

ENVIRONMENTAL ETHICS AND RIGHTS; LAW, MORALITY AND DISASTER PREVENTION

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Introduction

Environmental ethics: 'a philosophical discipline which considers the moral and ethical relationships of human beings for the protection and preservation of the environment . It is obvious that the humans are of utmost obligation morally and ethically towards the enhancement and protection of the environment. This is basically the concern of "Human values'. Human values are unique in nature. They may depend on circumstances such as the social condition, the economic status, religious beliefs and the status of development. Natural disasters of the world can be given defined as incidents which are occurred not only due to natural causes but also owing to the human behaviour creating the vulnerable communities. Environmental ethics highlight the involvement of human behaviour. How the man evades his responsibility towards the protection and conservation environment and the tendency of him to confront the severities of the nature can be seen continuously in the recent disasters all over the world. There is a clear connection between environmental law and environmental ethics. The ethical rights can be transformed in to legal rights of nature. Nature to be considered as an entity having a dignity of its own right. The moral responsibilities of the man towards the protection of nature can be enforced through community norms, social pressures and the conscience. It is debatable as to whether the enforcement mechanisms such as the social pressures are effective in nature. The paper focuses on:

- (a) The nature as an entity (Gaia theory) and its entitlements, environmental law and environmental problems.
- (b) The environmental ethics and legal rights.
- (c) The breach of moral obligations by the humans and the anthropogenically induced natural disasters.

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Methods and Procedure

The methodology of the paper is normative in approach. It discusses about the legislations and the International Conventions. Further, it analyses the conditions pertaining to different countries and the natural disasters. Primary data was collected and supported by secondary data. As the primary data, paper analyses specific cases and as secondary data it analyses research papers, internet information, magazines, and publications.

Results and Discussion

As described above, it is argued that there is a clear relationship between the environmental ethics and the environmental law. The nature is to be treated as a separate entity entitled to the rights. Thus it becomes an anthropocentric ethic towards the nature. The necessity of incorporating the environmental ethics to make the environmental policies is conspicuously seen. For the preservation of nature, the environmental policies should be implemented base on environmental ethics. The world currently confronts numerous environmental problems namely pollution, over- population, Industrial and house hold waste, degradation of biodiversity, acid rains, climate change, ozone layer depletion, urban sprawl, deforestation, global warming, genetic engineering. The natural disaster prevention of the world should not be divorced from ethics and the socio- cultural systems.

The humankind confronts the disasters arising from the environment itself at different time periods of history. As far as the history of the mankind is concerned, the humans confronted hunger misery, poverty and death owing to the natural disasters. The floodings, earthquakes, droughts were of prominent concern throughout the history of the world. The natural disasters ultimately lead to the human suffering. The spreading of epidemics and the diseases, cholera and plagues, with a severe threat to the health and colossal destructions in the west, owing to the climatic changes such as global warming, tropical storms, hurricanes and tornadoes. Further the anthropogenically induced environment deterioration will increase due to the proliferation of nuclear weapon systems and nuclear

attacks. The mans moral obligation towards the protection and the preservation of the environment is clearly depicted in the instances where the human life is at stake and the environment itself is indeterioration. A repercussion of the human ignorance in moral value of preserving and caring nature is the occurrence of natural disasters. The natural disasters of the world are occurring in significantly large numbers. In Central Portugal, 2,000 people were trapped by the wildfires. The mudslides occurred in Sierra Leone caused a huge predicament to her citizens. The flooding and related devastations are not new experience to the people in India, Bangladesh and Nepal. In August 2017, the flood disaster in North India, Nepal and Bangladesh caused the deaths of about 250 people. The condition of Nepal was recorded as severe due to incessant rains leading to floods in hundreds of villages leaving more than 110 deaths. In the Indian State of Bihar, 13 districts were flooded with severe rains while the Northern State of Himachal Pradesh was affected by a massive landslide. The dangers arising from the heat waves is another natural disaster. The basic foundation for this dilemma is laid by the global climate change. In South Asia, the people are exposing to extreme heat waves as the monsoons bring hot and humid air on to the land. The irrigational development is a major cause as the widespread irrigation increases evaporation of water and simultaneously increases the humidity of the environment. Further, with the advent of Industrialization, the rising levels of carbon dioxide contributes to the the formation of deadly heat waves.

The International community has addressed the issue of environmental conservation significantly, depicting the moral obligation of the humans for the protection of the environment. It focuses on the jurisprudential theory on morality. The Stockholm declaration of 1972, took the forestep in the issue of environmental protection and sustainable development. The Rio declaration on environment and development 1992 discussed about the importance of global partnership in the environmental preservation and global obligation to protect the environment. The Bonn Convention is of prominence as it deals with the moral obligation of

humans to protect and preserve the wildlife. Kyoto protocol addresses the issues of climate change and obligations of the states with different interests to control climatic issues. It has further introduced mechanisms such as funds, monitoring, reporting, and verification on emissions and special attention has been given to least developed countries.

Conclusion

The nature is to be considered an entity deserving its own right. The environment we live in facilitates the existence of all living organisms including flora. The natural resources are endowed with a unique value and they are instrumental in nature. This highlights the duty on the part of the man to protect and preserve the environment. The Republican constitution of Sri Lanka has enshrined in Article 28 (f), the duty of man to protect the nature and conserve its riches. According to Dalai Lama, human obligation is to protect the fragile environments and limit global warming. It depicts the obligatory part of the humans to pay respect for nature and for the benefits granted in return. The disasters created by the nature are basically the repercussions of the human activities and that can be defined as the anthropogenically induced natural disasters. This is a consequence of limitless consumption of natural resources and human greed. With the industrialization and economic development, man has evaded the duty on his part to protect the environment and preserve it for the existence of the future generations.

The international have implemented multilateral conventions and the laws to enhance the standard of human obligations towards the environment. The principles and the doctrines in the field of Environmental Law is of imperative concern. Polluter pays principle which imposes a burden on the polluter to bear the costs of environmental harms he committed and precautionary principle insisting on risk management are significant among principles. It further deals with the human enlightenment in duly performing the obligations towards the environment.

Keywords: Ethics, Law, Morality, Disasters

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