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IMPLEMENTATION OF THE PRINCIPLE OF RESPONSIBILITY IN CLIMATE POLICY

ABSTRACT

Increased energy consumption which commenced in the late twentieth century as well as its impact on the climate change highlighted important ethical issues revolving around responsibility for the inflicted damage, obligations towards both future generations and millions of species living on the planet, or the costs of mitigation and adaptation.

Natural sciences provide more and more detailed information on the currently observed climate change. Climate models allow us to forecast changes and predict their consequences. However, it is yet impossible to answer the question what should be done about the knowledge about climate change, whether and in what way we should react to it. What seems of particular importance is the necessity to take a closer look at the alarming phenomenon through the prism of values and, especially, our responsibility for the present and future generations. Climate change is a global problem and it is very difficult to find a political solution to it due to the fact that its effects have a diverse character and are not immediately discernible. They constitute a matter of considerable concern which is mostly related to the fact that the consequences of climate change can significantly affect the entire international community, irrespective of the place of living or financial status. Proper assessment of climate change effects and undertaking political action to counteract them constitute nowadays one of the major world's development challenges.

STESZCZENIE

Nasilająca się pod koniec XX w. konsumpcja energii oraz jej wpływ na zmiany klimatyczne unaocznily istotne etyczne zagadnienia skupiające się wokół odpowiedzialności za wyrządzone szkody, obowiązków wobec przyszłych pokoleń oraz milionów gatunków zamieszkujących planetę, kosztów mitygacyjnych i adaptacyjnych.

Nauki przyrodnicze dostarczają coraz dokładniejszych informacji na temat obserwowanych obecnie zmian klimatycznych. Dzięki modelom klimatycznym możemy prognozować zmiany oraz przewidywać, jakie będą ich następstwa. Nie uzyskamy natomiast odpowiedzi na pytanie, co powinniśmy zrobić z posiadaną wiedzą na temat zmian klimatycznych, czy powinniśmy zareagować, a jeśli tak – to w jaki sposób. Niezwykle istotna wydaje się potrzeba szczegółowego spojrzenia na niepokojące zjawiska przez pryzmat wartości, odpowiedzialności za obecne i przyszłe pokolenia. Zmiany klimatyczne są problemem globalnym, niezwykle trudnym do rozwiązania politycznego, gdyż ich skutki są niejednorodne i mogą być przesunięte w czasie. Budzą one bardzo duże zaniepokojenie. Wiąże się to w dużej mierze z tym, że skutki zmian klimatycznych mogą okazać się bardzo dotkliwe dla całej społeczności międzynarodowej, bez względu na miejsce zamieszkania i status materialny. Właściwa ocena skutków zmian klimatycznych, a także podjęcie politycznych działań należą obecnie do jednych z ważniejszych wyzwań rozwojowych świata.

KEYWORDS: *responsibility, climate change, environmental ethics, sustainable development, climate policy*

SŁOWA KLUCZOWE: *odpowiedzialność, zmiany klimatu, etyka środowiskowa, zrównoważony rozwój, polityka klimatyczna*

INTRODUCTION

Nowadays, the question of widely understood conservation is related to theoretical and practical reflection. This, among other things, is due to messages reaching ordinary citizens that sensitize them to that important issue. Transfer of knowledge takes place through various means of which media are most frequently used. Media enable the public to learn about current problems. Transmission of knowledge is immediate and virtually unlimited by such barriers as, for example, distance. Therefore, it is vital that such information should contain a message which could help in creating a society sensitive to the condition and quality of the biosphere, and this message must be veracious.

The issues falling into the scope of this extremely wide-ranging question of socio-natural conservation comprise also climate policy. The discourse

on climate change is carried out in the international arena, and the main postulates are developed during the cyclically held Climate Summits. It is worth noting at this point that the public opinion lacks one consistent attitude towards the major causes of the climate change. It is, therefore, important to follow in this respect the general guidelines issuing from moral reflection based on environmental ethics. This reflection can help in determining the ways of establishing proper relationships between man and the environment. By pointing to the principles or values, environmental ethics provides grounds for the formation of appropriate attitudes and behaviors in the society. The mission of the climate policy is aimed at setting such criteria of human behavior so as to prevent global warming.

RESPONSIBILITY AS A VALUE PROPITIIOUS TO ENVIRONMENTAL PROTECTION

The level of our knowledge on the state of socio-natural environment and potential threats to it is the basis for adequate and immediate reaction. Proper attitude of man to nature is also conditioned by the level of environmental awareness, which is molded by education and a set of values established and implemented in daily life. As it has been noted by K. Ukleńska “values are one of those spheres of reality proper to man, that characterize his personality, since values determine human behavior and the behavior determines man’s whole life” (Ukleńska, 2007: 17). Deliberations in the field of environmental ethics comprise several ideas on the basis of which attempts are being made to identify the essential elements to help build the right relationship between man and the natural world. Each of those ideas sensitizes the recipient to different aspects, but it man who should act according to the values which play an important role in determining his choices and behaviors.

Contemporary perception of nature, of the natural world, is manifested in various ways. It is conditioned by a factor that can be defined as multidisciplinary. The question of nature is no longer an object of natural sciences exclusively but it now falls into the scope of the humanities, as evidenced by an attempt at developing the fullest possible system of environmental ethics. It is, therefore, necessary to highlight that interdisciplinary character of our concept of nature. Transferring the idea of “value” to the ground of environmental ethics

without specifying any particular concept of it, we can refer to the definition proposed by S. Kowalczyk which draws on the ideas of personalism and constitutes a relational and dualistic definition of “value”. Consequently, a “value is such a being which, by its objective and qualitative properties is first recognized, then desired and often, finally, realized by man; a certain value always corresponds to the needs of man as a psycho-physical person. Speaking of human needs, we have in mind not only basic biological needs but also, and above all, the transutilitarian, i.e. psycho-spiritual needs (e.g. moral, ideological, religious ones)” (Kowalczyk, 2005: 56–57). Following such an understanding of values, we can conclude that the socio-natural environment is a being endowed with objective and qualitative properties desired by man. It comprises individual components, i.e. individual beings which are necessary for human contemplation and proper existence. Man is morally obliged to manifest concern for the natural world to which he belongs, to realize himself in it in such a way so as to prevent deliberate violation of its order. W. Tyburski enumerates in a few points the legitimacy of referring to the system of values from the point of view of their nature:

- values are characterized by their knowledge generating dimension, because with their help a person is informed of the fundamental assumptions of a particular concept;
- values enable a person to express a subjective opinion on a given theory or programs that are designed for practical implementation. Hence, values help in clarifying such projects;
- correctly devised systems of values, when they become validated, stimulate not only individual men, but also the general public or organizations to undertaking actions carried out on their basis;
- clearly formulated values provide grounds for the solution and prevention of conflicts emerging at the junction of man – economics – natural environment. In addition, they stimulate undertaking actions which do not infringe elementary human and natural priorities;
- values imply also a practical dimension, since they help to create appropriate laws, codes, regulations or general rules of conduct which systematize human reference to the social – natural – economic environment (Tyburski, 2011: 109).

One of the primary values among the concepts of modern environmental ethics is responsibility. It is highlighted in each of the discussed trends, but especially in anthropocentrism. As R. Ingarden notices, referring to the value of responsibility is of great importance since responsibility can be considered in specific circumstances in which:

- someone bears responsibility for something, is responsible for something;
- someone is taking responsibility for something;
- someone is held responsible for something;
- someone acts responsibly (Ingarden, 1987: 73–74).

The circumstances specified by R. Ingarden find their application in human relationship to the natural world. A personal being endowed with the faculty of reason should operate in an environment with reference, among others, to this particular value. It is impossible to require responsible conduct or impose responsibility on entities other than humans. All ethics, with its rich and continuously developing acquis is addressed to man. Therefore, all activities that are carried out or are to be undertaken in future should, in accordance with the postulate of the environmental ethics, be realized responsibly. The purpose here is to preserve the environment for future generations in the least infringed state, and that can only be achieved through responsible decision-making in everyday activities. Certain events which have taken place in the global reality have made it expedient to raise the issue of our responsibility for future within the framework of political ethics. The first incentive of such activities was progressive growth of population and its issuing consequences. The second premise concerns intensifying exploitation of nature, mainly in terms of acquiring its resources. Expounding more widely on the last of the above mentioned factors, the one sensitizing man to respect the value of responsibility, it should be clarified that values direct our choices and actions towards a better future. In order to highlight the importance of the problem, it is necessary to raise the public awareness with respect to all the consequences of irresponsible human behavior in the social and natural environment. In addition to the endangered species of fauna and flora, those consequences will also, undoubtedly, include the waste of the consumer lifestyle. The ensuing consequences will encumber

the next generations which will be faced with an imposed necessity to adapt to the existing conditions (Birnbacher, 2009: 78–79).

In a certain aspect, the holistic concept of environmental ethics accentuates taking into account the value of responsibility in our ordinary, everyday actions. A. Leopold, through examples supported by many years of professional analysis, illustrates the righteousness of propagating responsibility. In his understanding, this value cannot be reduced only to social interaction. Responsibility requires appropriate human behavior in the environment, which the author broadly defines as terrestrial ecosystem. In order to function properly, this system consisting of biotic and abiotic components cannot be depleted of any of its elements. This is particularly difficult to enforce in the face of the propagated modern lifestyle, hence the vital role of environmental education which raising the awareness of values. So oriented, the education process can already be implemented among young people, initially through upbringing, and later through other forms of education. However, it should be remembered that the methods must be adapted to the developmental age. Responsibility is an important dimension of human conduct, since all the choices, decisions or actions that we take should be associated with this value. Therefore, the above listed circumstances pointed out by R. Ingarden and taking into account the value of responsibility seem to be of particular importance in the postulates of environmental ethics, and thereby in environmental protection.

THE PRINCIPLE OF RESPONSIBILITY IN THE DOCUMENTS RELATING TO CLIMATE PROTECTION

The foundations for documents strictly dealing with climate protection were laid by such documents as the report of the Secretary-General of the United Nations U Thant “Man and his environment” (1969) and the Stockholm Declaration (1972). In those writings, the primary attention is given to the crisis of the balance in the natural environment, which was associated with intensified intervention of the *homo sapiens* species in the surrounding world. Development of new forms of transport, increased production of energy, or space exploration illustrated a whole range of possibilities in which man can exert his influence on the environment.

The report “Man and his environment” points out that for the first time in human history there appeared a worldwide crisis that affects both the developed and the developing countries. It also emphasizes that this crisis is the consequence of such components as demographic boom, destruction of farmland, depletion of non-renewable resources and reduction of biodiversity. The report acknowledges that nature is not indestructible and inexhaustible and stresses that the crisis revealed in environmental degradation has reached such a level as to pose a threat to the lives of future generations. Taking steps to rectify this danger does not, necessarily imply the necessity to reduce human aspirations for further development. What is needed is a consensus between the socio – economic development and environmental protection. It was this issue which became a major presumption of later conferences and conventions aimed at protecting nature, including climate protection.

U Thant’s report drew attention to the global character of problems related to environmental degradation induced by man, “there are problems relating directly or indirectly to all the countries, which can only be solved by international agreement and provided that the nations express their readiness to work together for their common good” (Report of the UN Secretary General U Thant).

In turn, the Stockholm Declaration (Declaration of the United Nations on the Human Environment), announced on June 16, 1972 contains passages that refer directly to the principle of responsibility. The document consists of two parts: the first comprises the 7 principles of the Proclamation, and the second, the 26 principles of the Declaration. The Proclamation Principles state that “Man is both creature and moulder of his environment, which gives him physical sustenance and affords him the opportunity for intellectual, moral, social and spiritual growth” (Stockholm Declaration – on the Protection of the Human Environment, Principle 1 of the Proclamation). Protecting and improving the quality of the environment is a priority issue which affects the well-being of the population and economic development in the world. Man as a rational being must reassess his actions taken so far, but at the same time continue the exploration and learning about the surrounding world. Human ability to transform the environment can bring benefits issuing from development and opportunities to improve the quality of life. However,

reckless actions can contribute to the damage on a large scale, such as pollution of air, water or land, disruption of the biological balance of the biosphere, or depletion of non-renewable resources. The consequences of these actions may affect not only the environment, but human health, understood as complete physical, mental and social well-being. The 7 principles of the Proclamation, which contain the objectives and main tasks of environmental policy, highlight the creative potential of man who is presented there as the most valuable part of the environment. This is evidenced by the words spoken by the President of the Chinese delegation Tang Ke: “We affirm that of *all things* in the world, *people* are the *most precious*” (Cowie, 2009: 342).

The 26 principles of the Declaration which refer to the specific issues and develop the theses contained in the introduction bear more legal force. The rules put emphasis on promoting international cooperation, enhancing the development of research and expanding the general knowledge on conducting an effective environmental policy. They also, for the first time in documents of that type, emphasize the issue of environmental responsibility. The very first principle contains words referring to human responsibility for “defending and improving the human environment for present and future generations” (Stockholm Declaration – on the Protection of the Human Environment, Principle 1) It also dwells upon the right to freedom as well as equality and appropriate conditions of life in the environment. This principle provides grounds for recognizing the proper state of the natural environment as a prerequisite for exercising human rights. Everyone has the right to use the environment of an optimum quality. The principle combines the rights and duties of man towards the environment: the right to use it and the obligation to protect it. This principle has an important normative significance as it laid the groundwork for developing the concept of human rights to the environment. Likewise, the principle 4 gives priority to the idea of responsibility. The Stockholm Declaration contains articles strictly dealing with the order to protect the air. Principle 2 the air together with the soil, water, flora and fauna is included in the earth’s natural resources. The above-mentioned principle contains the order to protect these components of the environment for present and future generations. We can achieve this through proper management and planning. Man must also strive to maintain the existing

level or, if possible, restore or improve the renewable resources of the earth. In turn, non-renewable resources must be used rationally, so as not to lead to their depletion. They must be available for future generations (Principle 5) Responsibility for future generations seems to occupy a chief place in the reflection on the validity of conservation. Legal actions are intended to help protect the environment defined as a common good. It should be noted as well that the Declaration does not negate the socio – economic development and even deems it necessary to achieve optimal conditions of human life in the environment (Principles 8 – 12).

U Thant's Report and the Stockholm Declaration are a point of departure for the discussion about climate protection law. Despite frequent downgrading of the role of U Thant's report and focusing mainly on the Stockholm Declaration, it is necessary to emphasize its pioneering character. It was the first document to present the deteriorating state of the environment as a global problem.

The Stockholm Declaration was a turning point in the perception of environmental risks that have emerged as a result of human activity. The document helped in carrying out a broader analysis of the underlying causes behind the progressive degradation of the planet. The following years brought about a growing number of conferences devoted exclusively to climate change. The key events of that type include: two conferences in Villach (1985, 1987) and Bellagio (1987), where attempts were made at assessing the impact of CO₂ on climate change, as well as a conference in Toronto (1988), during which the first postulates to were formulated to create a global convention to protect the atmosphere. In the years between 1988 and 1989, a total of about 20 international conferences were held, during which the issue of climate change became the object of a multi-faceted analysis (Olecka, 1993: 75–77).

The issue of climatic changes was directly addressed during the 43rd plenary session of the UN General Assembly on December 6, 1988. At the request of Malta, UN Resolution 43/53 was adopted. Malta's proposal postulated recognition of climate as "common heritage of mankind". Another consequence of the increasing interest in climate change was the signing of the United Nations Framework Convention on Climate Change on 5 June 1992 during the Conference in Rio de Janeiro. The parties signing the

Convention acknowledged that climate change and its adverse effects are a common concern of humankind. Through his activities, man has contributed to a significant increase in the amount of greenhouse gases in the atmosphere which brought about intensification of the natural greenhouse effect which, in turn, will result in the increase of the average temperature of the earth and the atmosphere. The convention formulated rules for the world climate policy, such as:

- the principle of justice (Art. 3.1.)
- the principle of common but differentiated responsibility (Art. 3.1.)
- the principle of leadership of the most developed countries (Art. 3.1.)
- the principle of taking into account the needs of developing countries (Art. 3.2.)
- the precautionary principle (Art. 3.3.)
- the principle of promoting sustainable development (Art. 3.4.)
- the principle of cooperation (Art. 3.5.)
- the principle of promoting a supportive and open international economic system (Art. 3.5.)

The Climate Convention has a framework character and it does not include any provisions which would impose specific reduction commitments, but it only defines a certain level of stabilization of greenhouse gas emissions. United Nations Framework Convention on Climate Change is the first document on climate protection, in which the emphasis was placed on the link between excessive greenhouse gas emissions with the concept of sustainable development. The UNFCCC contains components of the concept of sustainable development, such as: intergenerational justice, intragenerational justice, common but differentiated responsibility, international cooperation, public participation. Already the very purpose of the agreement refers to sustainable economic development. Stabilization of greenhouse gas concentrations should be achieved with the simultaneous preservation of that development. Actions must be taken at such a time, and with the use of such methods, which would suffice for natural adaptation of ecosystems to climate change.

The United Nations Framework Convention on Climate Change entered into force in 1994. A year later, on 23–27 June in New York, a special session

of the General Assembly of the United Nations “Rio + 5” was held. Its purpose was to discuss the progress of implementation and failures to implement the document adopted five years earlier at the Conference in Rio de Janeiro. The report presented at the session contained a number of critical comments regarding the failure to comply with the commitments both at the global and national levels. It was noted during the meeting that the problems associated with global warming, deforestation, reduction of biodiversity, consumerism, hunger and poverty require intensified reaction. European Commission’s proposal for climate protection was to reduce greenhouse gas emissions by 15% by 2010 (the base year was 1990). This initiative was rejected by the United States of America. The subsequent multiple instances of blocking proposals by that state resulted in a failure to adopt any binding agreements. All countries have declared merely willingness to continue the activities contained in the documents of Rio de Janeiro.

In the same year, the first Conference of the Parties to the UN Framework Convention on Climate Change (COP-1) took place in Berlin. It was noted that the existing arrangements were not sufficient, and preparations were initiated to create a new legal document. The Convention contains only provisions dealing with stabilization of greenhouse gases, there is no question either about their limitation or reduction. UNFCCC was formulated on the basis of suppositions, doubts were raised whether climate change is a real threat. The difficulties resulted from the need to assess the real scale of risks and consequences of human activity.

The breakthrough came two years later in Japan during COP-3. The decisions taken at the Conference of the Parties were influenced by the second IPCC report published in 1996. A session on climate change was held December 1–10, 1997. It resulted in the preparation of the Kyoto Protocol to the United Nations Framework Convention on Climate Change on December 11, 1997 (Official Journal of Laws of 2005 No. 203, item 1684). The purpose of this document is not only stabilization of greenhouse gases emissions (as is the case with the UNFCCC), but also their limitation and reduction.

It should be noted that the analysis of legal documents relating to the action to combat climate change points to the anthropocentric nature of the man – nature relationship. This thesis finds its confirmation in the fact of

referring to the concept of sustainable development that focuses on meeting the needs of present and future generations. Anthropocentric character of legal acts on climate protection induces the treatment of the climate crisis in this context (Kaniewska, 2015: 141).

The idea of man considered as the main point of reference in the world constitutes the key part of those documents. The postulate of climate protection is conditioned by human good, as it is man to whom the chief of intrinsic value is attributed. "Only man has the characteristics (rationality, freedom, responsibility) which determine his distinctive the moral status. Man's responsibility for the environment is rooted precisely in this distinguished ontological and moral status" (Wróblewski, 2002: 75–76). In consequence of adopting such an approach human interests are recognized as a priority. This is also revealed in the international legislation concerning climate protection, where the well-being of man occupies a dominant position.

It seems that the formulation of laws on climate protection was prompted mainly by the concern for the human species. It was noted that the progressive industrialization can lead to adverse changes in ecosystems, affecting human health and life. Nature in the normative acts was treated in an instrumental way, as they recognized its economic and aesthetic value. "The interest in the environment and the awareness of building bridges between what is human and what is natural are determined here by the rapidly deteriorating ecological conditions of human life and the associated risks for man" (Tyburski, 1999, p. 102).

Arguments for climate protection are dictated by the following considerations:

- inside and intergenerational justice,
- responsibility for future generations,
- unpredictability of environmental degradation for human life,
- economic and scientific importance of ecosystems.

CONCLUSION

Beyond doubt, legal acts relating to climate protection give priority to the necessity of implementing the standards of justice and responsibility. Analyses of these moral categories can be made mainly with respect to the key concept of the United Nations Framework Convention on Climate Change and the

Kyoto Protocol, i.e. the idea of sustainable development. Such an approach implies the possibility of linking responsibility with political and legal issues which, in turn, may result in their mutual defining of their meanings. The documents raise the following questions: “Who is responsible for climate change?” “Who is responsible for the existing disparity between the rich North and the poor South?”

According to the conclusions of IPCC reports, it is man who must take upon himself full responsibility for climate change. In consequence of adopting such an assumption, the major emitters of greenhouse gases are pointed out as the entities responsible for climate change. Undoubtedly, effective climate protection, based on the principle of responsibility requires international agreement and common actions undertaken by all countries of the world. “Socially, politically, and technologically, the issue of climate change poses a challenge to mankind, on a larger scale than humankind has ever had to face” (Archer, 2011: 187). A climate agreement adopted during COP21 in Paris at the end of 2015 may provide a major opportunity to overcome the climate crisis. “The agreement is to be implemented on the basis of the principle of equality and common but differentiated responsibility and capabilities in the light of varying national conditions” (Kaniewska, 2016: 176).

By referring to political responsibility and respecting the adopted acts on air protection, we can achieve the desired effects of our collective actions. We do not need a new system of values so strongly accented by ethicists dealing with climate change, or accurate assessment of the degree of responsibility falling to each of us for our actions to be effective. What we need is only the willingness to cooperate, so strongly emphasized during COP21 in Paris.

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