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"Ukraine on Fire" – Some Remarks on the Causes and Effects of Russia's War with Ukraine and the Impact of Hostilities on the Right to Secure Critical Infrastructure[3]

Abstract

Russia's aggression against Ukraine, taking place since 24.02.2022, reflects the growing antagonism between civilisations, becoming a test for Europe's alliance with the United States (the Atlantic civilisation) and a test of the strength of the ties between Russia, China, and India (the Pacific civilisation). The "special military operation" carried out by the Russians inside Ukraine is fraught with manipulation. It is also an abuse of the R2P doctrine. The attempt to annihilate the Ukrainian people by destroying Ukrainian critical infrastructure linked to European infrastructure makes it clear that the involvement of NATO countries is inevitable. These events have become the background for the emergence of a new subjective right – the right to secure critical infrastructure allowing for continued operations of both states and societies. After the end of military operations, it will be necessary to determine the war reparations and to shape a new consciousness of the Ukrainian people. These considerations lead also to the question of when and how Russia's aggression on Ukrainian territory will end. The authors of the article are unable to answer the first of these questions, for obvious reasons. The second question, however, may be answered based on a vision of the future new world order.

Keywords: clash of civilisations, critical infrastructure, responsibility to protect (R2P).

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The clash of civilisations in Europe

The clash between civilisations according to Huntington, Fukuyama, and Kagan[4]

According to Samuel P. Huntington, the European Union should not continue to expand by including countries foreign to its civilisation. He even considers the accession of Romania and Bulgaria to be a political mistake. He argues that the prospect of Turkey's membership would lead to the meeting of three civilisations – Western, Orthodox, and Islamic – within one political body.[5] Francis Fukuyama[6] and Robert Kagan[7] take a similar stand.

Braudel's concept of civilisation presented in his essay "A History of Civilizations" is an attempt to reject the confrontational position in favour of holism, the source of which is e.g. the contribution of Muslim scholars and the entire Islamic civilisation to Western science. He believes that the demand for cheap labour has led to the emergence of a powerful Muslim diaspora, which countries must accept as "their own".[8]

A similar point of view is offered in the book *Zderzenie cywilizacji w Europie*,[9] that refers to the clash of civilizations in Europe. This monograph explores Mediterranean civilisation as the cradle of our culture. Its authors showed its relevance to modern times (returning to the sources, the view of the Acropolis, the Roman Forum and *Civitas Dei*), to the existing division (into East and West, North and

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[4] See: A. Pacześniak, *Turcja w Unii Europejskiej – ratunek czy samobójstwo?*, [in:] P. Żuk (ed.), *Europa w działaniu: o szansach i zagrożeniach dla projektu europejskiego*, Warszawa 2007, pp. 23–41.

[5] See: S.P. Huntington, *Zderzenie cywilizacji i nowy kształt ładu światowego*, translated by H. Jankowska, Warszawa 1997.

[6] Cf.: F. Fukuyama, *Craquements dans le monde occidental*, "Le Monde" 16.07.2002, https://www.lemonde. fr (access: 3.11.2022).

[7] Cf.: R. Kagan, *Puissance américaine, faiblesse européenne*, "Le Monde" 26.07.2002, https://www.lemonde. fr (access: 3.11.2022).

[8] See: M. Turowski, *Europa – islam bez Pipesa i Sardara. Zarys krytyki nowego orientalizmu i okcydentalizmu*, [in:] P. Żuk (ed.), op. cit., pp. 64–82.

[9] Z. Brodecki, M. Toumi, *Zderzenie cywilizacji w Europie*, Warszawa 2018. The section on Muslim communities was compiled by M. Toumi. See also: Z. Brodecki, *Słowianie w Unii Europejskiej*, [in:] *Nauka prawa w Gdańsku w XX i XXI wieku. Księga 50-lecia Wydziału Prawa i Administracji Uniwersytetu Gdańskiego*, Gdańsk 2020, pp. 483–498.

South) and the emergent civilisational paths: the Latin-Germanic civilisation, the Greco-Slavic civilisation, and the Muslim communities. The vision offered ends with a reflection on the identity of Europeans and the genetic differences between Slavs and other nations.

The title of the book – *Zderzenie cywilizacji w Europie* – was considered prophetic for it suggested that the rivalry between the US ("Second Roman Empire") and Russia ("Second Byzantine Empire")[10] would take a new form – that of a fratricidal war fought in the realm of Greco-Slavic civilization. In this test of strength, Russia acts as the aggressor and the US as the power providing assistance to Ukraine.[11] The stakes in this game are very high. This war is a test of the strength of Europe's alliance with the United States (the Atlantic civilisation) and a test of the strength of the ties between Russia, China, and India (the Pacific civilisation).

The reason behind Russia's aggression against Ukraine is **nationalism**, which has its roots in ethnicity and religion in the case of Greco-Slavic civilisation and in the idea of state in the case of Latin-Germanic civilisation. Eurasia has once again become an arena of political competition. In Russia, the Slavic genes of struggle, self-misunderstanding, and rapture have come to light.[12] They are the forces that cause this political power to pursue the 19th-century politics of force.[13] The tremors occurring along Russia's "fault line" lead to a confrontation between Russia and the Western world, embodied mainly by the US and European Union.

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[10] Portraying Russia as "the Third Roman Empire" is evidence of historical manipulation. This is because Orthodoxy is a product of Greco-Slavic civilisation with the assumption that the Byzantine Empire in its early stages of development was simply medieval Greece. There was no synthesis, so to speak, between Greece and Rome – even when the Acropolis was located in a Roman province. Cf. F. Koneczny, *O wielości cywilizacji*, Warszawa 2015.

[11] The US is viewed as a "guardian" of global security especially in the context of North Korea's threats to use nuclear weapons also by J. Ciechanowicz-McLean, *Odpowiedzialność państwa za szkody jądrowe*, "Gdańskie Studia Prawnicze" 2018, 39, p. 160. An important thing to bear in mind is the Americans are "keeping their finger on the pulse" by monitoring the moves of China in Taiwan, or the activities of Iranian forces in Yemen. In the former case, shortly after the visit of N. Pelosi in the autumn of 2022, Taiwan's armed forces fired warning shots at Chinese drones monitoring the area over one of the Taiwan-controlled islands. China aimed to send a clear message to the world that the visit by the Speaker of the US House of Representatives was an attempt to interfere in its internal affairs. This is because the Chinese have consistently asserted their sovereignty over Taiwan. More on the matter: *Tajwan. Ministerstwo Obrony: Chiny prowadziły symulacje ataków na okręty USA*, http://www.gospodarkamorska.pl (access: 1.09.2022).

[12] R. Dawkins, *The selfish gene*, Oxford 2018. Dawkins links the senses not only to the inheritance of the genetic material, but also to the gene itself, Z. Brodecki, M. Toumi, op. cit., p. 171.

[13] Cf. R. Kagan, *The return of history and the End of Dreams*, translated by G. Salad, Poznań 2009, p. 26.

Behavioural warfare – or a war for minds

The tenets of the Responsibility to Protect (R2P) doctrine, also known under the acronym R2P,[14] are still relevant in the contemporary discussion on the use of force in international relations. The doctrine assumes a shift in focus from humanitarian **intervention** to **responsibility** for prevention, response, and recovery.[15] Although it has lost its regard after the recent US intervention in Iraq,[16] it is still worth taking into account when considering war crimes[17] involving genocide and crimes against humanity.

Responsibility to protect has been the subject of careful analysis among experts dealing with so-called preventive warfare. These experts were initially involved in the debate over humanitarian intervention, which is usually defined as coercive action by a state without its government's consent with or without UN Security Council's authorisation to prevent or stop significant and massive violations of human rights or international humanitarian law.[18] When this definition is considered, special attention is drawn to the ideas of just cause (*justa causa*), right intention (*recta intetio*), and right authority, meaning the entity entitled to intervene.

It is difficult to see the military actions carried out by Russia on Ukrainian territory as legitimate. Russian diplomats claiming that this is a "special military operation" aiming to liberate Russian citizens from the yoke of Ukrainian nationalists is mere propaganda. The "art" of manipulating and twisting facts and generating so-called "fake news" aims also to convince the global audience that the Russian Federation is defending itself against NATO's expansion to the East.

The Houthi activity in the Middle East can also be called an instance of abuse of the principles of preventive warfare and misunderstanding of the idea of R2P. The drone attack on the "Nissos Kea" tanker during a stopover at the Al-Dabba terminal in Ash Shihr, Yemen, in September 2022, was not related to a "warning

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[14] See: P. Zajadło-Węglarz, *Odpowiedzialność za ochronę*, [in:] M. Balcerzak, S. Sykuna (eds.), *Leksykon ochrony praw człowieka. 100 podstawowych pojęć*, Warszawa 2010, pp. 292–297.

[15] See: Z. Brodecki, P. Zajadło-Węglarz, *International Intervention: The Burden of Proof*, [in:] J. Zajadło, S. Sykuna, T. Widłak (eds.), *Humanitarian Interventions. Reflections of the Special Workshop of the 23rd IVR World Congress, Kraków 2007*, Gdańsk 2010, pp. 77–91.

[16] The reason why this doctrine lost its legitimacy when invoked by US diplomacy at the UN was the lack of proof that Hussein possessed weapons of mass destruction. This intervention was justified because of ethnic cleansing among the Kurds. If the US had used this argument as the reason for its military action, it would imply that the means used to the end had been disproportionate.

[17] These concepts are explained by M. Sykulska-Przybysz in the already cited *Leksykon ochrony praw człowieka*, see: 'ludobójstwo' [EN: genocide] (pp. 219–226) and 'zbrodnie przeciwko ludzkości' [EN: crimes against humanity] (pp. 539–545) as wel as 'zbrodnie wojenne' [EN: war crimes] (pp. 545–552).

[18] This was the definition included in a report drawn up by the Danish Institute of International Affairs. See: S. Sykuna, *Interwencja humanitarna*, [in:] *Leksykon ochrony praw człowieka…*, pp. 153–166.

attack", as was claimed. It was a clear attempt by Iranian forces to destabilise and paralyse the operation of the oil terminal in Yemen.[19] The incident of 15.11.2022, where a drone carrying an explosive charge struck the "Pacific Zircon" tanker operated by Singapore's Eastern Pacific Shipping owned by Idan Ofer, an Israeli billionaire, off the coast of Oman can be viewed as a similar situation.[20]

The responsibility to react begins as soon as hostilities begin. Determining when such a situation occurs requires specialist knowledge because the real-world warfare theatre has been extended to include cyberwarfare. Cyberwarfare is fought without ammunition[21] or with ammunition in the case of hybrid wars. And this is what we are currently facing in Ukraine.

Military response is a "last resort" solution. When assessing the impact of military action, it is necessary to consider the proportionality of the adopted means to the objectives that need to be achieved. This principle of proportional means is rooted firmly in international humanitarian law (which prohibits e.g. torture in situations of armed conflict)[22] and international criminal law (which prohibits genocide, crimes against humanity, and war crimes).[23]

The scale and rate at which Russia is destroying critical infrastructure in Ukraine points to the emergence of a new form of genocide. Russia's massive conventional and unconventional attacks against civilian, military, and public targets including residential buildings, energy and heating infrastructure, hospitals, schools, theatres, offices, roads, bridges, etc., as well as involving widespread disinformation and propaganda activities – that have been going on since 24.02.2022 – are taking on the form of total war, a war of madness, almost impossible to imagine and accept in the 21st century. The particularly serious attacks on Ukrainian energy infrastructure carried out on 14.11.2022 (the Russians launched about 100 missiles that deprived more than 7 million users of electricity)[24] are going down in history as the tragic face of the Russian "destruction gene", which also impacted Poland (where 2 people died as a result of a missile strike from Ukrainian territory) and Moldova (Russian attacks caused a blackout across a significant part of the country).[25]

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[19]   Cf. *Cywilny tankowiec zaatakowany przez drony*, www.gospodarkamorska.pl (access: 25.10.2022) and K. Wójcicka, *Huti destabilizują Bliski Wschód. To nowy rozdział w wojnie o Jemen*, https://www.gazetaprawna.pl (access: 27.01.2022).

[20]   https://biznes.wprost.pl (access: 16.11.2022).

[21]   See: P. Łuczuk, *Cyberwojna. Wojna bez amunicji?*, Kraków 2017, passim.

[22]   See: J. Kapelańska-Pręgowska, *Tortury*, [in:] *Leksykon ochrony praw człowieka…*, pp. 481–489.

[23]   See: E. Karska, *Międzynarodowe prawo karne*, [in:] J. Symonides, D. Pyć (eds.), *Wielka encyklopedia prawa*, vol. IV, *Prawo międzynarodowe publiczne*, Warszawa 2014, p. 233.

[24]   *Rosjanie uderzyli w infrastrukturę. Władze Ukrainy: Sytuacja jest krytyczna*, http:/www.wprost.pl (access: 15.11.2022); also: *Zmasowane ataki Rosji na Ukrainę* [live report], www.pap.pl (access: 16.11.2022).

[25]   *Zmasowane ataki Rosji na Ukrainę* [live report], www.pap.pl (access: 16.11.2022).

The 2001 "Responsibility to Protect" report made a fundamental change to the so-called Westphalian system (based on the principle of sovereignty and non-intervention) because it highlighted the importance of not only protecting the population living within the jurisdiction of the defending state, but also of a long-term plan to restore that state after destruction. The essence of the efforts aiming to restore the pre-aggression state is to maintain peace, reconstruct government institutions, support the defending state's development, and punish criminals.[26] The most likely scenario is one that anticipates the reconstruction of critical infrastructure that has been – and continues to be – devastated to weaken Ukraine's population and make it difficult for Ukrainian people to survive the winter. This is because said scenario involves major new investment projects. Investors from around the world are already making plans to rebuild Ukraine's critical infrastructure and make it operable again, hoping for big profits, and EU member states have already started "paving the way" to make the upcoming scenario of Ukraine's restoration efforts a reality.[27]

Supporting the country in its (re)development will certainly follow the idea of *sustainable development* as a complex and multidimensional systemic principle.[28] Its goal will be to ensure the continued development of a sustainable society in a sustainable world. In considering sustainability, interdisciplinary approach is an aspect of great importance. Personally, I think (author's note – Z. Brodecki) that there is much more behind this idea, some sort of reasoning "between" and "beyond" disciplines. A transdisciplinary analysis implies a deeper look at the law of sustainable development as it enriches the interdisciplinary analysis "between" disciplines residing on the outskirts of philosophy by incorporating areas of knowledge found at the core of modern philosophy: philosophy of science, philosophy of mind, philosophy of language and **ethics**.[29]

Other significant matters to address in the process of reconstruction are also war reparations (representing compensation by the belligerent state to the other

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[26] *The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty*, 2001, https://www.globalr2p.org/resources/the-responsibility-to-protect-report-of-the-international-commission-on-intervention-and-state-sovereignty-2001/ (access: 20.03.2023), pp. 65–66.

[27] One of the heralds of European scenarios for reconstructing Ukraine after the conflict with Russia is the agreements made at the International Expert Conference on the Recovery of Ukraine, which took place on 25.10.2022 in Berlin.

[28] See: e.g. D. Pyć, *Filozofia prawa zrównoważonego rozwoju, Filozofia dogmatyk prawniczych*, "Gdańskie Studia Prawnicze" 2007, p. 18 and S. Jaśkiewicz-Kamińska, *The role of administrative courts in shaping the development directions of the sustainable development principle: remarks regarding case-law in environmental protection and spatial planning cases*, "Economics and Law, Ekonomia i Prawo" 2021, 20(4).

[29] See: *Mapy filozofii: centrum i obrzeża*, [in:] T. Honderick (ed.), *Encyklopedia filozofii*, vol. 2, translated by J. Łoziński, Poznań 1999, p. 1039, passim.

party of the conflict for the losses and damages suffered)[30] and the liability of criminals before the criminal court of the invaded state and before an international tribunal in relation to a specific conflict – since the jurisdiction of the International Court of Justice is not mandatory and the parties to the Rome Statute of the International Criminal Court do not include major military powers: Russia, the USA, China. Despite the above, for many months now the UN has been considering the terms on which the damage done to Ukraine by the Russians will be recorded, discussing how the war reparations payment instrument will be implemented. These considerations became the subject of a resolution on Russian reparations for Ukraine adopted by the UN General Assembly on 14.11.2022.[31] Russia has challenged these arrangements, arguing that such decisions can only be made by a court, not by a body such as the UN General Assembly.

In addition, once the military activity ends, it will be very important to build a new consciousness in Ukraine. The changes taking place in Ukrainian society are quite revolutionary. Therefore, it is reasonable to expect a radical shift in the mindset of Ukrainian civil society. In this respect, Ukraine is in a better situation than Poland, whose post-1989 timeline was marked by rather evolutionary changes. This type of transformation involves a sense of euphoria in the first phase (first generation), frustration in the second phase (second generation), and adaptation only in the third phase (third generation). Thus, it looks like the civil society of Ukraine will reach the level of mentality of people in Western Europe much faster than our – i.e. Polish – society, which is currently at the peak of the frustration phase.

The right to secure critical infrastructure

Russia's aggression against Ukraine points to the importance of the protection of critical infrastructure among the priorities of European security – especially energy security. The incident of the Nord Stream gas pipeline leaking as a result of a drone attack, Russian military activity aimed at destroying Ukraine's critical infrastructure, as well as numerous speculations of Russian use of weapons of mass destruction have put all of Europe on alert.

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[30]   See: K. Stasiak, A. Szarek, *Odszkodowanie wojenne*, [in:] D. Pyć, A. Przyborowska-Klimczak (eds.), *Leksykon prawa międzynarodowego publicznego*, Warszawa 2012, pp. 273–282.

[31]   As a result of the vote on the resolution, 14 countries – including China, Syria, North Korea, Ethiopia, Belarus, Mali, Iran, Nicaragua, Cuba, Russia, Zimbabwe, Eritrea, the Bahamas, and the African Republic of Central Africa – objected to the adoption of resolution, with 94 countries voting in favour of the resolution, and 73 abstaining. Cf. O. Górzyński, *Zgromadzenie Ogólne ONZ przyjęło rezolucję popierającą reparacje wojenne dla Ukrainy*, http://www.gazeta prawna.pl (access: 14.11.2022).

These events show clearly how important it is to establish strategies for protecting critical infrastructure for the prevention, response, and reconstruction phases alike. At the same time, said events have become a background to a process of transition from responsibility for the operation of this infrastructure – in the context of public administration's obligations to create and maintain the continuity of operation of sectoral infrastructure (energy, telecommunications, transportation, etc.), ensuring the ability to provide public services – arising from the need to carry out public tasks to civil society's right to access to this infrastructure and to protective equipment, systems, and facilities for the prevention and mitigation of negative effects of the emergence of asymmetric threats (i.e. the right to shelter, the right to protection from flooding, landslides, and other natural hazards and threats resulting from human activity, e.g. the right to protection from the effects of cyberattacks on banking systems, the right to protection from the effects of cyberattacks on public administration systems[32]).

In practice, it appears that the right to secure critical infrastructure is articulated and secured by national legislative bodies to a greater extent when a given state's government and society are more aware of the fact that the consequences of failing to take preventive and response-preparation measures are likely to result in a paralysis of the functioning of the entire state and society for a prolonged period of time if critical infrastructure is damaged. This is because the number and capacity of back-up solutions for damaged critical infrastructure systems is inherently limited, and their reconstruction is both capital- and time-consuming.

The awareness of the significance of the above tends to develop through painful experiences and prioritisation of the idea of security perceived in a cross-sectional, holistic manner with consideration of the network interconnections of individual infrastructure sectors. As a result, the world is divided into countries that are aware of the importance of their critical infrastructure, invest considerable amounts therein, and establish appropriate regulations in terms of the need to guarantee the right to secure critical infrastructure in the broad sense, taking into account the need to provide their citizens with shelter, etc. (e.g. Israel, Canada, Switzerland, Sweden) and countries unaware or downplaying the necessity to adopt suitable measures in this area. The latter have certainly never seriously considered Benjamin Franklin's famous words – *Failing to prepare is preparing to fail*. The legislative and actual negligence in this domain should never be excused in the 21st century by the high cost of preventive measures as these can be both optimised and partially

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[32] More on the matter: S. Jaśkiewicz-Kamińska, *Prawo do bezpiecznej infrastruktury krytycznej*, Warszawa 2016, pp. 245–246.

and proportionately transferred onto the owners and operators and end-users of critical infrastructure with adequate incentives – such as tax relief.

The right to secure critical infrastructure thus encompasses the right to the guarantee of the continuity of services essential to the economy (the right to access to electricity, water, heating, Internet) and the right to "shelter".[33] The legislation of countries such as Switzerland and Israel contains provisions on the obligation to create public and private places of refuge for civilians. Such regulations have been part of the adopted instruments of security against asymmetric threats for many years, i.e. since the 1960s in Switzerland and since the 1990s in Israel. During the so-called Cold War period, many countries – especially European countries – also attempted to implement such solutions, but they usually involved small-scale measures, with no follow-up and no vision for their development or long-term maintenance.

In accordance with the law of Israel, since the 1990s, every citizen must have access to a sealed shelter, and every newly built house must have a "shelter space" of at least 9 square metres, while multi-family buildings need to feature so-called "common/shared shelter spaces." When it comes to the streets, in turn, it is common to come across public, multi-person shelters and small places of refuge, created in response to the assumption that 15 seconds is the maximum time to find a place of refuge if a citizen is under attack on the street. On a day-to-day basis, shelters, depending on their status, are public or private and serve a variety of purposes and functions. They are used as bars, gyms, dance studios, military barracks, warehouses, guest rooms, and even synagogues. However, despite the favourable legislative conditions, about 30% of citizens still do not have access to a sealed shelter,[34] while in the case of the militarily neutral Switzerland, there are even more shelters than citizens.

In Poland, efforts have been made over the past six months to inventory and assess the suitability of shelters built after World War II. There is also an ongoing assessment of the publicly accessible sites and facilities that may serve as shelters in the event of a nuclear or biological event. This is because at this point there are no provisions in force that would regulate the construction of shelters. There are even no definitions of what qualifies as a shelter. In fact, the only regulation (although non-binding legally) is the *Guidelines of the Chief of National Civil Defence of 04.12.2018*

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[33] The authors of this text equate the term "shelter" with shelters of all sorts and categories, including bunkers, *safe-rooms*, and other places of refuge in the event of asymmetric threats. A shelter understood in this way can also be referred to as emergency infrastructure, which is a special type of critical infrastructure.

[34] *Milion izraelskich schronów kiedy nie ma ataków służą jako siłownie i synagogi*, https://www.polsatnews.pl (access: 19.05.2021).

on the principles of dealing with shelter building resources.[35] At this point it should be stressed that there exists a draft law on civil protection and the state of emergency due to natural disaster (UD 432) pending in the legislative process, whose section 8 addresses the provision of shelter for the population and securing property in the event of an emergency. The aforementioned gaps in the law offering a definition of shelters and laying down provisions governing their construction seem to be filled by the amendment to the Building Law adopted on 29.03.2023, which includes provisions on the possibility of building shelters of up to 35 square metres following a pre-construction notification.

The right to (secure) critical infrastructure is multidimensional and serves as an instance of a solidarity subjective right – it can be classified as one of the fourth-generation human rights. The example of Ukraine proves that the right to secure critical infrastructure is crucial, being one of the fundamental standards of the right to life in the 21st century, which both national and international laws should ultimately argue for.[36] The right to secure critical infrastructure in the domain of law remains a concept of right *in statu nascendi*, even though it has actually long functioned as one of the subjective rights. Despite the scale of destruction and damage done to Ukrainian critical infrastructure systems, there are ad hoc activities carried out to with the aim to put these systems back into operation, regardless of cost.

The world at a crossroads

When and how will Russia's aggression on Ukrainian territory end? This fundamental question can be answered only after a thorough analysis of the current economic and geopolitical system. It may be a good idea to look at the world map in a different way, from a different perspective, referring to the map created by H. Andrzejczuk, for instance. Its qualities are confirmed by the model offered in the epilogue to *Zderzenie cywilizacji w Europie*.[37]

The new geopolitical alignment suggests that the end of the aggression in Ukraine will depend on the measures undertaken by China ("A wealthy country with a strong army"), India (the hegemon of a subcontinent where the predominant ideology is increasingly manifested not through the strength of argument but through the argument of force), and Iran (a local hegemon in the Middle East and

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[35] *Prawny problem z bunkrami i schronami w Polsce. Rząd rozważa uproszczenie przepisów*, https://businessinsi der.com.pl (access: 15.11.2022).

[36] An example of a trigger to articulate the right to secure critical infrastructure is ECHR judgement of 20.03.2008 in the case of Budayeva and others v. Russia, http://www.echr.coe.int (access: 10.11.2022).

[37] Z. Brodecki, M. Toumi, op. cit., p. 164.

the Persian Gulf).[38] These superpowers have their own vision of the world – a world governed by the politics of force. China's cooperation with India and, in the long run, also with Iran will determine if – and when – said powers decide to confront the world of liberal-democratic states.[39]

Following the advancement of artificial intelligence and the arms race in space, we believe that the time for a war between the Pacific civilisation and the Atlantic civilisation has not yet come. What is happening in the area of the great geopolitical fracture is similar to "shifting sands" filling in and covering the borders between civilisations. The process of transition from so-called parallel civilisations (rooted in **culture**) to a universal civilisation (rooted in **technology**) will continue until at least 2050. If a third world war does not break out by then, the security of future generations will not be threatened. The guarantor and guardian of peace will be a "synergistic mind" that will create a harmonious arrangement between amity, science, language, and ethics. The question of how to live in times of increased conflict between traditional culture and the new technological civilisation is a rhetorical device in this paper.[40]

Bibliography

Balcerzak M., Sykuna S. (eds.), *Leksykon ochrony praw człowieka. 100 podstawowych pojęć*, Warszawa 2010.

Brodecki Z., *Słowianie w Unii Europejskiej*, [in:] *Nauka prawa w Gdańsku w XX i XXI wieku. Księga 50-lecia Wydziału Prawa i Administracji Uniwersytetu Gdańskiego*, Gdańsk 2020.

Brodecki Z., Toumi M., *Zderzenie cywilizacji w Europie*, Warszawa 2018.

Brodecki Z., Zajadło-Węglarz P., *International Intervention: The Burden of Proof*, [in:] J. Zajadło, S. Sykuna, T. Widłak (eds.), *Humanitarian Interventions. Reflections of the Special Workshop of the 23rd IVR World Congress, Kraków 2007*, Gdańsk 2010.

Ciechanowicz-McLean J., *Odpowiedzialność państwa za szkody jądrowe*, "Gdańskie Studia Prawnicze", 2018, 39.

Cywilny tankowiec zaatakowany przez drony, www.gospodarkamorska.pl (access: 25.10.2022).

Dawkins R., *The selfish gene*, Oxford 2018.

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[38] See: R. Kagan, *Puissance américaine…* passim.

[39] See: e.g. A. Saad-Filho, D. Johnston (eds.), *Neoliberalizm przed trybunałem*, Warszawa 2009, passim. In this book, a number of Western and Eastern politicians offer theoretical perspectives, an overview of the landscape of neoliberalism as experienced by individual countries and political camps, including the US, the UK, the European Union, Latin America, Saharan Africa, South Asia, Japan, East and Southeast Asia, and Eastern European countries.

[40] It will be answered, though, in the book *Przedwiośnie ery sztucznej inteligencji. Technologia, zarządzanie i prawo w służbie Ziemi* [EN: *The Dawn of the Era of Artificial Intelligence. Technology, Management, and Law in the Service of the Earth*], which is a study by a group of Pomeranian scientists and industry practitioners, edited by Professor Zdzisław Brodecki, PhD, DSc.

ECHR judgement of 20.03.2008 in the case of Budayeva and others v. Russia, http://www.echr.coe.int (access: 10.11.2022).

Fukuyama F., *Craquements dans le monde occidental*, "Le Monde" 16.07.2002, https://www.lemonde.fr (access: 3.11.2022).

Górzyński O., *Zgromadzenie Ogólne ONZ przyjęło rezolucję popierającą reparacje wojenne dla Ukrainy*, http://www.gazeta prawna.pl (access: 14.11.2022).

Honderick T. (ed.), *Mapy filozofii: centrum i obrzeża*, [in:] Encyklopedia filozofii, vol. 2, Poznań 1999.

Jaśkiewicz-Kamińska S., *The role of administrative courts in shaping the development directions of the sustainable development principle: remarks regarding case-law in environmental protection and spatial planning cases*, "Ekonomia i Prawo" ("Economics and Law") 2021, 20(4).

Jaśkiewicz-Kamińska S., *Prawo do bezpiecznej infrastruktury krytycznej*, Warszawa 2016.

Kagan R., *The Return of History and the End of Dreams*, translated by G. Sałada, Poznań 2009.

Karska E., *Międzynarodowe prawo karne*, [in:] J. Symonides, D. Pyć (eds.), *Wielka encyklopedia prawa*, vol. IV, *Prawo międzynarodowe publiczne*, Warszawa 2014.

Koneczny F., *O wielości cywilizacji*, Warszawa 2015.

Łuczuk P., *Cyberwojna. Wojna bez amunicji?*, Kraków 2017.

Milion izraelskich schronów kiedy nie ma ataków służą jako siłownie i synagogi, https://www.polsatnews.pl (access: 19.05.2021).

Pacześniak A., *Turcja w Unii Europejskiej – ratunek czy samobójstwo?*, [in:] P. Żuk (ed.), *Europa w działaniu: o szansach i zagrożeniach dla projektu europejskiego*, Warszawa 2007.

Pyć D., *Filozofia prawa zrównoważonego rozwoju, Filozofia dogmatyk prawniczych*, "Gdańskie Studia Prawnicze" 2007.

Pyć D., Przyborowska-Klimczak A. (eds.), *Leksykon prawa międzynarodowego publicznego*, Warszawa 2012.

The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty, 2001, https://www.globalr2p.org/resources/the-responsibility-to-protect-report-of-the-international-commission-on-intervention-and-state-sovereignty-2001/ (access: 20.03.2023).

Saad-Filho A., Johnston D. (eds.), *Neoliberalizm przed trybunałem*, Warszawa 2009.

Turowski M., *Europa–islam bez Pipesa i Sardara. Zarys krytyki nowego orientalizmu i okcydentalizmu*, [in:] P. Żuk (ed.), *Europa w działaniu. O szansach i zagrożeniach dla projektu europejskiego*, Warszawa 2007.

Wójcicka K., *Huti destabilizują Bliski Wschód. To nowy rozdział w wojnie o Jemen*, https://www.gazetaprawna.pl (access: 27.01.2022).

Zajadło-Węglarz P., *Odpowiedzialność za ochronę*, [in:] M. Balcerzak, S. Sykuna (eds.), *Leksykon ochrony praw człowieka. 100 podstawowych pojęć*, Warszawa 2010.