

"Intergenerational Equity and Environmental Justice: A Framework for Sustainable Accountability"

Vijaykumar Shrikrushna Chowbe¹

Anjula Shrikrushna Chowbe²

"प्रकृति रक्षति रक्षितः"

[Nature protects those who protect it.!]

Abstract

The doctrine of intergenerational equity has become a key principle in modern environmental law, emphasizing the responsibility of the current generation to conserve natural resources for future generations. This article critically explores the development of environmental jurisprudence, analysing the shift from unregulated exploitation during industrialization to the recognition of environmental preservation as a global concern. It delves into various judicial doctrines, including the polluter-pays principle, public trust doctrine, and the precautionary approach, which have helped shape environmental law. The doctrine of intergenerational equity, introduced in 2000, is a significant addition to these efforts, focusing on the ethical obligation to balance economic development with sustainable practices. Drawing from historical examples, such as Indian cultural traditions that emphasize the interconnectedness of life, and modern judicial pronouncements, the article argues for a more inclusive, cooperative framework to address environmental challenges. It highlights how the principle of intergenerational equity not only obligates present generations to preserve resources but also demands public participation in safeguarding the environment. In conclusion, the article asserts that intergenerational equity is central to ensuring a balanced, sustainable future, requiring collective responsibility and robust legal frameworks to combat environmental degradation.

Keywords: Intergenerational equity, environmental law, sustainable development, public trust doctrine, environmental jurisprudence, future generations, ecological preservation.

Introduction

The interaction between living organisms and their environment is fundamental to life on Earth. The environment provides the essential conditions that make life possible, and over time, human activities have significantly altered these conditions. While the natural world has evolved in harmony with the biosphere for billions of years, recent human interventions, particularly since the industrial

¹ Dr. Vijaykumar Shrikrushna Chowbe, Professor and Head, Department of Law, Sant Gadge Baba Amravati University, Amravati (India) See https://www.sgbau.ac.in/pages/ProfessorBiodataPDF/Law_Dr%20Vijaykumar%20Chowbe.pdf. Any suggestion, criticism, comment, or tip for improvement may be addressed to vijuchowbe@gmail.com. Thoughts, analyses made, opinions given, and criticism explored are those of the author, unless citations prescribe otherwise. The usual caveats apply. © authors

² Dr. Anjula Shrikrushna Chowbe, Principal, Shri Shivajirao Nagawade Vidhi Mahavidyalaya, Shrigonda affiliated to Savitribai Phule Pune University, Pune. E-mail anjulachowbe@gmail.com. See, https://bcud.unipune.ac.in/utilities/college_search/CLWA021660_ENG/Pune_University_College

revolution, have disrupted this balance, leading to unprecedented environmental challenges. This calls for a deeper understanding of how environmental stability is critical to sustaining life and ensuring ecological balance.

Environment and Human Survival

The environment is the foundation of life on Earth, creating the necessary conditions for both flora and fauna to thrive. Living organisms, including humans, are shaped by the complex interactions³ between their genetic code and their environment. In a broad sense, the environment is a dynamic, ever-changing system that includes all the conditions—biological, physical, and chemical—affecting life on the planet.

Disruption of these environmental processes can have severe consequences. Changes in climate, pollution, deforestation, and resource depletion threaten the delicate balance that supports ecosystems. Human survival is intricately linked to environmental health, and when ecosystems are compromised, it can lead to the degradation of resources essential for life, ultimately endangering survival itself.

The relationship between organisms and their environment is deeply intertwined. Over the last 3.7 billion years, life has evolved to adapt to environmental changes, but modern *Homo sapiens*, with their rapid technological and industrial advancements, have accelerated changes in the environment at an unsustainable pace. Over the last 400 years, the unprecedented pace of scientific, industrial, and economic development has transformed ecological systems. While this progress has enabled economic growth, it has also led to the exploitation of natural resources and degradation of ecosystems, resulting in visible environmental crises such as climate change, loss of biodiversity, and habitat destruction.

The unsustainable extraction of resources to fuel human development has created severe environmental challenges, necessitating a shift toward more sustainable practices to protect both current and future generations. It is evident that unchecked development not only disturbs ecological equilibrium but also poses a significant threat to the survival of the species that depend on it. Addressing these issues requires a comprehensive approach that integrates environmental conservation with economic and technological progress.

A Comparative Examination of Intergenerational Equity: Legal, Ethical, and Corporate Perspectives

The concept of intergenerational equity has been explored by several scholars from different perspectives, each offering valuable insights while also facing certain limitations in their approach. Edith Brown Weiss, in her influential work *In Fairness to Future Generations*,⁴ laid the legal foundation for intergenerational equity. She framed the concept as a principle of international law, arguing that each generation has rights to use the Earth's resources but also bears the responsibility of conserving those resources for future generations. Her idea of treating each generation as both

³ See for more details, Robert B. Platt, W.D. Billings, David M. Gates, Charles E. Olmsted, Royal E. Shanks and John R. Tester, *The Importance of Environment to Life*, BioScience, Volume 14, Issue 7, July 1964, Pages 25–29, https://doi.org/10.2307/1293232_published_1964, visited on 25.03.2020

⁴ See, Rubin, A. P. (1992). [Review of *In Fairness to Future Generations: International Law, Common Patrimony, and Intergenerational Equity*, by E. B. Weiss]. *The Fletcher Forum of World Affairs*, 16(1), 172–175. <http://www.jstor.org/stable/45290085>

beneficiaries and trustees of natural resources remains a critical contribution to environmental law.

However, while Weiss's approach is theoretically robust, it leans heavily on international treaties and agreements, which are often difficult to enforce due to the lack of consensus among nations. Moreover, her framework, though idealistic, lacks mechanisms for compelling state compliance, making its practical application challenging in the global context.

David R. Boyd, on the other hand, takes a more rights-based approach in *The Environmental Rights Revolution*.⁵ Boyd links intergenerational equity to human rights, advocating for the constitutional protection of environmental rights for both present and future generations. His approach provides a tangible pathway for governments to implement environmental protection, as rights-based models often have stronger legal standing within domestic and international frameworks. Boyd's focus on constitutional reform has already influenced several countries to embed environmental rights into their legal systems.

However, Boyd's emphasis on rights occasionally overlooks the ethical obligations inherent in the doctrine of intergenerational equity. Rights alone may not suffice to ensure long-term sustainability, as they require corresponding duties that balance immediate human needs with the preservation of future environmental resources. Additionally, his approach can sometimes create legal conflicts between the urgent demands of the present and the long-term responsibilities to future generations.

R. Edward Freeman and Daniel R. Gilbert take a different angle by applying intergenerational equity to corporate ethics in *Corporate Strategy and the Search for Ethics*.⁶ They argue that businesses must consider their long-term impact on future generations, particularly in the context of environmental sustainability. This perspective is crucial because corporate practices often have significant environmental consequences, and Freeman and Gilbert's work encourages companies to go beyond short-term profits and adopt responsible practices that protect future interests.

The limitation of Freeman and Gilbert's approach lies in its reliance on voluntary corporate action. While ethical responsibility is important, the absence of enforceable legal obligations may result in corporations prioritizing immediate economic gains over long-term sustainability. Without regulatory oversight, many businesses may choose to ignore environmental concerns in favour of short-term profitability.

Timothy Swanson's work in *Global Action for Biodiversity* focuses on the global governance of biodiversity, applying intergenerational equity to international environmental treaties. His approach stresses the need for multilateral cooperation to protect the global commons, such as biodiversity, for future generations. Swanson's

⁵ See, Mank, B. C., & Smith, S. (2013). [Review of *The Environmental Rights Revolution: A Global Study of Constitutions, Human Rights, and the Environment*, by D. R. Boyd]. *Human Rights Quarterly*, 35(4), 1021–1042. <http://www.jstor.org/stable/24518048>

⁶ See for further discussion, Freeman, R.E., Gilbert, D.R. (2023). *Business, Ethics and Society: A Critical Agenda*. In: Dmytriyev, S.D., Freeman, R.E. (eds) *R. Edward Freeman's Selected Works on Stakeholder Theory and Business Ethics*. *Issues in Business Ethics*(), vol 53. Springer, Cham. https://doi.org/10.1007/978-3-031-04564-6_26

work is valuable in highlighting the role of international cooperation in addressing global environmental challenges.

However, like Weiss, Swanson's reliance on global governance presents practical difficulties, especially in terms of enforcement. International agreements often lack the necessary tools for ensuring compliance, and the diversity of national interests makes multilateral cooperation challenging to sustain over time.

Thus, each of these scholars brings important perspectives to the doctrine of 'intergenerational equity.' Weiss provides a foundational legal framework, Boyd connects the doctrine to human rights, Freeman and Gilbert apply it to corporate responsibility, and Swanson emphasizes international governance. A practical and sustainable approach to intergenerational equity might combine elements from all these perspectives, integrating legal, ethical, and governance frameworks to ensure that environmental justice is achieved for future generations. A hybrid model that balances rights with duties, encourages corporate responsibility, and fosters international cooperation may be the most effective path forward for addressing the environmental challenges of the 21st century.

The claim that the global movement for environmental protection is solely a product of neoliberal economic growth and industrialization is only partially accurate. While economic expansion and industrialization undoubtedly contributed to environmental degradation, the concern for environmental preservation predates modern industrial growth. Notably, it wasn't until the 1960s and 1970s that environmental issues gained global recognition, particularly with the rise of modern environmental movements and the formulation of environmental laws.

Before the late 19th century, formal legal frameworks for environmental protection were rare, particularly in the context of sustainable development. Environmental concerns were often local, and regulatory frameworks were undeveloped. It is true that until the 1960s, environmental law had no independent status, and before 1970, only a few multilateral agreements existed concerning environmental protection. For instance, the Stockholm Conference of 1972 is widely regarded as a milestone in the global environmental movement, signalling the first coordinated international effort to address environmental degradation on a global scale.⁷ Before this, global environmental concerns were fragmented and lacked a unified approach.

However, it would be incorrect to claim that no concern for the environment existed before the 20th century. Historical evidence from various civilizations, particularly in India, demonstrates an early recognition of the importance of preserving natural resources. Concepts such as '**Vasudhaiva Kutumbakam**'⁸

⁷ See for more details, Sands, Philippe, and Jacqueline Peel. Principles of International Environmental Law. Cambridge University Press, 2018.

⁸ The phrase "**Vasudhaiva Kutumbakam**" is derived from ancient Indian texts, specifically from, "अयं बन्धुरयं नेति गणना लघुचेतसाम् ।
उदारचरितानां तु वसुधैव कुटुम्बकम् ॥"

the **Maha Upanishad** (Chapter 6, Verse 72).

Vasudhaiva Kutumbakam is a Sanskrit phrase that translates to "The world is one family." It originates from the ancient Hindu text, the Mahopanishad, and conveys the idea of universal brotherhood and interconnectedness among all living beings. This philosophy promotes the notion that all individuals, irrespective of their nationality, race, or religion, belong to a single global family. It advocates for mutual care, understanding, and the well-

reflected a cultural respect for nature and the environment. Additionally, ancient Indian texts like the *Arthashastra* and the *Vedas* show concern for natural resource management, indicating that environmental awareness was embedded in traditional practices long before formal laws.⁹

Thus, while the structured and formal legal approach to environmental protection emerged relatively recently, the cultural and ethical foundations for environmental stewardship have long existed. The rise of environmental law in the 1970s was not an isolated phenomenon but part of a broader historical trajectory that includes ancient traditions and more recent industrial concerns. The modern focus on sustainable development simply formalized and globalized these pre-existing ideas. Therefore, it is overly simplistic to attribute the entire environmental protection movement solely to neoliberal economic growth, as it ignores both historical and cultural precedents.

Thus, in Indian tradition, concepts like '**Vasudhaiva Kutumbakam**' (the world is one family) reflect an understanding of the interconnectedness of all living things, highlighting a cultural respect for nature. Ancient scriptures and texts often emphasized the importance of protecting resources such as water bodies and forests. While these cultural practices were not codified into formal laws, they represented an informal awareness of environmental preservation.

Additionally, although India did not have environmental legislation as we understand it today, provisions in the Indian Penal Code (IPC), such as Section 277, which penalizes the pollution of water bodies, show an implicit concern for the environment. These early legal provisions demonstrate that some protection of natural resources was already in place, though not under the banner of modern environmental law.

The Stockholm Conference of 1972 was a pivotal moment in formalizing the global approach to environmental protection, particularly in terms of sustainable development and intergenerational equity. This modern legal and ideological framework was shaped by the conference, but it is important to recognize that cultural and legal concerns for the environment have deeper roots in history. Therefore, while modern legal recognition of environmental protection is recent, the concern for preserving nature has long been part of human civilization.

However, soon the apparent changes had been reflected on the scene and noticed during the last 70s decade of last millennium. It has been observed that if the desert is growing, forest disappearing, malnutrition increasing, and people in urban areas living in very bad conditions, it is not because we are lacking resources but the kind of policy implemented by our rulers, by the elite group. Denying people rights and peoples' interests is pushing the human civilisation to a situation where it is only

being of every member of this global family, including the natural environment. In the context of this article, Vasudhaiva Kutumbakam resonates strongly with the doctrine of intergenerational equity, which emphasizes the responsibility of the current generation to preserve natural resources and the environment for future generations. Both concepts share a common ideological foundation: they call for a holistic view of humanity's relationship with nature and other life forms. This sense of shared responsibility for the planet's resources is central to ensuring sustainable development. Just as Vasudhaiva Kutumbakam calls for collective care and compassion, intergenerational equity demands that present generations act as stewards of the environment, preserving it for those who come after.

⁹ See, Gadgil, Madhav, and Ramachandra Guha. *This Fissured Land: An Ecological History of India*. University of California Press, 1995.

the poverty that has a very prosperous future in world, and life without health, and future without prosperity will be the scorching reality in days to come.¹⁰ Thus environmental issues has no other option to timely address.

To quote the timely comment by Margareta Theresa aptly expressed,¹¹ -

*“Our natural environment is our most precious inheritance. ... We hold our natural environment in trust for the next generation. By implementing the measures in this ambitious plan, ours can become the first generation to leave that environment in a better state than we found it and pass on to the next generation a natural environment protected and enhanced for the future.”*¹²

This is enough to express the scenario of environmental degradation that happened too fast to image in last three decades of 20th century.

To address this situation, the first official attempt has been made at international level in 1972 by way of Stockholm conference.¹³ It ignites the awareness of environment for international social interest which follows the flood of legislations across the globe. In India, the several acts had been passed in 1974 directly attempt to address the issues. The major legislation had come into existence in 1986 as the Environmental Protection Act, 1986. In late 90s decade, the much course cases and public interest litigations witnessed which broaden the environmental jurisprudence in India. Through these cases the issue remained vibrant and several strategies had been adopted by Indian judiciary to develop the mechanism so that the convenient balance can be achieved. The few important doctrine developed through judicial cases was the polluter pays principles, precautionary measures, Public trust doctrine.¹⁴ The last and the recent in this line was the intergenerational equity first in 2000.¹⁵

¹⁰ Speaker from the floor WCED Public Hearing Nairobi, 23 Sept 1986. Quoted from, Report of the World Commission on Environment and Development: Our Common Future, pg. 44. Available at, <https://sustainabledevelopment.un.org/content/documents/5987our-common-future.pdf> visited on 14.02.2020

¹¹ The forward of Margareta Theresa to the UK's 25 year Environmental Plan.

¹² Bose Rahul, Research Director of the Goa Foundation, Without intergenerational equity, say goodbye to civilization, Available at, <http://www.if.org.uk/2019/07/08/without-intergenerational-equity-say-goodbye-to-civilisation/> visited on 24.02.2020

¹³ The United Nations Conference on the Human Environment was held in Stockholm, Sweden from June 5-16 in 1972.

¹⁴ Popular during last decade of last millennium, the Public Trust Doctrine claims and presume the natural resources – including forests, streams, beaches, oceans, the atmosphere and minerals – are owned by the state as a trustee on behalf of the people and especially future generations. This is the Public Trust Doctrine (PTD), often derived from natural law and considered more fundamental than the Constitution. For the trustees, the foremost obligation is to ensure the corpus of the trust is kept whole. And there is a duty to treat all the beneficiaries equally. See, Bose Rahul, Research Director of the Goa Foundation, Without intergenerational equity, say goodbye to civilization, Available at, <http://www.if.org.uk/2019/07/08/without-intergenerational-equity-say-goodbye-to-civilisation/> visited on 24.02.2020

¹⁵ The doctrine of 'intergenerational equity' was first applied in the case of A.P Pollution Control Board v. Prof M.V. Nayudu: 2001(2) SCC 62, The term intergenerational equity states that “every generation holds the Earth in common with members of the present generation and with other generations, past and future. The principle articulates a concept of fairness among generations in the use and conservation of the environment and its natural resources”. See

In yet another case, the court emphasised the importance of these principles in safeguarding the environmental protection so that the it remain intact and safe for forthcoming generation. In Public Interest Litigation & Ors. v. Union of India & Ors.¹⁶, the court upheld the argument that Article 39 (b) of the Constitution empower the State with the legal owner of the natural resources as a trustee of the people and although it is empowered to distribute the same, the process of distribution must be guided by the constitutional principles including the doctrine of equality and larger public good.

Thus, gradually, after 2000, the strong jurisprudence of ‘interrogational equity’ had been explored by the various court to make this doctrine meaningful.

This doctrine of intergenerational equity has its several advantages. The doctrine of ‘Intergenerational equity’ makes the environmental issues not only for the entire present generation by eliminating the fragmented approach. In all earlier approaches, the liability to address the environmental issues lies on either State or other authorities, or the polluter, or permitting or regulatory to taken precautionary approach. Therefore, by opting out the intergenerational equity, the overall present generation has been taken into consideration to address the problem of environmental crises by opting out the strategies so that the sustainable environment can be handed over to the forthcoming generation. The doctrine of intergenerational equity emphasizes the interdependence of generations of humankind on the grounds of environment issues.

Thus the earlier claim of economic growth wherein the living population which are having control over the resources would justify its exploitation under the name of comfort, development, progress though the long lasting effect would be drastic. However, by adopting the intergenerational equity approach, the present generation is having liability to inherit the environment to their progeny in such condition which ensure their survival and better chances of balance environment surrounds them.

Since from the day of industrial grown in last few millennium, better technology to adopt and extract the resources to its maximum capacity and ultimate aim of economic growth has leads to develop such environmental crises which certainly raises grave concerns for future generations, and at the same time builds extreme pressure on the existing generation stakeholders to immediately reflect on the environmental concerns and take effective measures. The mineral extraction, deforestation, climate change, green house effect, warming, construction of dams, big nuclear and thermal projects, mass tourism are few of the issues that has arouse due to unplanned exploitation of common resources. Thus within a short span of last 50 years, the living population has also witnessed the acid rain, depletion in Ozone layer, melting of glacier and rising of climate temperature and change in the monsoon cycle. This not only disturb the ecological balance that ensure such climatic conditions for human survival, but also put effect on the living expectation. From legal standpoint, such state of afire serious pose threat to right to health, wrong distribution of resources, and legitimate expectation from the present generation. The earth is not meant for the present generation, which for their pleasure may exploit it to its fullest extend and leaving back the planet without hope and without life.

for more details, <https://blog.ipleaders.in/intergenerational-equity-regime-international-environmental-law-prospective-justice-environmental-emergence/> Visited on 02.03.2020

¹⁶ Centre for Public Interest Litigation & Ors. v. Union of India & Ors. [(2012) 3 SCC 1]

Therefore, in such situation, being the law, which always rescue for sustainable society and ensure the peaceful survival not for the present generation only, but developed such value, based system which guaranteed the perpetual and sustainable survival.

Thus, yet another glaring aspects of doctrine of intergenerational equity lies in the core of this principle demand the public participation, cooperation and concern for the issue. Court, while considering the importance of the doctrine expressed in *Glanrock Estate (P) Ltd. v. State of T.N.*,¹⁷ that the one of the reasons for deletion of the "right to property" from Part III of the Constitution vide the Constitution (Forty-fourth Amendment) Act, 1978 was that the economic liberties of freedom of property came in direct conflict with egalitarian values including inter-generational equity. Therefore, the social rights are always has primacy over an individual rights, thought fundamental in nature.

Since no rule of law is complete without effective public cooperation. Every individual holds equal responsibility towards fulfilling their environmental duties. Individuals need to realize that environmental breaches are synonymous to human rights violations. And the breaches of the former results in the violation of the latter both intergenerational and intergenerational. Which is where all individuals collectively can address these concerns. It starts from a very rudimentary process of individuals engaging in environmental information, environmental participation and environmental impact.¹⁸

Thus, in the light of this analysis, it can be inferred that the international equity has major role to play in addressing the environmental issues.

Economic Analysis of Intergenerational Equity

The doctrine of intergenerational equity focuses on ensuring that current generations use natural resources responsibly, preserving them for future generations. From an economic perspective, this principle presents significant implications for resource allocation, cost-sharing, and sustainability policies.

a) Economic Impact of Intergenerational Equity

The doctrine stresses the balance between present resource consumption and future preservation. Economically, the costs associated with maintaining intergenerational equity can be divided into several categories:

- 1) **Environmental degradation:** If resources are overused, future generations will face greater costs, such as reduced access to clean water, air, and other essential resources.
- 2) **Opportunity costs:** A failure to invest in renewable energy or sustainable technologies today could force future generations to bear higher economic costs related to energy, health, and food security.
- 3) **Sustainability investments:** There are immediate costs associated with transitioning to green technologies and sustainable infrastructure. However, these are essential to ensure future generations benefit from a stable environment.

b) Cost Calculation and Sharing

¹⁷ *Glanrock Estate (P) Ltd. v. State of T.N.*, (2010) 10 SCC 96

¹⁸ Bose Rahul, Research Director of the Goa Foundation, Without intergenerational equity, say goodbye to civilization, Available at, <http://www.if.org.uk/2019/07/08/without-intergenerational-equity-say-goodbye-to-civilisation/> visited on 24.02.2020

The cost of maintaining intergenerational equity depends on the marginal cost of environmental degradation and the investments required to mitigate damage. The key elements include:

- ⌘ **Direct costs:** These include expenses related to conservation, pollution control, and the implementation of sustainable practices.
- ⌘ **Indirect costs:** These consist of long-term effects such as climate change and resource scarcity, which impact future economic stability.

To quantify these costs, economists employ the discount rate, which helps calculate the present value of future benefits and costs. A lower discount rate values the future more highly, promoting intergenerational equity. If the rate is too low, it may place excessive burdens on the current generation, while a high rate can undervalue the welfare of future generations.

c) Resource Sharing and Limit Determination

Determining the optimal level of resource consumption is crucial for sustainable development. This involves establishing limits for the use of non-renewable resources and ensuring that renewable resources are consumed at a sustainable rate. Ecological footprint analysis helps calculate these limits by measuring the natural capital consumed by current generations and estimating the regenerative capacity required for future use.

In terms of resource sharing, mechanisms such as cap-and-trade¹⁹ systems for carbon emissions or water rights trading can ensure equitable resource distribution. These systems set limits on resource use, allowing market forces to regulate consumption through trading rights. Such approaches encourage users to pay the real cost of environmental impact.

d) Statistical Tools and Economic Models

Tools such as Integrated Assessment Models (IAMs) combine economic and environmental data to project the costs of resource depletion and environmental damage. These models also estimate the benefits of policy interventions like carbon taxes, renewable energy subsidies, and conservation efforts. Statistical tools such as these help assess the sustainability of current practices and identify areas for improvement.

Policy Recommendations

¹⁹ The cap-and-trade system is a market-driven mechanism designed to control pollution and manage environmental resources, directly aligning with the goals of intergenerational equity. By setting a cap on the total emissions or resource usage, it ensures that present-day consumption stays within sustainable limits. This system works by issuing permits that allow companies to emit a certain amount of pollution or use resources. If they exceed this limit, they must purchase additional permits from others who have not used their full allowance. This incentivizes companies to reduce their emissions or resource use, fostering innovation in sustainable technologies and practices.

However, one concern is that wealthier entities may simply buy more permits, continuing unsustainable practices while burdening poorer regions with the consequences of environmental degradation. To mitigate this, the revenue generated from trading permits could be reinvested into sustainable projects or used to support disadvantaged communities. The key to success lies in strict regulatory oversight and equitable distribution of permits, ensuring that the system supports long-term sustainability for future generations. Overall, cap-and-trade can be an effective tool for balancing current economic needs with the responsibility to protect resources for the future.

1. Government Role:

- ∞ Governments should enforce strong environmental regulations to integrate intergenerational equity into law and policy. This includes establishing resource consumption limits and promoting green technologies and sustainable practices through subsidies or tax incentives.
- ∞ Public awareness campaigns can foster greater environmental responsibility, encouraging individuals and businesses to adopt sustainable practices.

2. Public Participation:

- ∞ Citizens must engage in sustainable consumption, reduce waste, and support renewable energy solutions. Community-driven initiatives such as tree planting and water conservation should be encouraged and supported.
- ∞ Environmental literacy should be promoted through educational systems to ensure that future generations are equipped to tackle ecological challenges.

3. Judicial Role:

- ∞ Courts should continue enforcing environmental laws and ensuring that governments and corporations are held accountable. Judicial support for the doctrine of intergenerational equity can help address long-term environmental impacts.
- ∞ Public interest litigation should be encouraged to ensure that marginalized communities have access to environmental justice.

4. International Cooperation:

- ∞ Stronger multilateral agreements are necessary to address global environmental challenges like climate change and biodiversity loss. International frameworks such as the Paris Agreement²⁰ can help ensure fair cost-sharing and collaboration on sustainability efforts.
- ∞ Developed countries should support developing nations by providing financial and technical assistance to help them transition to sustainable practices.

²⁰ The Paris Agreement is a landmark international accord that aligns closely with the doctrine of intergenerational equity, as discussed in this article. Adopted in 2015, the agreement brings together almost every nation in the world to address climate change by limiting global warming to well below 2 degrees Celsius, with efforts to keep it under 1.5 degrees. The Paris Agreement calls for all countries to take responsibility for reducing their carbon emissions and transitioning toward renewable energy sources, ensuring the sustainability of natural resources for future generations.

In the context of intergenerational equity, the Paris Agreement emphasizes the need for today's actions to safeguard the planet for future generations. It recognizes that unchecked climate change will have disproportionate effects on younger and future populations, who will inherit a more fragile environment. By establishing long-term targets and requiring each country to submit Nationally Determined Contributions (NDCs), the agreement ensures that the responsibility for mitigating climate change is shared globally, aiming to balance development needs with environmental protection.

Moreover, the Paris Agreement encourages wealthier countries to assist developing nations with financial and technological support, reflecting the equitable sharing of burdens and benefits. In this way, it embodies the principles of equity, shared responsibility, and global cooperation, all crucial elements of sustainable development and intergenerational equity.

The economic analysis of intergenerational equity highlights the need for careful resource management and fair cost-sharing across generations. By implementing effective economic policies, governments and societies can ensure that both present and future generations benefit from a healthy and sustainable environment. A balanced approach involving public participation, judicial intervention, and international cooperation is essential to achieving long-term sustainability. The doctrine of intergenerational equity provides the ethical and practical foundation for addressing the environmental crises of today while ensuring a viable future for generations to come.

Conclusion and Path Forward

This article has thoroughly examined the concept of environmental stewardship, with a specific focus on the doctrine of intergenerational equity. Through a historical and legal lens, it traced the evolution of environmental protection, from traditional respect for nature seen in cultural practices to the establishment of formal legal frameworks that emerged in the 20th century. The analysis discussed key doctrines such as the polluter-pays principle, public trust doctrine, and precautionary principles, which have shaped modern environmental law. The doctrine of intergenerational equity emerged as a key element of environmental justice, holding the present generation accountable for preserving resources for future generations.

Major Conclusions and Inferences

Environmental Degradation: Economic and industrial development over the last few centuries, particularly since the Industrial Revolution, has resulted in significant ecological imbalance. Exploitation of natural resources has led to deforestation, loss of biodiversity, pollution, and climate change, endangering both current and future generations.

- 1) **Legal Evolution:** Environmental protection laws, though recent, have progressed globally since the 1970s. The Stockholm Conference of 1972 was a milestone that marked the global recognition of the need for sustainable development. The doctrine of intergenerational equity has since become a foundational element in environmental law, asserting that today's actions must not compromise future generations' access to natural resources.
- 2) **Historical and Cultural Awareness:** Environmental protection is not a purely modern concept. Ancient traditions, particularly in India, have long reflected an understanding of the need to preserve natural resources, with concepts such as “Vasudhaiva Kutumbakam” symbolizing the interconnectedness of life. These cultural practices laid the groundwork for modern environmental awareness.
- 3) **Global Cooperation:** Environmental protection is a global issue that transcends national borders. Solutions must involve cooperation at both national and international levels to address shared problems such as climate change, pollution, and deforestation.
- 4) **Judicial Role:** Courts have played a crucial role in enforcing environmental protection, particularly through doctrines like intergenerational equity. By holding governments and corporations accountable, the judiciary has ensured that environmental laws are applied effectively to protect future generations.

Recommendations and Mechanisms

Given these issues, the following recommendations are proposed to address environmental challenges in a sustainable manner:

1) Government's Role:

- ☞ Strengthen environmental regulations by incorporating intergenerational equity into national laws and policies.
- ☞ Implement policies that promote green technologies, renewable energy, and sustainable agricultural practices.
- ☞ Launch public awareness campaigns to foster a culture of environmental responsibility.

2) Public Participation:

- ☞ Encourage public involvement in environmental conservation efforts, including reducing waste and adopting sustainable practices.
- ☞ Support community-driven initiatives like tree planting, water conservation, and clean energy adoption.
- ☞ Prioritize environmental education to ensure future generations understand the importance of sustainability.

3) Judiciary's Contribution:

- ☞ Courts should continue to enforce environmental laws rigorously, ensuring that the doctrine of intergenerational equity remains central to legal reasoning.
- ☞ Encourage public interest litigation to ensure marginalized communities have access to environmental justice.

4) International Community:

- ☞ Strengthen international agreements to address global environmental challenges, such as climate change and biodiversity loss.
- ☞ Developed nations should assist developing countries by providing financial and technical support to adopt sustainable practices.
- ☞ Encourage global institutions to facilitate discussions on intergenerational equity and the protection of shared resources.

The Role of Intergenerational Equity

The doctrine of intergenerational equity is central to addressing the environmental crises of today. It holds the present generation accountable for preserving resources for future generations, promoting sustainability and fairness. By integrating this doctrine into governance, policy-making, and corporate responsibility, society can ensure that future generations have the resources they need to thrive. Intergenerational equity emphasizes that the current generation is not the owner of the Earth but rather its steward, tasked with protecting it for those who come after us.

In conclusion, addressing environmental challenges requires a comprehensive and cooperative approach that involves government action, public participation, judicial enforcement, and international collaboration. Intergenerational equity provides a framework for ensuring that environmental justice is achieved for both present and future generations, promoting a sustainable and equitable future.