human behaviour and mindset towards nature can solve the environmental catastrophe [21].

Human behaviour causes several global and national environmental issues. Sonny Keraf considers environmental issues moral issues affecting human behaviour. Morality and ethics are needed to overcome this. He studied philosophy and found that Environmental Ethics originates from Ethics and Environment. The Greek term "Ethos" denotes custom or habit. There are three ideas about ethics: deontological, theological, and virtue. Therefore, environmental ethics is moral knowledge in dealing with the environment.

The following must be considered while applying environmental ethics [22]:

- As humans are interconnected with the ecosystem, they should love all life and the environment, not just themselves.
- As part of the environment, humans should prioritise preserving, balancing, and beautifying nature.
- Policy for utilising scarce natural resources, particularly energy materials;
- The environment benefits both humans and other living things.

4.2 Existential crisis as moral "punishment"

4.2.1 Potential for existential crisis as a form of punishment

Environmental legal politics, according to Chalid Muhammad, guides environmental policy. Environmental legal politics is state or government legal policy that promotes environmental protection and management. Environmental law seems unable to carry out its function properly with the emergence of various environmental problems, [23] environmental law principles and norms have not been understood, implemented, and enforced comprehensively in accordance with legal politics [24].

Thus, the political direction of environmental law, especially in development, must be pro-environmental (eco development) or protect the environment in accordance with sustainable development principles to ensure future generations' survival and environmental carrying capacity.

Jimly Asshidiqie remarked that the 1945 Constitution is one of the greenest in the world, despite its scant green nuances. Jimly Asshidiqie added: "Even though the environment is

mentioned in the Law (UU Number 32 of 2009 concerning Environmental Protection and Management), it is closely related to the Trade, Industry, and Cooperative Laws only." In practise, the Environmental Law will fail."

The 1945 Constitution and environmental laws and regulations demand environmentally friendly policy; however the government often commits environmental injustice, including mining conflict settlement. Community justice requests against the massive mining sector always fail. When the government reacts to these demands with arrogant policy declarations and outcomes that promote the mining industry's financial interests and investment logic over mine towns' impoverishment, this situation worsens.

Humans' fundamental philosophical mistakes about themselves, nature, and their place in the ecosystem caused the worldwide environmental disaster. Misperceptions cause bad environmental behaviour. Schweitzer said, "The biggest mistake of all ethics so far is that they only talk about the relationship between humans and humans." Humans misunderstand nature and space. This is the start of an environmental disaster, thus correcting it requires altering human perspective and behaviour with nature and other humans in the ecosystem. Environmental challenges are moral issues, so overcoming them requires a holistic approach. Environmental challenges must be addressed holistically, including morally. Bertens says morality (from the Latin adjective *moralis*) is like "moral" but more abstract. Morality encompasses good and evil concepts and ideals.

Lawrence M. Friedman defines morality as the will to obey norms because they are God's will, good ethics, or religious commitments, not because they benefit us or others. K. Kebung discusses legal ethics. External moral judgements drive people to follow the law. Important is that the law is mandatory and has legal repercussions. Ethics and law are intertwined, but external requirements and legal consequences do not enforce law [25]. Its execution is based on personal freedom and the belief that laws and regulations benefit me [26].

4.2.2 Existential crisis can be considered a form of moral accountability

Deep ecology, a form of ecocentrism, is an environmental ethics philosophy. Norwegian philosopher Arne Naess coined deep ecology in 1973. Until now, Naess was a leading deep ecology figure. In "The Shallow and the Deep, Long-range Ecological Movement: A Summary", Naess distinguishes between shallow and deep ecological movements. Deep ecology requires a new ethic that prioritises all living things over humans to solve environmental issues. This new ethic does not alter human relations. That morality no longer revolves around humans and their interests. Deep ecology considers all species, including non-humans. To the biosphere overall. Additionally, deep ecology considers long-term interests. Thus, deep ecology morality serves the entire natural community [27]

Several environmental ethical developments have led to ecocentrism in deep ecology. The author believes five essential concepts should be followed while creating environmental norms [22]:

- Respect for nature principle. Almost all environmental law ideas respect the universe. Humans, as the dominant species, must respect all life in the ecological community. Local wisdom about customary laws and the environment comes from this principle;
- Environmental responsibility principle (Moral responsibility for nature). As universe members, humans must safeguard it. This responsibility is personal and collective. We share responsibility for nature conservation and destruction. The author believed that humans who rule nature are accountable for environmental damage. Environmental law, which establishes the polluter-pays principle and absolute accountability, is adopting this idea. Principle of Environmental Care (Caring for Nature). This principle is not based on considerations of personal interests, but solely for the benefit of nature. By caring more about nature, humans become more mature with a strong identity.

- The principle of no harm. We must exhibit unity and compassion by not harming other living beings in our universe. Thus, protecting nature and not burning trees or littering fulfils moral obligations. Life and Nature Harmony Principles. This philosophy emphasises values, quality, and a good life, not greed and covetousness. Humans living in harmony with nature have limits.
- Environmental justice principles. This idea emphasises that all organisations and members of society can participate in natural resource management, preservation, and use policies. In this principle, we must pay more attention to indigenous communities' interests because they will have less capital, technology, information, and so on to use natural resources than modern society, making their interests vulnerable and threatened;
- Moral integrity principle. Public officials should have honourable moral attitudes and behaviour and uphold moral standards that protect the public interest and environmental concerns.

A paradigm shift from anthropocentrism to ecocentrism seems to be catalysed by several concepts in the context of environmental ethics and legislation. In addition to providing a normative basis for environmental governance, they also bring ethical discussion into the legal sphere. It is widely agreed that morality and shared responsibility must be acknowledged in order to effectively address today's complex and interconnected environmental issues. Principles like "environmental justice" and "moral integrity" arise because of an effort to increase the representation of underrepresented groups in the development of environmental policy. Principles like "living and being in harmony with nature" represent an effort to dig deeper into the potential of an eco-friendlier and ecologically integrated approach to happiness. As such, these guidelines provide a framework for developing norms and policies that are more democratic, open, and environmentally sound.

4.3 Normative analysis of crime and existential crisis

4.3.1 Criminal punishment against environmental destroyers

Environmental protection background is the history and development of our knowledge of the need of conserving nature [28]. This entails changing social beliefs, rules, technology, and understanding of human impact on Earth's biosphere [29].

Environmental protection's main background factors include:

- The Industrial Revolution of the 18th and 19th centuries saw significant advancements in manufacturing and technology. The industrial revolution increased productivity and consumption but also caused air and river pollution [30].
- Conservation Movement: In the 19th century, the conservation movement began to solutions to mitigate environmental damage from natural resource overexploitation [31]. John Muir and Theodore Roosevelt promoted natural protection [32].
- During the early part of the 20th century, environmental contamination became a growing concern. The 1969 Cuyahoga River oil fire raised public and government awareness of environmental issues [33].
- In the 1960s and 1970s, the contemporary environmental movement arose. Greenpeace and the Sierra Club fight deforestation, water and air pollution, and biodiversity loss [34]. The 1970 US Environmental Protection Act (EPA) resulted from this campaign.
- Climate Change Awareness: Research in the late 20th century showed that human activities, particularly fossil fuel burning, profoundly impacted global climate change. Climate change awareness is a major environmental issue [35].

- The United Nations Conference on Environment and Development in Rio de Janeiro in 1992 and the Paris Agreement on Climate Change in 2015 were significant steps towards addressing global environmental issues [36].
- The development of green technology and sustainable innovation is becoming more important in environmental preservation efforts [37]. Renewable energy, electric transportation, and sustainable design are being prioritised to lessen environmental effect [38].

Against this backdrop, people and governments worldwide have become more aware of the need to preserve the environment for future generations. To reduce human effect on the environment, worldwide action is essential.

Criminal law helps protect the environment. Legal laws and penalties for environmental damage are used. Criminal law plays several key roles in environmental protection:

- Deterrence. Environmental degradation is deterred by criminal law's heavy penalties [39]. Large fines or prison sentences can curb environmental infractions [40].
- Penalties for environmental violations. Environmental crimes include air and water pollution, forest fire, poaching, and fishing [41]. Legal action and fines may be taken against violators.
- Compensation. Criminal law might also require environmental violators to compensate victims [42]. This could entail environmental cleanup and victim compensation [43].
- Law enforcement. Criminal law allows law enforcement to arrest environmental violators [44]. This law enforcement is done by police, prosecutors, and courts.
- Biodiversity protection. To safeguard endangered species and biodiversity, criminal law regulates illicit hunting, trading in rare creatures, and habitat damage [45].
- Protection for companies. Criminal law can also hold environmentally destructive businesses liable [45]. This involves business pollution, ecosystem destruction, and environmental law violations [46].
- Community awareness. Criminal law can raise awareness of environmental protection by prosecuting environmental infractions [47]. This can inspire greener behaviour in individuals and businesses.

Remember that criminal law is only part of environmental protection [48]. Regulation, legislation, education, and public awareness are also involved. These elements must be combined to protect the ecosystem. Environmental protection is not limited to criminal law. Comprehensive environmental protection include civil law, environmental legislation, fiscal incentives, and other methods. However, criminal law remains crucial in prosecuting significant environmental offences [49].

4.3.2 Analysis of the effectiveness of criminal punishment in handling environmental damage cases

The legal system, law enforcement, punishments, and public knowledge can affect the efficiency of criminal consequences for environmental. Several factors affect criminal punishment's effectiveness in this context: degradation [50].

Several factors affect criminal punishment's effectiveness in this context:

Deterrence. The severity of criminal punishments affects their ability to prevent environmental damage [51]. The threat of severe punishment deters. However, continuous law enforcement affects deterrence [52]. If environmental offences are rarely prosecuted or fines are modest, offenders may not feel threatened. Therefore, criminal punishments should be assessed based on their ability to reduce ecologically detrimental behaviour. This can be judged by whether criminal sanctions reduce environmental damage.

Law enforcement. Criminal penalty for environmental damage depends on law enforcement's ability to investigate, arrest, and prosecute violators [53]. Law enforcement, environmental regulatory agencies, and NGOs can work together to improve and speed up enforcement [54]. The enforcement of criminal punishments also affects their efficacy. Offenders may feel low risk of breaching the law if criminal law is solely on paper and rarely enforced. Therefore, continuous and forceful law enforcement is crucial.

Impact of social and economic deterrence. Criminal punishments must dissuade social and economic activity [55]. In measuring criminal punishment efficiency, social and economic elements are crucial [56]. If huge corporations receive lighter punishments than poor individuals, this may create social inequality concerns. This means that environmental law violations must cost more than they benefit.

Additional sanctions. Environmentally beneficial criminal punishments may include fines, remediation, or business permit revocation for accountable parties. Damage can be mitigated by victim compensation or environmental repair [57]. Environmental remediation may be more effective than punishment [58].

Citizen's awareness. Public understanding of environmental protection can also affect criminal punishment [59]. A more knowledgeable society supports tougher law enforcement and company and individual monitoring. The media, environmental education, and environmental awareness initiatives can raise this awareness. Media and public support for environmental harm cases leads to harsher and more effective fines [60]. Advocates and public awareness campaigns can sometimes force the judicial system to punish environmental violators [61].

Legal transparency and accessibility. How clear and accessible criminal laws are also affects their effectiveness [62]. Openness about sentencing and its effects can boost public trust and improve implementation.

Civil law and environmental regulation. Criminal penalties are merely one environmental instrument. Environmental harm can also be addressed by civil law, environmental legislation, and other methods [63].

Witness and whistleblower protection. Protecting witnesses and whistleblowers in environmental damage cases helps reveal infractions, which increases criminal penalties [64].

Criminal punishment for environmental degradation depends on law, law enforcement, and public awareness [65]. Environmental protection sometimes requires criminal penalties, strict environmental laws, sustainable incentives, and ongoing public education. Additionally, international cooperation is needed. Multiple nations have harmed the environment. International environmental agreements and coordination can help track international actors [66]. The final step is prevention. In addition to punishment, prevention is crucial. This includes rigorous laws, regular inspections, and incentives for firms to go green [67].

4.3.3 Existential crisis as an alternative or complement to criminal punishment

Assessing existential crises as an alternative to criminal punishment is controversial and rare in law and criminal justice. An existential crisis occurs when an entity or community faces a substantial threat to its survival [68]. Existential crises usually involve a worldwide military war or environmental disaster that threatens humanity [69]. Criminal punishment strives to enforce the law, prevent crime, and maintain social order criminal punishment rarely addresses existential challenges that threaten human survival [70]. Thus, using an existential crisis instead of criminal punishment is unsuitable.

Existential crises and criminal punishment may be linked in some cases [71]:

- Crimes against humanity. Extreme criminals may commit crimes against humanity if they threaten world peace and security. This could be the basis for international legal action, not a substitute for national criminal punishment;
- International terrorism. Terrorism that threatens global security is a key international law issue. International collaboration and tough law enforcement are used to combat terrorism.
- Environmental crimes. Despite not being an existential catastrophe, major environmental crimes can become worldwide issues and be prosecuted under strict international and national laws.

Criminal punishment is still the principal weapon for dealing with individual or corporate crime [72], and existential crises is inappropriate under traditional criminal law. In extreme events threatening humanity's survival, such as environmental crimes, an existential crisis may be appealing.

4.3.4 Discusses existential crises as a supplement to criminal punishment.

Existential crisis occurs when humanity or civilization as a whole is threatened [73]. This might involve nuclear war, runaway climate change, a worldwide environmental disaster, a catastrophic pandemic, etc. All of mankind faces an urgent and dangerous existential dilemma [74].

Some experts argue that criminal punishment should be avoided in existential crises to focus on greater issues [75]. This view may be supported by:

- Life priorities. In an existential crisis, humanity's survival is paramount. Law enforcement and criminal punishment may divert resources from crisis response. New experience
- An existential crisis can drive a communal focus on solving issues and working together [76]. This may lead to a more coordinated reaction than police enforcement.
- Resource mobilization. Governments and society may need to commit huge human and financial resources to tackle existential crises [77]. Spending less on criminal punishment could help collect more resources.

This view has various drawbacks that must be considered:

- Law and justice. Sudden reduction of criminal penalties could undermine law enforcement, social order, and justice for criminals this can hinder public order.
- Legal principles. Laws based on personal responsibility and fairness include criminal punishment [78]. Sudden criminal penalty removal may breach these principles.
- Victim protection. Punishment protects crime victims [79]. Victims may lose their right to criminal punishment if sanctions are eliminated.

Remember that in existential crises, balancing the urgent need to resolve the problem with law and justice is often best. Criminal sentences may be reviewed in an existential crisis, but their eradication must not violate human rights or legal norms.

Existential crises may supplement criminal punishment in numerous ways. The main purpose of criminal punishment is to enforce the law and punish criminals. Existential crises as a complement must consider law and justice. Here are some ways existential crises might supplement criminal punishment:

- Prioritize crisis response: In an existential crisis situation, the main priority is to deal with the crisis itself [80]. However, this does not mean that criminal penalties should be completely ignored. Conversely, in an effort to deal with the crisis, the government and justice system may delay or review law enforcement for less urgent violations.

- Adopt an alternative Approach: During an existential crisis, alternative approaches to dealing with criminal activity may be needed [81]. Mediation, rehabilitation, and community oversight may replace criminal penalty.
- Resource mobilization: Existential crises can mobilise human and financial resources [82]. This might mean using penal system funds for crisis response.
- Public awareness and education: are typically needed in existential crises. Existential crises can be utilised to educate the public about environmental degradation or existential challenges to human civilisation [83]. It can modify behaviour and promote environmental responsibility.
- Global cooperation: Existential concerns like climate change and nuclear dangers require worldwide cooperation. Existential crisis can be exploited to promote global cooperation on this issue [84]. International agreements, pledges, and collective action are negotiated
- Environmental restitution and recovery: Addressing the existential crisis requires environmental recovery and restitution [85]. Environmentally destructive actions can be punished with fines or sanctions to restore the environment.

Integrating existential crisis as a complement to criminal punishment requires a delicate balance between crisis resolution and legal system integrity.

4.3.5 Recommendations for integrating existential crisis in the legal framework

Existential crises can be integrated into criminal justice thought and action to create a more comprehensive approach and focus on preventive measures and cases that threaten human survival and the environment. In general, existential crises can supplement criminal punishment in these ways:

- Existential crisis prevention: The criminal justice system can regulate climate change and polluting companies to reduce existential disasters. Environmental crimes may carry severe punishments.
- Corporate leaders and individuals can be prosecuted for environmental damage. This may encourage leaders to adopt greener choices for society and the environment.
- Environmental restitution and recovery: Existential crises can be used in criminal punishment by requiring restitution or a large environmental restoration fund. Repair and mitigation of environmental damage can be done with these money.
- Environmental education and awareness: Criminal punishment can incorporate educational and rehabilitation components that teach offenders about their environmental and social impacts. This may influence their future behaviour.
- Strict environmental legislation: Criminal penalties can advance environmental legislation. The threat of severe penalties may push governments to implement stricter environmental rules.
- International prosecution of environmental violators can benefit from criminal sanctions. This may motivate accountable parties.
- Proportional use of criminal law: Punishments should match the offence and damage inflicted. This ensures that penalties punish and deter significant environmental crimes.

Incorporating existential crises into criminal law demands serious consideration and effective government, justice, and society coordination. A more adaptable and responsive legal system to humanity's and the environment's greatest issues is the goal [86].

Integrating existentialist thinking into environmental criminal law could be fascinating, yet existentialism is a complex philosophical system with many interpretations. Existentialist thought can affect environmental criminal law, individual responsibility, law enforcement, and punishment [87]. There are numerous ways to incorporate existentialist philosophy into environmental criminal law:

- Deeper personal responsibility: Existentialism emphasises choice and personal responsibility. Environmental criminal law can incorporate this strategy by raising awareness of individual environmental impacts and emphasising human responsibility for environmental protection
- Concern for the impact on others: Existentialist freedom means that every action affects others. This means understanding how environmental destruction affects the community and future generations.
- Punishment for learning: Existentialists view punishment as advancing awareness of oneself and personal progress. Environmental crime sentencing might emphasise education and understanding the perpetrator's environmental impact to help them become more responsible citizens.
- More flexible law enforcement: Existentialists value critical thinking and context. Environmental law enforcement may consider perpetrators' motives and environmental awareness while assessing their acts.
- Commitment to ethical actions: This method can help environmental criminal courts assess perpetrators' motives and efforts to compensate or repair damage.
- The importance of life and nature. Emphasising that damaging the environment destroys human life and existence might improve environmental protection claims in criminal law.

Existentialism must be properly and balancedly integrated into environmental criminal law. Legislation, justice, and community protection must guide criminal legislation. All criminal law reform proposals must also explore the practical effects of incorporating existentialist thought into the legal system.

Integrating existentialist and environmental criminal law to increase accountability demands a holistic and sustainable strategy. Consider these policy suggestions:

- Environmental education and awareness. Establish effective environmental education programmes from an early age so people understand how their actions affect the environment. This education must emphasise existentialism, human responsibility, and social and existential implications [88].
- Critical thinking and contemplation. Encourage reflection on environmental responsibility. Meditation or philosophy can help people examine their existential values and relationship to the environment.
- Commitment to ethical actions. Encourage ethical environmental behaviour [89]. This may involve creating an existentialism-based environmental code of ethics and rewarding those that follow it.
- Monitoring and reporting system. Track environmental harm via a robust monitoring and reporting system [90]. Can use the latest environmental sensors and reporting apps to let people report environmental issues. Community involvement in environmental justice is crucial. Policies can help communities monitor and decide on environmental issues. Environmental whistleblowers must be protected and rewarded by policy. Our culture can become more honest and reveal environmental issues.
- Law enforcement alternatives. Create contextual, rehabilitative law enforcement. This includes environmental rehabilitation programmes that help destructors pay for their damage. Offenders should learn environmental awareness, skills, and positive attitudes in rehabilitation programmes. Restorative punishment can help offenders learn how their actions affect people and the environment and aid recovery. Corporate Cooperation and Responsibility Ensure that corporations and businesses are responsible for the environmental impact of their activities. This could include imposing tougher sanctions on companies that violate environmental laws and encouraging sustainable business practices.

- Global cooperation. Make corporations and businesses accountable for their environmental impact. This might involve stiffer penalties for environmental lawbreakers and sustainable corporate practises. Community Partnerships and Initiatives, Encourage government, business, and civil society cooperation to solve environmental issues. Examples include natural resource collaboration and environmental conservation.
- Awards and recognition. Awarding environmentalists and organisations [91]. Environmentally friendly behaviour can be encouraged through these prizes.
- Relevant laws. Existentialist elements should be added to environmental laws. Environmentally irresponsible actors may face harsher sanctions.
- Proportional sanctions. Assessing environmental penalties based on harm and perpetrator awareness. Sanctions must match the damage [92].
- Research and evaluation. Continue researching the effects of existentialism-environmental criminal law laws and methods. This research can highlight successes and areas for development. Make environmental impact assessments part of the criminal justice process. This can show judges how the perpetrator's actions affected the ecology. Environmental specialists, scientists, and other stakeholders should be included in the legal process to enforce environmental law.

Integrating existentialism into environmental criminal law requires changing individual attitudes and behaviour and developing a legal framework that supports ethical and existential ideals in protecting the planet. This requires thoughtful and collaborative implementation by government, civil society, and the commercial sector.

5 Conclusion

This study examines environmental damage ethical concerns through existentialism. This research emphasises that environmental harm violates human existence as part of nature as well as law and social values. This calls for a more comprehensive accountability system that involves criminal punishment and existential introspection. Although vital, criminal punishment is not enough to transform values or existential awareness in this strategy. Instead, existentialism allows for 'existential crises,' deeper contemplation and thought. This expands ethical duty and requires cooperation across the legal sector, government, civil society, business, and international collaboration. This research also implies that preventive and restorative techniques, which change behaviour and raise existential awareness, can improve criminal punishment. Existentialism creates a more inclusive, diversified, and sustainable accountability paradigm. This study demonstrates that preventive and restorative techniques, which change behaviour and raise existential awareness, can improve criminal punishment. Existentialism creates a more inclusive, diversified, and sustainable accountability paradigm. This study demonstrates that preventive and restorative techniques, which change behaviour and raise existential awareness, can improve criminal punishment. Existentialism creates a more inclusive, diversified, and sustainable accountability paradigm.

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