

PROTECTION OF HUMAN RIGHTS THROUGH ENVIRONMENTAL ETHICS

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Abstract: One of the most crucial problems facing the mankind today is the preservation of the environment. The pollution of the environment around our mother earth is affecting not only the lives of human beings but also the entire living organism. Environmental problem has received the attention of the whole world as it is recognized as a worldwide disaster. The main reason of this problem is increasing human activities in the modern society which has accelerated the pace of environmental pollution. Pollution is a major human rights problem. Human rights are the basic and inalienable rights a man possesses. The presence of human rights can be seen throughout the history of mankind. These rights need to be protected and at times enforced. The effects of pollution on human health as well as other living organism are really profound. The need to protect and improve the environment is so compelling and pressing for the survival of not only mankind but also the life form on the planet-Earth. This right to environment has emerged as a human right. Environment plays a protective and promotional role in the survival of humanity. No doubt, specific laws with the intention to preserve the environment have been legislated all over the world. But the sources indicate that environmental problem is increasing day by day due to various kinds of pollutions.

It is true that human beings by their own misdeeds are responsible for the environmental pollution. The growing population coupled with the modern culture

of consumerism has caused alarming damage to our environment. It is a fact that the economic development is essential to improve the quality of life; and natural resources play an important role to achieve this goal. But today the ecological disaster has made it mandatory for us to utilize these limited resources in a judicious and rational manner. The collective destiny of our globalised world lies in our attempts at “improving the quality of human life while living within the carrying capacity of supporting eco-systems”. This is what we call ‘sustainable development’. Sustainable development means the kind of development that can be effected by us without compromising the ability of future generations to meet their own needs. This idea embodies a pious aspiration for economic growth and social equity while ensuring environmental protection simultaneously. To meet this goal, we need to imbibe a holistic approach comprising human values, social participation, clean technologies and good governance. The only solution to our current environmental problems is to go back to nature, our ancient ideals and traditional values. Our current living style, preferences in life, and attitude towards nature is not only causing environmental degradation, but also distorting human personality and value pattern. Environmental ethics are the best means to protect the human rights from the environmental pollution.

Environmental ethics are required to play a major role in preserving the environment. Every one of us

is having the responsibility to protect the environment from all sorts of pollution. Environmental ethics can help the society tremendously in protecting environment. It is the high time to develop environmental ethics to understand the problems of environment through relevant experiences and to extend all possible assistance to the society so that the right to environment of human beings is protected. Therefore, the main objective of the paper is to highlight how polluted environment violates the human rights and focus on the significance of environmental ethics to protect human rights by preserving nature from polluted environment.

Keywords: Ethics, Environment, Human Rights, Pollution, Sustainable Development

INTRODUCTION

Preservation of the environment from pollution has become the most crucial problem facing the mankind. The environmental pollution around the mother earth is affecting the lives of human beings. It is true that human beings by their own misdeeds are responsible for the environmental pollution. The growing population coupled with the modern technology and culture of consumerism has caused alarming damage to the environment. It is a fact that the economic development is essential to improve the quality of life and natural resources play an important role to achieve this goal. But today, the ecological disaster has made it mandatory to utilize these limited resources in a judicious and rational manner. The collective destiny of globalised world lies in our attempts at "improving the quality of human life while living within the carrying capacity of supporting eco-systems". This is what we call 'sustainable development'. Sustainable development means the kind of development that can be effected by us without compromising the ability of future generations to meet their own needs. This idea embodies a pious aspiration for economic growth and social equity while ensuring the environmental protection simultaneously. To meet this goal, there is a need to imbibe a holistic approach comprising human values, social participation, environment friendly technologies and good governance.

In recent years, there has been a growing concern all over the world regarding the steady deterioration in the world's environment. Unplanned development, rapid industrialization and unprecedented growth in population have been recognized as being the main causes of environmental degradation. 1960s and 1970s witnessed an ecological crisis brought out by industrial civilization. This crisis was composed of environmental pollutions (such as air pollution, water pollution, soil pollution, toxic chemical pollution, solid waster pollution), resource shortages (such as

storages of energy, cultivated land, minerals and fresh water) and ecological imbalances (such as rapid decrease of forest and biodiversity, rapid growth of population and desertification of land all over the world). The environmental problems of most of the developed countries had been well dealt with in the beginning of the 1980s. But with the pace of fast and unplanned development, the environmental pollution and ecological crisis have been spreading rapidly across the world. The environmental situations in developing countries have become acute and shadow of resource shortage and nuclear waste hangs over the world. The population boom is threatening earth's carrying capacity. The rapid disappearance of species and forests is undermining life, both human and non-human. The ozone hole and global warming are becoming nightmare [Yang, T., 2006]. The governments of various countries have passed legislations to preserve ecology and prevent pollution. A number of voluntary organizations and individuals have expressed their concerns about unplanned development. This problem is alarming that human life on the earth is in danger unless sincere efforts are made. To overcome from this problem, there is a need to find a solution to preserve the environment. This problem which violates the human rights tremendously needs to be tackled at any cost by various means of preservation of the environment.

The United Nations (UN) today is putting more energy into dealing with the global environmental issues. Worldwide non-governmental organizations (NGOs) concerned with environmental issues are playing even more active roles in protecting the environment. Environmental laws have been established at national, regional and international levels and most countries have adopted a policy of sustainable development. Protecting the environment has become humanity's common cause. For example in India, there are a large number of laws, rules and regulations governing the environment. These include laws enacted by the Central Government and State Governments as well as an increasing body of judicial decisions affecting industrial activities that generate pollution. Further, there are more than 200 statutes that have bearing on environmental matters in India. Some of the major legal provisions in India include: Industries (Development and Regulation) Act, 1951; Atomic Energy Act, 1962; Atomic Energy Regulatory Board and Radiation Protection Rules, 1971; The Wildlife (Protection) Act, 1972; The Water (Prevention and Control of Pollution) Act, 1974; The Forest (Conservation) Act, 1980; Air (Prevention and Control of Pollution) Act 1981; The Environment Protection Act, 1986; The Motor Vehicle Act, 1988; Hazardous Waste (Management and Handling) Rules, 1989; The Manufacture, Use,

Import, Export and Storage of Hazardous Micro-organisms of Cells Rules, 1989; The Public Liability Insurance Act, 1991; A Notification of Environmental Statement 1993; A Notification on Environmental Clearance, 1994. The National Environmental Tribunal Act, 1995, Bio-medical Waste (Management and Handling) Rules, 1998; etc. Besides these provisions, there are a number of judicial decisions that have a bearing on environmental matters [Patil, R.M., 2011].

HUMAN RIGHTS AND ENVIRONMENT

Human rights are generally defined as the rights which every human being is entitled to enjoy and to have protected. Human rights are the basic and inalienable rights a man possesses. The presence of human rights can be seen throughout the history of mankind. The right to environment has emerged as a human right. The human right to healthy environment has come into operation in the international environmental treaties and conventions as well as national legislative measures and judicial responses [Singh, G., 2005]. Polluted environment is a major cause of human rights violations. The effects of pollution on human health as well as other living organism are really serious. Protection of the environment for the survival of mankind and also the life form on the planet-earth, is absolutely needed.

Environment includes water, air and land and the inter-relationship which exists among and between water, air and land and human beings, other living creatures, plants, micro-organism and property. Environmental pollutant means any solid, liquid, or gaseous substance present in the atmosphere in such concentration as may be, or tend to be injurious to human beings or other living creatures or plants or property or environment. Environmental pollution means the presence in the environment of any environment pollutant [Singh, G., 2005]. The environment on the earth means the physical, biological and atmospheric conditions existing on and around the earth. It includes living and non-living matter on the earth. The immediate environment of man comprises of air on which depends all forms of life. The earth is our mother but air is vital force for the living things. Apart from supplying the life giving oxygen, air and atmospheric conditions serve several functions. The human body is cooled by air contact. The special senses of hearing and smell function through air transmitted stimuli. Diseases agents are conveyed by air. Air is mechanical mixture of many gases and moisture with some inert. When we inhale, not only oxygen but also other gases and materials enter our respiratory system. The normal composition of external air volume is approximately: Nitrogen – 78.10 per cent; Oxygen – 20.93 per cent and Carbon Dioxide – 0.03 per cent. The balance is made up of

other gases which occur in traces, for example, neon, krypton, xenon and helium. In addition to these gases, air also contains water vapour, traces of ammonia and suspended matter such as dust, bacteria, spores and vegetables debris. Air is rendered impure by respiration of people and animals; combustion of coal, gas, oil, etc; decompositions of organic matter and trade, traffic and manufacturing processes which give dust, fumes, vapors and gases. Under the ordinary conditions, the composition of outdoor air is remarkably constant. This is brought down by certain self-cleansing mechanisms which operate in nature such as the movement of air, atmospheric temperature, sunlight, rain, the chemical effect of oxygen and plant life. When the rate of pollution becomes too high or when the cleansing process becomes ineffective, it leads to health hazards. Our atmosphere is being polluted by the discharge of effluents, originating from industrial plants domestic fire and mobile vehicles. The urban areas have been exposed to such dangerous level of atmospheric pollution that inhibits normal human existence and have caused a serious hazard to public health and hygiene. The presence of sulphur oxides, nitrogen oxides, carbon monoxides, hydrocarbons and toxic substances in atmosphere have caused baneful influence on human, vegetation and living creatures. Pollution of air by dust, smoke, toxic gasses and chemical vapours has resulted in sickness and death. The high incidence of problems such as asthma, sneezing and nasal blocks for living urban areas are attributed to constant and continuous exposure to the high levels of air pollutants.

The World Health Organisation (WHO) attributes 11 million deaths per year in developing countries to modifiable environmental factors. Environmental factors are estimated to account for a staggering 94% of diarrhea disease, 42% of lower respiratory infection and 42% of malaria – the top three killers of children under five years old in the developing world [Thyagarajan, S.P., 2010]. Polluted environment affects directly the health – mental as well as physical, of human beings, and therefore, it is human being whose survival has become difficult due to change in physical, chemical and biological conditions of the environment. Discharge of effluents into the atmosphere has considerably affected the quality of human life. Right to live in a Clean and Healthy Environment is a fundamental Human Right. The world is looking ahead towards growth and development but on account of excursive human activities we have degraded our resources. Today our world is on the brink of destruction and if we do not act now, we would be committing a global suicide [Pandey, K. & Kulshrestha, A.K., 2012].

To Protect environment from pollution, efforts have been/are being made through international initiatives.

In 1957, the WHO showed the concern by inviting attention of the world community to the problem of atmospheric pollution. An International Conference was sponsored by the British National Society, London in 1959 to Clean Air. Global concern regarding the steadily deteriorating state of environment was first seriously manifested in the form of the UN Conference on Human Environment, held in Stockholm, in June 1972. It focused attention on the dangers posed to the quality of human life and to survival itself, by continuous degradation of ecological assets and by pollution due to industrial effluents. It tried to find ways by which the precious environment could be preserved. The Conference highlighted the divergence in the viewpoints of the developed and developing nations. As Sandbrook points out it was “a dialogue of the deaf between the rich and poor” [Sandbrook, R., 1992]. For the rich developed nations, the main concern was the cleaning up of the “effluence of affluence”. They advocated that the cleaning up be taken up by all nations simultaneously so that the additional cost of cleaning operations should not place any country at a disadvantage in a competitive international market. For the developing world, seeking the fruits of industrialization, pollution was relatively unimportant; the first priority being the alleviation of poverty. The Stockholm Conference opened the eyes of the north to the problems of the south. It also saw the adaptation of rules and regulations to cover environmental ills – at least in the developed countries. More importantly it led to the establishment of the UN Environment Programme. The Stockholm Declaration had also called for citizen’s responsibility for environment protection. It provided in Article 7 of Part I: “To achieve this environmental goal we demand the acceptance of responsibility by citizens and communities and by enterprises and institutions at every level, all sharing equitably in common efforts. Individuals in all walks of life as well as organizations in many fields, by their values and the sum of their action, will shape the world environment of future” [Bhat, S., 2008]. The Conference symbolized the universal awakening of environmental consciousness worldwide. The pace of establishing national and international laws concerning environmental protection was accelerated during the years that followed. A major step towards strengthening of international cooperation was taken in Geneva by signing of the European Convention on Long Range Trans-boundary Air Pollution in 1979 [Singh, G., 2005]. In 1983, The World Commission on Environment and Development (WCED) was established and it presented a remarkable Report “Our Common Future” in 1987 which “tried to balance the arguments concerning north/south responsibility and suggest ways forward”. It concluded that “If we continue to use up natural

resources as we do at present, if we ignore the plight of the poor, then we can (only) expect a decline in the quality of life” [Sandbrook, R., 1992]. The WCED suggested that the concept of sustainable development should become an acceptable principle of both national and international development and policies; and that national governments should begin a systematic integration of economic and environmental considerations. Report of the WCED reflected that the current trend of economic development and the accompanying environmental need to look into the health of the global environment for the future of mankind.

The significant conclusions of the WCED was extensively discussed and a debate in the UN, in 1989, led to the UN Conference on Environment and Development, better known as “Earth Summit 92”, at Rio de Janeiro, Brazil, in June 1992. In fact, it followed the Declaration of the UN Conference on the Human Environment, 1972, which essentially called for protection of the global environment from undesirable changes being introduced into the environments by unplanned growth and technology. In this Conference, a comprehensive and far reaching programme for sustainable development was agreed upon in the form of Agenda 21 comprising of 38 chapters. Chapter 36 of the Agenda envisages the UN undertaking for a comprehensive review of its educational programmes including training and public awareness. It calls upon countries to support university and other tertiary activities and networks for environment and development of education, establish national or regional centres of excellence in inter-disciplinary research in environmental and developmental sciences; promote cooperative research and information sharing and dissemination; and promote all kinds of adult and continuing education programmes in environment and development. This Conference has called for reorienting education towards sustainable development [Khoshoo, T.N., 1998].

Increased magnitude of human impact on the environment and its consequent deterioration WCED in its Report–1987 drew the linkage between environmental problems and socio-economic issues with emphasis in the improvement of quality of life. WCED suggested that human survival and well being depend on success in elevating sustainable development of global ethic. WCED defined sustainable development as the development that meets the needs of present generation without compromising its liability to meet the needs of future generation. Sustainable development is a complex interaction of economic, social, political cultural and ecological forces. The key to development is participation, education and empowerment of people [Designer, J. F., 1990]. Sustainable development

must be appropriate not only to the environment and resources but also to the culture, history and social system of the place, where it is to occur [Khoshoo, T.N., 1998]. UN Conference on Environment and Development or The Earth Summit held in 1992 stressed on reorienting education, towards sustainable development. The Millennium Declaration (2000) by heads of states of 189 countries in its goal stressed on environmental sustainability and called for countries to integrate the principles of sustainable development of the country policies and programmes in order to protect the environmental resource [Sweetman, C., 2005]. Further, sustainable development became the major focus of yet another UN Conference in Johannesburg, South Africa, in 2002 called "World Summit on Sustainable Development". Sustainable development has emerged as a new paradigm in the contemporary history of our civilization.

ENVIRONMENTAL ETHICS

Reports, studies and present environmental degradation indicate that it is the need of hour to make the whole society conscious about the ecosystem and ecological balance. To understand the concept of sustainable development, it is necessary to have environmental values. We should thus recognize various environmental values [Sengupta, C., 2000]. Education awareness and training are the critical factor for public understanding. Environmental knowledge enables to understand the place of human beings within nature and environmental values develop positive attitude towards environment. Positive environmental attitude ensures justified development. Environmental values help to generate attitude towards sustainable development. Sustainable development repairs, wherever possible, habitats damaged by human development and other means. Environmental values develop attitude towards sustainable development because environmental values enable people to develop the knowledge, skills, understanding and attitude to participate in decisions about the way we do things individually and collectively both locally and globally that will improve the quality of the life now without damaging the planet's for the future. Values are essential to global sustainability. Although environmental degradation is continue in their process but now people have started realizing the urgent need of accepting their responsibility to maintain a sustainable environment for future generation. Environmental values can bring attitudinal change among the people about the environment and development of environmental values. Environmental values can also help to transform and build a human philosophy [Leiserowity, A.A., Kates, W.R. and Parris, M.T., 2000]. Ethics refer to the entire body of moral values that society attaches to the actions of human beings.

Environmental ethics is a new sub-discipline of philosophy that deals with the ethical problems surrounding environmental protection. It aims to provide ethical justification and moral motivation for the cause of global environmental protection [Yang, T., 2006]. In 1977, the UN had convened an International Conference on Education for the Environment as one of the goals of environmental education to provide opportunities for everyone to get protection of the environment and the knowledge needed to improve the environment, values, attitude, commitment and skills. In the Conference, it was decided that the development of environmental education programmes must include the value of ethics. Considering education as the key to environmental sustainability, UN in December 2002 in its General Assembly has proclaimed, 2005-14 as the Decade of Education for Sustainable Development in order to, held every one consider and realise values, behaviour and life style requirements for a sustainable future [Pandey, K. & Kulshrestha, A.K., 2012].

Human Rights can be understood as a set of acknowledged principles of laws as well as a broader set of endorsed values whose implications remain contested or ambiguous. It is thought that an ethical baseline for the governance of human society is always required. Most of the human activities lead to environmental pollution disturbing the balance in the nature depriving all the life forms of their rights to live. Environmental ethics says that everybody should base his/her behaviour on a set of ethical values that guide our approach towards the other living creatures in nature. Classical ethical systems considered close relationship of human beings with nature. Traditional societies around the globe existed in close harmony with nature. But with the onset of industrial era man's lust for more and more comfortable life has also led to tendency of over exploitation of nature. It has resulted into problem of global warming, acid rain, ozone layer depletion, climate variation and several other known and unknown dangers. All these problems are not only of local concern but problems of global concern. These environmental problems are beyond the cultural, national or continental boundaries. It has been clearly realized by the scientists, philosophers, sociologists, educationists and politicians around the world that certainly, all of them are result of anthropogenic activities. Accordingly, a new thought in the recent few decades has led to the emergence of environmental ethics as a field of study. The conservation of natural resources is not only the need of the day but also our prime duty. Environmental ethics has given a new dimension to the conservation of natural resources. Environmental ethics became a subject of sustained academic philosophic reflection

in the 1970s. The academic field of environmental ethics grew up in response to the work of scientists such as Rachel Carson's *Silent Spring* (1963) and events such as the first Earth Day in 1970, when environmentalists started urging philosophers to consider the philosophical aspects of environmental problem. Today, environmental ethics has become one of the important means to save mankind from the polluted environment [Kharwar, P. S., 2010].

Global environmental crisis is primarily a crisis of values. Environmental considerations are being ignored by mankind in decision making. Human behaviour has resulted in the destruction of the environment. Mankind has forgotten that the duty to take care for the earth is rooted to the fundamental relationship between God, creation and the mankind. The religions all over the world have so much to say about the relationship between mankind and the earth. The world is green and beautiful and the God has appointed human beings as his stewards over it [Singh, G., 2005]. The whole world is deeply serious to tackle the issue of environmental pollution. If uncontrolled, climatologists estimate growing environmental pollution might wipe out the civilization. In the race between life and death; death shall prevail. In the wake of intensification of environmental pollution, the mankind faces environmental dilemma. In order to solve the environmental crisis, governments and international environmental organizations have emphasized the initial training and re-training specialists and technical staff to meet the urgent needs of expert staff. However, countries are finding that environmental issues related to conduct of persons in the community at large levels, non-environmental experts cannot solve, unless the right of everyone to have a correct understanding of the environment and behaviour, can only effectively address environmental issues. Adjusting the relationship between humans and nature is one of the most crucial issues mankind face and must deal with today. With the increasing deterioration of ecological systems on which human beings rely and aggravation of the environmental crisis, human beings have realized that they cannot rely on economic and judicial methods alone to solve problems of the environmental pollution and ecological imbalances. We must appeal to human beings limitless internal ethical resources. If human beings adopt an appropriate attitude towards the nature and establish new ethical relationship between human beings and nature; they will be able to love and respect nature automatically as well as conscientiously. With the guidance of such love and respect we can successfully deal with the issues of the environmental pollutions and ecological imbalances [Yang, T., 2006].

It is true that a lot of initiatives are being made to keep clean environment all over the world but the desired results have not been achieved. There are various means of preserving the environment. Now-a-days, the philosophers, academicians and human rights experts working for the cause of protection of environment are emphasizing that the environmental ethics can play a major role in preserving the environment. Every one of us is having the responsibility to protect the environment from all sorts of pollution. Environmental ethics can help the society tremendously in protecting environment. It is high time to develop the environmental ethics to understand problems of environment through relevant experiences and to extend all possible assistance to the society so that the right to environment of human beings is protected. Environmental ethics is nothing but the part of environmental philosophy which considers extending the traditional boundaries of ethics from solely including humans to including the non-human world. The practical purpose of environmental ethics is to provide moral grounds for social policies aimed at protecting the earth's environment and remedying environmental degradation [Singh, S. K. and Singh, S.S., 2007].

CONCLUSION

The alarming rise in the environmental pollution in recent years all over the world has become a matter of great concern for every one. We are moving towards the total destruction due to environmental pollution. How to stop this environmental pollution is a question that is now agitating the minds of people across the world. Several efforts have been/are being made by legislating laws all over the world, issuing directions and international treaties by the UN, organizing national and international discussions on the issue of protection of the environment all over the world from time to time, etc. But the environmental problem is aggravating day by day. To tackle problems of the environmental pollution, an interdisciplinary approach is required. Our current living style, preferences in life, and attitude towards nature is not only causing environmental degradation but also distorting human personality and value pattern. To solve the current environmental problems, in addition to other efforts, we have also to go back to nature, our ancient ideals and traditional values. Overcoming the global environmental crisis depends ultimately on how humankind's values, attitudes and behaviours change. Environmental ethics are the best means to protect the human rights from the environmental pollution. The issue of environmental ethics has come out after the worldwide environmental crisis in general and in developed nations in particular. There is an urgent need to strengthen and propagate the environmental ethics to preserve the nature. It is high time for the whole

world community to think over this issue academically. Education as an input as well as dynamic force besides promoting knowledge, understanding and disseminating information can help changing attitude by giving stress on ethics. Education is critical for the structural transformation of industrial society. There is a need to advance environmental education and incorporate environmental ethics into educational system. To lead and direct the teaching of environmental ethics, a syllabus of environmental ethics for students at all levels, need to be formulated. Teachers have to play a major role and bear a responsibility to propagate the ideas of environmental ethics. It is extremely important to deepen their understanding of environmental issues and to improve their skills in teaching environmental ethics. Higher educational institutions are the best source of expertise to train the youth, conduct the necessary research, guide the development of policy framework. All institutions of higher learning must contribute significantly for developing new knowledge to generate fresh ideas related to environmental ethics, inculcating attitudes among students to take care of nature and also educating people to create awareness in the society. Further, every year June 5 is being observed as a World Environment Day. Time has come when we should treat every day as World Environment Day and not only one day in a whole year. It is an issue which needs to be treated differently and it cannot wait more further as we have already damaged environment heavily. To overcome from the environment problems, it is important that every one across the world gives sincere attention daily towards the protection of environment by observing environmental ethics. Environmental ethics can help the whole world in preserving the environment which will in turn protect the human rights.

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