

THE SOIL CRISIS – SIGNAL OF A CONTINUING CRISIS IN HUMANITY’S THINKING

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Abstract:

Soil is the basis of life on planet Earth and therefore naturally belongs to all of humanity. In fact, the ownership of the soil is a determinant of the ownership of life. In 2004, with Slovakia’s accession to the European Union, Slovak soil was also included in the European Union’s reservoir of soil wealth. At present, soil and its protection belong to a pan-European area of interest, forming a unified system of legislative protection and practical use of land. However, in the light of the European Union’s current objectives of preserving a sustainable environment, the system of soil protection and use is facing new challenges determined by economic oscillation. One such challenge is the problem of what can be described as the ‘soil crisis’. The soil crisis risks giving rise to phenomena that could lead to a trend towards soil scarcity, soil loss or even soil extinction. The soil crisis is a signal of a continuing crisis in humanity’s thinking.

Key words: soil, thinking, crisis, risk, threat, humanity, safety

Introduction

Environmental threats and their associated risks to human society became the subject of serious interdisciplinary investigation and resolution essentially only in the late 20th century. (KUSIN, MAJZLAN and VALAŠÍKOVÁ 2012). In spite of the fact that the content of environmental threats poses an extraordinary danger to life on planet Earth, in spite of the fact that the scientific front has been paying particular attention to this issue, especially in recent times, even from a

global point of view, and its results have been widely publicized, the everyday life of the common man, determining his retention thinking and behavior in his own environment, basically announces a real disregard of this acute problem by the majority of the human population. (ŠÁNDORA and KRIŽANOVÁ 2013). It is as if mankind did not consider the possibility of the complete extinction of life on Earth at all, as if it did not take into account the emerging environmental risks as real environmental threats presented to it by nature. The spectrum of environmental threats is ever wider. Among them, the risks associated with the possible devastation and even loss of land, the world's land fund, seem to be fading away. At the same time, it is clear that a global soil crisis is under way, which, if not addressed, could lead to irreversible negative consequences for life as such. (KRÁLIKOVÁ 2022). The soil crisis is therefore a clearly visible signal at the same time highlighting the persistence of a crisis in humanity's thinking. Its relationship to the soil, to the earth as the nurturer of all forms of organisms living on Earth. Both plants and animals. Soil is a fundamental condition for the existence of tangible and visible space. It is therefore at the same time a universal component of the environment. Since soil is undeniably a primordial natural product that has been forming on planet Earth for countless billions of years, it is essentially irreplaceable. It is an unsubstitutable product of the evolution of the natural environment. The soil is the habitat on which all plant and animal species originate, live and perish. Not only terrestrial species, since soil also forms the bottom of oceans, seas, rivers, lakes and artificial watercourses and reservoirs. Despite this irreplaceable material dimension and mission, soil is constantly subject to destruction and devastation, most often on a global scale, solely as a result of man's anti-environmental activities. The destruction of soil and its biological functions on a local scale is mainly the unwanted result of the process of unleashing destructive natural forces (*vis maior*). It is naturally a subject to attacks by earthquakes, floods, fires. However, man in particular, during his existence on planet Earth, by his irrational activity, has managed to transform its surface, i.e. the soil, not only locally, regionally, but increasingly also on a wider scale, into a worthless mass of unidentifiable heterogeneous matter. Material that does not fulfil the functions that were naturally inherent in it until the time of human intervention in its structure. In the context of the unprecedented development of new technologies, but above all of the urbanization of the planet, soil is therefore becoming increasingly scarce in the 21st century. This is also the case in Europe. Rational human communities are aware of this fact and are therefore taking action to realistically protect and potentially save the nation-state and global soil stock. Part of this intellectual movement are also the activities of scientists, that form an interdisciplinary constructed and internationally modelled chain. Presenting, announcing and emphasizing the necessity to pragmatically

direct international interest towards the use of the most effective formalized instrument of land reconstruction and reparation on a global scale, i.e. law. Experience so far confirms that only the combined international activities of a broad front of scientists and environmental activists can create social pressure aimed at urgently bringing the world's economic and political power holders to the rules that must become a guarantee for the preservation of the soil. This scientific front therefore includes both lawyers and the security forces of states, including the police. However, the implementers of the strategy to save land on a global scale are all people without distinction, i.e. the entire world human community. The paper was composed pragmatically using scientific problem analysis methods e.g. descriptive method, observation method, comparative method, induction method, deduction method, abstraction method etc. These were chosen in connection to the basics of the topic. These methods belong to so called empirical methods. The authors have decided to use them because of their experience. The paper is a partial outcome of the scientific-research task VEIGA No. 3/2023 *Modern society of the 21st century as a multilayer and multilateral problem* assigned to the Janko Jesenský Faculty of Law of the Danubius College (Vysoká škola Danubius) in Sládkovičovo, in particular to the pair of responsible task solvers, prof. JUDr. Jozef Králik, CSc., MBA of Danubius College and pplk. doc. JUDr. Ing. PhDr. Kristína Králiková, CSc., MBA of the Academy of Police Force in Bratislava. The task has been given a contribution of 2000 EUR.

Nature and man as a cause of crisis and threat to the soil

In general, it can be stated that the emergence of a crisis, a crisis phenomenon and the subsequent crisis state that signals the impending state of destruction, emergency, or inception of a threat state. However, this threat to the status quo is not only linked to social relations, i.e. it is not directed exclusively to the social organism pulsating in the state or society. Crisis as a determinant of threat is manifested both in society and in nature. It therefore requires a rational solution to the unbalanced state of a particular phenomenon. In the natural environment of the contemporary world, which is also part of the human environment, a phenomenon that can be described as a 'soil crisis' is also emerging and becoming more and more intense. The soil crisis risks revitalizing the development trend towards soil scarcity or even soil extinction. Yet soil is still the basis for systematically building and maintaining humanity's food security. However, we would point out that crisis is a phenomenon inherent not only in the processes associated with the manifestations of life but can be inherent in any phenomenon. Social, biological, and geological. Unquestionably, therefore, also "inanimate" soil

can be concerned, thus signaling directly the state of its endangerment. The soil crisis is a current reality. It is the logical outcome and the obvious consequence of the “treatment” of the soil by nature and man, and for this reason the soil crisis can be defined in two basic positions or levels, namely:

- A. structural (natural) soil crisis being a signal announcing destruction of the substance, of the soil substrate
- B. a dispositional (artificial) land crisis, i.e. as a signal announcing an emerging threat to the acreage of land as a result of inappropriate handling, treatment and management of soil

Ad A.

The crisis of the soil as a natural substance, substrate, or as a natural substance and its structure, i.e. its natural essence, its internal composition, can be registered in the coordinates of the outwardly manifested loss of its natural properties, its mission and its natural functionality, which results from the transformation of the stable composition of the soil, its structure. This negative internal transformation of the soil can occur as a result of various influences of a vis maior nature. The ‘internal’ crisis of the soil, i.e. the emergence of a deviation from the normal threat to its composition, then occurs either naturally or as a result of such direct or indirect human interventions in the natural environment, which derivatively, but always negatively, affect the quantitative indicators and qualitative parameters characteristic of a heterogeneous substance, which indisputably soil also is. That is, in the first case, changes in the process of natural formation and disappearance of the soil cover of the planet Earth, i.e. soil, changes in its structural composition, in the form of a naturally, irregularly or cyclically recurring objective development tendency occurring without any immediate direct human intervention. Such a ‘natural’ crisis of soil composition and a threat to the quality of the Earth’s surface soil cover is triggered, for example, by ultra-intense air (wind) currents that move huge volumes of soil from one part of the planet to another. Saharan sand, for example, not only moves almost regularly from one location to another in the desert space, forming dunes, but air currents also move it from one continent to another. The African Saharan sand, for example, also covers the territorial space of Europe. This process can lead, on the one hand and in one place, to a loss not only of the quality, i.e. the fertility, of the soil, but also of its quantity, i.e. its volume. On the other hand, hitherto poor-quality soil in another location can be fertilized in this way by overlaying it with fertile soil. The loess soil of the Trnava Tableland (*Trnavská tabuľa*) in the Slovak Republic,

known for its fertility, also has its origins in the Slovak Záhorie region, which is characterized by poorly fertile sandy soils. A structural soil crisis can also occur naturally as a result of floods, volcanic eruptions, glaciation, meteorite impact on the Earth's surface, etc. A soil structure crisis of this magnitude and nature thus arises without any anthropogenic intervention. It is the result of natural forces, natural transformations of the Earth's environment resulting from its permanently ongoing natural changes. However, artificial human interventions in the individual components of the environment can also contribute to the changes taking place in the natural environment, and thus to the structural crisis of the soil, which are directly or indirectly manifested in the content of changes in the natural internal composition of the soil. These anthropogenic factors are currently gaining undesirable intensity. The structural (natural) soil crisis can therefore be identified in the form of a threat to the internal structural parameters of the soil substrate quality, i.e. a qualitative change in the soil. The structural (natural) soil crisis has a destructive impact on the economy of the affected locality (territory), as it has a devastating effect on agricultural production (crop yield), on the livelihood of the affected habitat. It can also spread to the entire national territory, thus affecting the stability of social relations and the ability to guarantee food security for the population.

Ad B.

The so-called dispositional (artificial) land crisis, i.e. a crisis resulting from inappropriate handling, treatment and management of land, is characterized by the removal of land from its originally intended purpose. Of course, the determinant and originator of this process is exclusively man, driven by a predatory interest in using the land for purposes other than those for which it has been shaped for over millions of years. Man, through his actions and relationship with the land, is actually changing the purpose of the land. Archaeology has documented the fact that in prehistoric times man lived and successfully hid from the threats of nature in natural or naturally occurring shelters, caves. Only gradually did he move on to constructing his dwellings with his own mind and hands. Well, and if he built his own house, he needed, above all, land on which to rest its foundations. The soil, as a natural substrate enabling the creation of a living space used for settlement and the associated provision of natural resources, the cultivation of crops, herbs and trees necessary for the biological survival of mankind, flora and fauna, but also as a mass integrating many mineral resources important for processing and further economic use by mankind, cannot be regarded as an inexhaustible substance or resource. The fact is, however, that

since the birth and early migrations of mankind, the area of land capable of producing food resources has been steadily decreasing. The loss of more and more of the world's land base as a basis for eliminating the risks associated with ensuring food sovereignty and, indeed, global human security, appears to be an acute problem. Its importance and nature are not really being addressed, but neither is it at all diminished in the geopolitical space of the European Union. Despite the fact that one of the priorities proclaimed by the European Union authorities is the 'politically sensitive' protection and creation of the environment, it is clear that the area of land that can be used to ensure the food security of the Slovak population is decreasing across the board. The area of the land fund usable to ensure optimum agricultural production or food production is subject to enormous pressure for its legal reclassification and subsequent transformation into the legal form of building land by the so-called development companies, also in the Slovak Republic. Profiteering individuals and communities feed on the 'reclassification' of agriculturally used, often purposefully devastated land in the interest of making a quick profit for themselves, regardless of the suppressed, and unfortunately also by some state authorities and their employees unpreferred, interest of society as a whole. The land crisis as understood in this way poses risks to society, clearly resulting in a loss of land that can be used as an irreplaceable source for the production of agricultural products guaranteeing a desirable degree of food security for the nation.

At present, and in this context, there is perhaps no scientific dispute that the state of the environment has always been, and still is today, a determining factor in changes to the gene pool of the human population. Since the soil is a carrier, or at least one of the basic elements or components of the environmental complex, its endangerment is also one of a range of phenomena integrated into the system of risks to biological life on Earth in general. For the time being, it is impossible to imagine life on planet Earth without its solid material surface, without a solid land cover, i.e. without soil. The fact that land is indeed historically the most precious material asset is also evidenced by the countless international armed conflicts that have always been fought essentially for the sole purpose of seizing and occupying territory, i.e. for the sake of acquiring more land as the foundation of mankind's living space. Despite man's "desire" for land, however, neither the individual, nor profit-seeking business communities, nor humanity as a whole treats land "with love and respect". The belief that land is always abundant leads to an underestimation not only of its nature, its mission, its value, but also of its importance for life. Soil is indeed the most frequently affected object of plunder. This is not only carried out in an industrial way, but also by 'artisanal trade' methods used by individuals and their associations. At the same time, the soil is an important natural product, a source of life, one of

the irreplaceable components of the environment, but one that humanity may be losing in real terms. In the past, soil was and still is a very important economic, social and ecological potential of the Slovak Republic. With the accession of the Slovak Republic to the international community of the European Union in 2004, Slovak soil was included in the European Union's reservoir of soil wealth. In the context of this classification, land and its protection now falls within the sphere of interest constituting a unified system of legislative protection and practical use of land, operating within this international community. This system of land protection and use, in the light of the European Union's current objectives of maintaining a sustainable state of the environment, is facing, and will continue to face, many new challenges in the coming period. These challenges are rooted in the transformation of both natural processes and human activity. These are linked, above all, to the accelerating change in climatic conditions on planet Earth and to the geometrically increasing population. International organizations must therefore also consider the environmental impact of migratory human communities concentrating in areas providing potentially more suitable living conditions for their members. The problems accompanying these processes are increasing in proportion to the intensity of pressure on the land, which is also subject to natural destructive attacks as well as negative anthropogenic influences. In particular, unprecedented deforestation and drainage and, consequently, inefficient use and even abuse of soil are having a negative impact on soil quality on a global scale. In particular, the unregulated and devastating development of fertile soils may deprive mankind of a basic source of livelihood. This may lead to further social, economic and existence problems for mankind in the future, as well as endangering the lives of other living organisms, both plants and animals. In this context, it is important to emphasize the fact that, for example, insufficient harvests and food, insufficient water, disproportionately high prices for agricultural products, etc., cannot be faced in the long term not only by any individual, but also by any numerically limited human community, or even by a numerically small, smaller, albeit not economically the poorest, nation. The political goal of the international community of the European Union will therefore probably be to integrate and concentrate the political, economic, security and social potentials of all European nations into a common unifying purpose resulting in the establishment of a target horizon, set *pro futuro* in the form of a complex of parameters of environmental behaviour of the population of mankind universally acceptable in order to ensure the protection of the land fund on a global scale.

Finding ways to avert the consequences of the land crisis

The soil crisis, its prevention, elimination, resolution, reversal and, above all, the effective tackling of its negative social and natural consequences must be a central subject of national and international political and environmental concern. Indeed, soil crises can be prevented, both by preventive measures and by timely restorative measures and, indirectly, by punitive measures. Of course, it seems most appropriate and cost-effective for the state and its population to take preventive measures to avoid any crisis phenomena. These preventive measures can be grouped into a number of interrelated and mutually reinforcing social challenges, enabling society to participate rationally in preventing and averting the possible consequences of a land crisis, namely:

1. environmental guidance
2. environmental education
3. environmental propaganda
4. environmental administration
5. environmental financial policy
6. environmental legislation

ad 1. Guidance of the population, not only children and youth, but also economically active people and the elderly towards environmentally neutral or directly environmentally positive behavior, will have to be a permanent part of state-controlled and directed environmental propaganda. The guidance of children in families, schools and other educational establishments, both public and private, from pre-school age onwards, aimed at accepting responsibility and respect for their own and other people's lives and their surroundings, people, their work and the environment, must become a constitutional or legal obligation, the fulfilment of which will be subject to public scrutiny. The aim of environmental guidance must be to achieve a positive, pro-environmental orientation in the thinking of the majority of the population.

ad 2. The environmental education of the population must be professionally carried out in both the school and non-school spheres, up to a certain fixed and attained age limit of the individual. Environmental education and the responsibility for its implementation must become a legal obligation, specifically incorporated into the structure of the compulsory portfolio of local authorities. The aim of environmental education must be to achieve a positive, pro-environmental orientation in the behavior of the majority of the population.

ad 3. Both public institutional mass media and private media must, in the public interest, be obliged by law to carry out certain tasks in a certain volume

and structure in the dissemination of environmental propaganda to the public. The involvement of institutions (press, radio, television) operating in the private media sphere in state-developed environmental propaganda can thus become a phenomenon helping to more effectively fulfil the mission, tasks and objectives that are part of the implementation phase of environmental education and environmental education of the population. Also, the legal enshrinement of the obligation of environmental propaganda in the scope of competences of territorial and professional self-government bodies may become a driving force leading to a non-violent transformation of the population's attitudes towards the environment, its protection and improvement.

ad 4. The state will inevitably have to change the focus, forms and methods of its own environmental administration so that administrative acts are not perceived by the affected population as a method of unnecessary bullying. Environmental administration must be carried out exclusively for the benefit of the protection and creation of the environment in a professional and vigorous manner, but always only in accordance with the wording of the individual provisions of the generally binding legislation in force. The personal liability of members of the bureaucratic apparatus, both employees and public officials, for the legality of ongoing administrative-environmental processes and also for the factual correctness of environmental decisions, including the liability of these persons installed in the state apparatus as public officials with their own personal property for potential damage to the environment or to environmental rights caused by incorrect administrative decisions of the persons concerned, must be duly investigated, specified and sanctioned. Particular attention will have to be paid by the State to the consistent performance of its own internal control function (KRÁLIK a KÚTIK 2013).

ad 5. The implementation of an environmentally oriented financial policy of the state must correspond to the public interest, and not to the interest of the oligarchy groups, or representatives of the ruling ochlocracy, promoted by lobbyists. A radical approach to solving the problem and achieving a more environmentally equitable redistribution of the resources accumulated in the revenues of public budgets will have to be taken by the political groupings participating in the exercise of state power. The principles on which the relevant tax legislation is constructed will also have to correspond to this objective.

ad 6. The necessity of innovating the national-state, and consequently also the international or EU environmental legislation determining it, the scope of the core of which is conditioned by specific legal constructions of cardinal importance, such as e.g. tax laws, budget laws, will obviously depend on the achieved level of success of the development of national environmental policy

and the results of its implementation. However, we are of the opinion that the criminal offence of endangering land, which is not expressly protected by these regulations, should also be directly incorporated into criminal legislation. This is in spite of the fact that the environmental dimensions are defined sufficiently broadly and the punishment of perpetrators for damaging the soil can already be extracted from the existing provisions of criminal or misdemeanor legislation.

Repressive measures in the environmental field can be concentrated in several interrelated and mutually conditioning organizational steps and activities aimed at sanctioning violators of environmentally conceived legislation. These measures can be implemented in the form of imposing sanctions by the relevant bureaucratic and brachial bodies of the state. The most important organizational structure operating in the protection of the environmental interests of the state and society, or the public interest, is the Police Force and the relevant professional guards operating in the field of the environment (KRÁLIKOVÁ 2020). In the environmental sphere, these branches of the executive power also perform a protective function and a repressive function of the state (KRÁLIK a KRÁLIKOVÁ 2016). In particular, the bodies of the Police Force and the Fire and Rescue Service of the Slovak Republic are effective in averting as well as punishing harmful consequences that are products of the soil crisis (e.g. flood, fire, chemical spills into soil and water). At the same time, they play an important role in implementing preventive measures to avoid environmental damage. In this way, they combine both preventive and punitive measures in their activities, also aimed at preventing soil crises. A similar preventive and repressive and no less important organizational element in the public administration system is represented by the specialist environmental guards, the system of which should be consolidated by the establishment of a specialist State Soil Guard. The following should also be done:

- a. strengthening the competences of the individual environmental guards, including liberalization of the use of coercive means by their members
- b. unification of the equipment and armament of the environmental guards
- c. the creation of a single expert central operational, coordinating, and consultative or commanding body for the environmental guards, or the creation of an environmental police force on their basis
- d. the professionalization of environmental guards and the creation of a volunteer environmental protection support corps (KRÁLIKOVÁ 2020)

It is clear from the above that environmental threats and the associated risks to human society can therefore also be countered by a variety of methods, practices and means, but most appropriately by those that focus on prevention. However,

all measures taken by the State to prevent and avert the consequences of a soil crisis, without distinction, are extremely costly, time-consuming, material-intensive, financially demanding, and humanly resource-intensive. And, above all, political support from the entire international community of nations. Without exception. Only the international community can select and eliminate both the causes and the dangerous consequences for the whole of human society of the world's so-called environmental game, in which multinational or international companies are involved on a global scale, usurping not only profits, but even the dominant political influence on the "course of the world". Intense international political support for environmentally "less courageous states" by individual "reasonable" international communities and organizations can effectively influence the adoption of individual acts of so-called environmental legislation adopted by individual states. However, repression of those who damage the various components of the environment, and in particular the soil, remains a necessity. However, prevention, i.e. the prevention of environmental threats and their associated risks, is more effective. Prevention of soil conservation, in which the law in particular must play a greater role, must also be an obvious part of everyday practical policy, from the level of municipal and regional government down to the positions introduced in central government. Indeed, the elimination of environmental threats can be secured from both the subjective and the objective level. The entity that can realistically deal with national crises and eliminate their consequences is an optimally functioning government department. Through its bodies, it can act preventively, restoratively, and repressively.

In the global geopolitical arena, a functioning and more or less respected global international organization, which, for the time being, remains the United Nations, stands out as an entity that is relatively capable of dealing optimally and bindingly with the environmental problems of the planet Earth.

Alarming conclusion

Against violence in general, and therefore also against violence in the environmental sphere, every rational thinking individual, every real public-spirited community, and even the whole "healthy" part of human society is trying to defend itself. The common man, burdened daily with mental or physical labor, has no interest in creating, seeking, or developing interpersonal relationships on the basis of violence. His mission and value-goal is mainly to secure the optimum means of life for himself and his loved ones. Such a person naturally wants to live and work in the peaceful creative atmosphere that a healthy environment can

provide for his daily functioning. Any violence, especially also used in the form of environmental violence, is usually the product of greed and lust for power, a sick lust to control foreign territories and their human and material resources. Even the land. Today, the struggle to simply maintain, let alone improve, the existing natural environment is literally becoming a necessity of life. The credo of a rational humanity, seeking to avert a possible catastrophe actually threatening the entire planet Earth through environmental activities, must remain the struggle to achieve the victory of “common sense” also in relation to the soil. Humanity is, by its own doing, on the brink of its own extinction. Because it is allowing history to be guided by forces that hold different values to those of the so-called sane and rational majority of the human population. Rational human communities are aware of this fact. That is why they are acting to realistically protect and potentially save the world’s land stock. The activities of scientists are also part of this intellectual movement. They are already linked together in a chain that is interdisciplinarily constructed and modelled on an international basis. Presenting, announcing, and emphasizing the necessity to pragmatically direct international interest towards the use of the most effective formalized instrument of land reconstruction and reparation on a global scale, i.e., law. Experience so far confirms that only the combined international activities of a broad front of environmental scientists and environmental activists can generate social pressure aimed at urgently bringing the holders of the world’s economic and political power to the rules that must become the guarantee of the preservation of the existence of land. Lawyers are also part of this scientific front. However, the implementers of the strategy to save land on a global scale are all people without distinction, i.e., the entire world human community.

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