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ENVIRONMENTAL LEGISLATION AND ITS EVOLUTION AS A GUIDE FOR ENVIRONMENTAL EDUCATION IN VENEZUELA

LA LEGISLACIÓN AMBIENTAL Y SU EVOLUCIÓN COMO GUÍA PARA UNA EDUCACIÓN AMBIENTAL EN VENEZUELA

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ABSTRACT

The purpose of this article is to present an overview of the evolution of environmental legislation in Venezuela, to raise current environmental problems and to take a position on the achievement or not of the ultimate goal of environmental legislation, which should be to provide and enforce a set of laws that govern the state in matters of environment. The modality of the article is Documentary Review, product of a qualitative documentary investigation. The article presents a series of discussions that highlight the human need to create sustainability through its actions, counteracting the non-applicability of laws and the inertia of most of its habitants. The results of the analysis show that we must point towards an environmental education beyond the promulgated laws. This education must be based on ecological values that will induce society to have an ecological think and so promote a sustainable life.

Keywords: education; environmental legislation; sustainable life; values.

RESUMEN

El propósito de éste artículo presentar una visión general sobre la evolución de la legislación ambiental en Venezuela, plantear los problemas ambientales actuales y tomar posición sobre el logro o no del fin último de las legislaciones ambientales, que en el deber ser, serían las de proporcionar y hacer cumplir un conjunto de leyes que gobiernen al estado en materia de ambiente. La modalidad del artículo es Revisión Documental producto de una investigación documental cualitativa. En el artículo se presentan una serie de discusiones en las que se ponen de manifiesto la necesidad humana de crear sustentabilidad a través de sus acciones, contrarrestando la no aplicabilidad de leves y la inercia de la mayoría de sus habitantes. Los resultados del análisis evidencian que, debemos apuntar hacia una educación ambiental más allá de las leyes promulgadas. Esta educación debe estar basada en valores ecológicos que permitan inducir a la sociedad a pensar ecológicamente para así entonces promover realmente, una vida sostenible.

Descriptores: educación; legislación ambiental; vida sostenible; valores.



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Introduction

Since the beginning of civilization, humanity has been using natural resources abusively. Primitive man used resources to feed and dress, thus covering his elementary needs. The demands of modern man, compared to the primitive use that was given to these resources, have produced strong impacts affecting the environmental problems of our day (Gines, 1987), this, despite the fact that we all know that resources must be used in a way does not harm the environment or the people around them (Vargas *et al.* 2017).

The ability to transform the environment has grown so much, in opportunities it escapes from control. At present, technology has been magnified above the reasons of science, building without measure, without paying attention to the conditions of producing and no considering the perspectives of modern man adapted to the circumstances that future will demand. In this regard, Guillen (1987) points out that development and conservation must be an indissoluble combination of values of man and for man, and it is he who corresponds harmoniously to combine them with other values and goals of humanity. However, "Despite efforts to conserve natural resources, it has not been possible to stop environmental deterioration" (Severiche et al. 2016:268).

The global goal for progress is to achieve the integration of conservation and development, in order to ensure that the changes made in our current environment translate into wellbeing for society.

Setting usage limits and environment intervention is based on the principles of ecological sciences, understanding them as the instrument through which it comes to interpreting natural ecosystems to further conserve, preserve or modify them, leading them the desired profit, without deterioration of its components (Buroz, 1987). Another concept is "Ecology studies the relationship between living beings and their environment" (Andrés, 2019:113).

It should be noted, in the Bizkaia Declaration on the Right to the Environment, made in Bilbao on February 1999, sponsored by UNESCO (United Nations Educational, Scientific and



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Cultural Organization) and the United Nations High Commissioner for Human Rights, it is proposed to the international community the adoption of appropriate measures, such as the right and duty of environmental protection, education and environment awareness among others (Etxebarría, 1999).

In the Venezuelan case, despite the existence of an environmental commitment in the agreement established with the UNESCO in the international meeting of Rio de Janeiro (1992), from which the proposal for sustainable development and Agenda 21, the promulgation of the Organic Law of the Environment (1976 and later of 2006) and the creation of the First Ministry of Environment and Renewable Natural Resources (MARNR, 1977), it has been observed from the accelerated population growth (which leads to problems of contamination of all kinds), the necessary measures to weigh this growth are not being taken into account.

While it is true there are control mechanisms and regulations in place, such as Venezuelan laws, these have not been sufficient to stop environmental deterioration. Hence the need to promote environmental education, based on values in our society, in order to achieve a life sustainable beyond the enactment of laws.

We see how intelligently animal races seek their survival to the fullest and man as a superior race, paradoxically, is on his way to self-destruction. This statement, although it might seem strong and far-fetched, is real, demonstrable and definitely alarming.

The ecological aspect in our lives has recently become one of the most important loggers of our existence. More important for those whose sensitivity to the environment has become a daily part of their values, priorities and ways of manifesting themselves. This awakening of conscience makes us wonder what is the destiny that the earth holds and therefore to human beings. It has been heard innumerable times that earth does not belong to man, that the human being is only a guest to pose in his dwelling for the passage of his life. But, despite this, the destiny of the planet depends on everyone, how this visit to the earth is made and what traces are left on it; therefore, the answer to the question of the destiny of the planet and of humanity is only within each human



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being, since it has been who has modified it and who has made the earth a resource managed at will.

This article will reveal the evolution of environmental legislation in Venezuela since its inception. Additionally, current environmental problems will be raised, an opinion will be given on the effectiveness of these laws in achieving sustainable living. It is intended to analyze, reflect and call attention to those aspects that induce the morality of man, inherent in how the resources of the planet are managed, and in general, to his feelings regarding the respect and reverence of the "must feel" for the mother nature.

To address the issue, we begin with the evolution of environmental legislation in Venezuela, the existing environmental problems in the country with its dimensions and needs, interaction of education with environmental laws, social environment, values and how to generate attitudes in benefits of environment.

Finally, upon discovering these approaches, we will reflect on the duty of must doing, being and acting, which as humanized human beings we must promote, practice and experience towards the environment, promoting a sustainable life, which, although it does not affect us directly in these times, it will futilely affect the descendants in what is called "passing the life."

Development

Evolution of environmental legislation in Venezuela

Venezuela, as other countries, has seen the need to adopt legal mechanisms to contribute to the environmental conservation.

Conservation decrees have existed for a long time in Venezuela as promulgated by Simón Bolívar in a broad legislation that, although it was useful for the protection of natural resources, its purposes did not correspond to environmental legislation. Then it was oriented to legislation, with the promulgation of the Organic Laws of the Environment and the Central Administration and currently with the Criminal Law of the Environment. The first two laws were the basis for



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the development of environmental law in Venezuela (De los Ríos, 1993). However, "... there is a certain regulatory dispersion, due to the large number of regulations that integrate Venezuelan environmental law." (León and García, 2011:83).

Organic <aw of the Environment

The Organic Law of the Environment was promulgated on June 16, 1976, and gave legal force to the Venezuelan legal system in defense of the environment and natural resources. Its purpose was to establish, within the policy of the integral development of the nation, the guiding principles for the conservation, defense and improvement of the environment for the benefit of the quality of life. In it, conservation, defense and improvement of the environment were declared of public utility (Congreso Nacional, 1976).

Even though this organic law granted protection to the environment, in any moment was considered what is environment and instead, it established as principles of environmental policy of the State the "conservation, defense and improvement of the environment"; always referring to the primary objective of the policy to the "conservation, defense and improvement of the environment for the benefit of the quality of life".

It is then when in the 1999 constituent, a distinction is made between a healthy environment and a healthful environment, incorporating the expression safe, healthy and ecologically balanced environment in its article 127 of Chapter IX on Environmental Rights (Constitución Nacional de la República de Venezuela, 1999).

The 1976 Organic Law of the Environment is repealed in December 2006, a new organic law emerging (Asamblea Nacional, 2006). This new law, in its article onedeclare its purpose: to establish the provisions and the guiding principles for management the environment, within the framework of sustainable development as a fundamental right and duty of the State and society, to contribute to the security and the achievement of maximum welfare of the population and the maintenance of the planet, in the interest of humanity. Likewise, it establishes different norms



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developing constitutional guarantees and rights to a safe, healthy and ecologically balanced environment.

It defines the environment in its article three as the set (or system) of elements of physical, chemical, biological or cultural, in constant dynamics by human or natural action, which governs and conditions the existence of human beings and other living organisms, which interact permanently in a given space and time.

Article 77 establishes the State, through the National Environmental Authority, will exercise environmental control over activities and their effects capable of degrading the environment, without prejudice to the powers of states, municipalities, towns and indigenous communities. He mentions in his article 80 the activities capable of degrading the environment.

Criminal Law of the Environment

The criminal law of the environment was enacted on January 3, 1992 and it purpose was to classify as crime those acts that violate the provisions related to conservation, defense and improvement of environment, and establish the corresponding penal sanctions. Likewise, it determined the precautionary, restitution and reparation measures that may take place (Congreso Nacional, 1992).

This criminal law was passed in December 2011 and a new Criminal Law of the Environment was given (Asamblea Nacional, 2012). In its article one, it expresses the objective: classify as a criminal every act that attempt against natural resources and the environment and impose criminal penalties.

The provisions of this law are applicable to natural and legal persons for crimes committed both in the geographic space of the Republic and in a foreign country, if the damages or risks of the event occur in Venezuela.

According to article three, the criminal responsibility derived from the commission of environmental crimes will be objective, so it will be enough only to verify the violation of the rule to apply the sanction, eliminating the need to prove the agent's guilt.



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Legal persons will be liable for their actions or omissions in cases where the crime is committed on the occasion of the contravention of norms or contained in laws, decrees, orders, ordinances, resolutions and other administrative acts of a general or particular mandatory compliance.

Other Laws

In addition to the laws indicated, other regulations and laws were formulated. Mentioned here are the most important consider:

Forests, Soils and Waters Act (1910)

This law governs the conservation, promotion and use of natural resources and products derived from them. The law is applied to forests, waters, soils and all activities associated with these resources. It mentions that it is the State who has the responsibility to carry out and promote the scientific research necessary for its conservation. The management of each of these resources must be authorized by the corresponding branch officials. It talks about national parks and protected areas, fire prevention and extinction, national forest heritage, the use of forest resources, soil conservation, water and river concessions and their use, deforestation, among others. Its last modification was registered in January 1966 (Congreso Nacional, 1966).

This new law declares the forest resource as of public utility and its rational management is of national interest. The Forest Law of Soils and Water regulates aspects of forest protection, national parks and protective areas, river basins, forest fires, grazing, clearing, logging in all types of tenure, transport of forest products, use of soil and water, provisions prosecutors and penalties for forest infractions. Its regulation establishes the rules for the use of the forest resource being subject to technical measures established by the Ministry of Environment and Natural Resources (MARN), to rationalize the use, promote the country's forest wealth, protect water and fauna and conserve soils in both public and private domain lands. It also establishes penalties and sanctions for violations of the Forest Law of Soils and Water.



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The following are declared of public utility: The protection of watersheds; The currents and water falls that could generate hydraulic force; and National Parks, natural monuments, protective areas, virgin region reserves and forest reserves. The provisions of this law apply to: Forests and their products; Public or private waters; The soils; and Activities related to the named resources. It talks about national parks, protective areas, watersheds, forest fires and burning, the National Council for Fire Prevention and Extinction, clearing, grazing, reforestation, forest exploitation, of the mobilization of forest products, of soils, of water, of administrative and guard agencies of renewable natural resources, of fiscal and criminal provisions, among others.

Hazardous Substances, Materials and Waste (2001)

The law was promulgated on November 13, 2001 and is intended to regulate the generation, use, collection, storage, transportation, treatment and final disposal of hazardous substances, materials and wastes, as well like any other operation that involves them, in order to protect health and the environment. It establishes that there will be a regulation object, in everything relative to the incidence and to its effects in the health and in the ambience, those substances and dangerous materials and similar others, of national or imported origin, which they are going to be destined for agricultural, industrial use, of scientific investigation, education, production or other ends.

The control of the use of hazardous substances and materials, it recovery, the disposal and final disposition is declared of public utility and social interest.

It talks about the obligations of people who handle this type of substances, as they should be handled, of the waste coming from health establishments, of the radioactive, pesticides, of the control of the associated activities, of the sanctions, among others (Asamblea Nacional, 2001).

The Remains and Solid Waste Law (2004)

The purpose of the law is the establishment and application of a legal regime for the production and responsible management of solid waste and remains, whose normative content

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and practical utility should generate the reduction of waste to a minimum, and avoid situations of risk to human health and environmental quality.

This law pretend to: Ensure solid waste and remains are managed without endangering health and the environment, improving the quality of life of citizens; Prioritize actions aimed at preventing and reducing the amount of solid waste and remains, as well as avoiding the danger they may cause to health and the environment; Promote the implementation of planning, inspection and control instruments in favor to the safety and efficiency of management activities of remains and solid waste management; Ensure citizens access to information on public action in the area of remains and solid waste management, promoting their participation in the development of the planned actions; Improve the environment and the quality of life, with efficient provisions regarding health security.

It talks about the competitions of the National Public Power, State, the Municipal competence, of the national commission for the integral management of solid waste and remains, citizen participation, inspection and control systems, infractions and sanctions, among others (Asamblea Nacional, 2004).

Water Law (2007)

It is promulgated on January 2, 2007. The law aims to establish the provisions governing the integral management of water, as an essential element for life, human well-being and sustainable development of the country, and it is strategic in character and State interest.

The integral water management includes, among others, a set of activities of a technical, scientific, economic, financial, institutional, managerial, legal and operational, aimed to conservation and use of water for collective benefit, considering the waters in all its forms and associated natural ecosystems, the watersheds that contain them, the actors and interests of the users, the different territorial levels of government and environmental policy, land management and socio-economic development of the country.



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The integral management of the waters has as main objectives: Guarantee the conservation, with emphasis on the protection, sustainable use and recovery of both surface and underground waters, in order to satisfy the human and ecological needs, and the demands generated by the productive processes from the country; Prevent and control the possible negative effects of water on the population and its assets.

It talks about the principles that govern the integral management of water, which are the assets of the public domain of the nation, the conservation and sustainable use of water, the prevention and control of the possible negative effects of water, the hydrographic and hydrogeological regions and basins, the institutional organization for water management, the financial economic system for the integral management of water, the infractions and administrative sanctions, among others (Asamblea Nacional, 2007).

Organic Law for Territory Planning (1983)

For the purposes of this law, the territory planning is the regulation and promotion of the location of human settlements, the economic and social activities of the population, as well as the physical and spatial development, in order to achieve a harmony between the greater well-being of the population, the optimization of the exploitation and use of natural resources and the protection and valorization of the environment, as fundamental objectives of integral development.

The planning of the territory includes, among others, the protection of the environment, the conservation and rational use of water, soil, subsoil, forest resources and other renewable and non-renewable natural resources depending on the planning of the territory.

The National Territory Planning is a long-term instrument that serves as a spatial reference framework, the medium and short-term development plans of the country and the sectoral plans adopted by the State, contains the great guidelines in the designation of the spaces subject to a special regime of conservation, defense and improvement of the environment and of the protection measures to be adopted with such objectives, among others.

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Establishes in each region a Territorial Planning will be adopted as a long-term instrument, that develops the guidelines of the National Territorial Planning in the region context. It is about territorial planning and what concerns to the Ministry of Environment and Renewable Natural Resources (Congreso Nacional, 1983).

Constitution of the Bolivarian Republic of Venezuela (1999)

It was promulgated on December 20, 1999. In its article 15 it tells: The State has the responsibility of establishing a comprehensive policy in the land, island and maritime border spaces, preserving territorial integrity, sovereignty, security, defense, national identity, diversity and the environment, in accordance with cultural, economic, social development and integration. Attend to the nature of each borderline region through special economic assignments, and an Organic Border Law will determine the obligations and objectives of this responsibility.

Article 112. All persons may freely engage in the economic activity of their choice, without further limitations than those provided for in this Constitution and those established by law, for reasons of human development, safety, health, environmental protection or others of social interest. The State shall promote private initiative, guaranteeing the creation and fair distribution of wealth, as well as the production of goods and services that meet the needs of the population, freedom of work, business, commerce, industry, without prejudice to its power to dictate measures to plan, rationalize and regulate the economy and promote the integral development of the country.

Article 127. It is a right and duty of each generation to protect and maintain the environment for the benefit of itself and the future world. Everyone has the right, individually and collectively, to enjoy a safe, healthy and ecologically balanced environment. The State will protect the environment, biological diversity, genetic resources, ecological processes, national parks and natural monuments and other areas of special ecological importance. The genome of living beings cannot be patented, and the law that refers to bioethical principles will regulate matter.

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It is a fundamental obligation of the State, with the active participation of society, to ensure that the population operates in an environment free of pollution; where the air, water, soils, coasts, climate, the ozone layer, live species, were especially protected accordance with the law.

Article 128. The State will develop a land management policy based on ecological, geographical, population, social, cultural, economic, political realities, in accordance with the premises of sustainable development, including information, consultation and citizen participation.

Article 129. All activities noticeable to generate damage to ecosystems must be previously accompanied by environmental and socio-cultural impact studies. The State will prevent the entry of toxic and hazardous wastes into the country, as well as the manufacture and use of nuclear, chemical and biological weapons.

Article 156. It is responsibility of the national public power the national policies and legislation on shipping, health, housing, food security, environment, water, tourism, land management.

Current environmental problems

Each population that sits in a place and develops its activities will be occupying and taking advantage of the territory. This occupation and use will respond to the social and economic condition of these groups and their physical-natural environment.

The human being has subjugated the environment, transforming and deteriorating it, without thinking it has a great importance in economic development. The environment is seen as a diffuse and ambiguous identity from the physical point of view and not in all its real and complex dimension, integrated by a set of biotic and abiotic elements that interact with each other, forming a dynamic reality that is affected in various ways by man, even modifying it deeply in order to satisfy it needs, not always vital but superfluous. Hence, there is an implicit relationship between the environment and the economic development of a nation, which, while using certain resources as a productive base, can produce undesirable effects on other



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environmental elements, causing problems of environmental deterioration and deterioration of the quality of life of the population (Rangel, 1998).

The same author comments one of the greatest threats facing humanity today is the breakdown of the nature balance, with its consequent environmental problems. The top 10 principal problems are (Liefer, 2019):

-Water pollution: its main cause is the arrival to the water bodies, the untreated water from industries and homes (the most polluting being the hydrocarbon industry). The southwest coast of the Venezuelan Gulf is the most affected area. Also noteworthy is the dumping of wastes from the petrochemical industry that affects beaches and the Falcón state.

-Air pollution: air is contaminated by toxic gases from industries, especially in the capital region, also affected by the oil and petrochemical industry. It is also necessary to mention the monoxide emissions of the vehicles, having failures in their maintenance so their pollution power is greater. The cities with the highest air pollution due to their dense population are the capital and the central region.

-Soil pollution: mostly presented in agricultural areas of the Andes region, the center and the plains. The greatest contamination occurs due to the dumping of pesticides, herbicides and chemical fertilizers. Soils tend to become infertile and pests develop resistance having to be used increasingly and stronger; this induces indirect contamination of water and food.

-Accumulation of solid waste: there is a failure in garbage collection service, generating atmospheric and visual pollution; not to mention there are no treatment plants for these wastes that dispose of or recycle them and there are few sanitary landfills, which are open to the sky and are depleted and pollute the environment.

-Visual pollution: this is increasingly noticeable due to the accumulation of garbage and the remains of political publicity, among others. As landfills are closed, there is a tendency to unload garbage in green areas; there is also deterioration of the roads, public and private infrastructure, street furniture, and others.



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-Deforestation: many forests and jungles have been destroyed; there is also mining and oil exploitation in the Bolívar and Amazonas states; there is also deforestation for agricultural or urban purposes.

-Illegal mining: this comes in parallel with deforestation generating ecocide in large territories by the extraction of gold, diamonds, coltan, among others. This activity also generates violence when the territories are controlled by mafias by 85% according to the Mining Chamber.

-Sound pollution: there is a lack of regulation and application of regulations that regulate noise, especially in cities; also, there is the noise generated by the bugles at rush hours.

-Trafficking of wild species: this traffic is a real threat to the environment, having a great impact on the wild ecosystem. Countless exotic birds and mammals are being hunted and are extracted from their natural habitat, unable to reproduce or die from captivity; which worsens with deforestation and pollution of soils, air and water.

-Forest fires: especially in the summer, the fires end up with thousands of hectares of natural forest and pollute the air, altering the environment and destroying ecosystems. Some are provoked, others are given by high temperatures, by dry foliage and garbage.

Rangel points out (1988), the natural deterioration many timesare due to the fact in mountain areas, morphostructural systems have natural characteristics of geological instability, with steep slopes, leading an erosive process such as landslides, land collapse and others. In the low areas these problems are associated with flooding as a result of the intensity of precipitation and the characteristics of the relief. This phenomenon can be of varying magnitude, differentially affecting the urban and rural environment; in the latter case, the loss of crops is a frequent occurrence in the Venezuelan Plains.

The damages caused in urban areas are: loss of human life, destruction of housing, interruption of transport and services, health and socioeconomic problems. Natural fragility, joined with anthropic action without the application of appropriate management techniques and the incorporation of technologies without prior evaluation, has caused over time a deterioration of anthropogenic resources (*id.*).



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Although it is appreciated there are numerous problems at environmental level, also it is necessary to admit, Venezuela is one of the countries possessing an extensive and complex juridical arranging and is innovative. The problem is there are laws, but are these laws enforced? And the ultimate purpose of being of these laws and ordinances, which is to promote a real sustainable life, is it achieved?

There are laws covering almost all environmental problems, these laws should be reassessed, reinforcing the educational part and consolidating values. On the other hand, there is great ignorance of the laws and additionally, there are not enough mechanisms to enforce these regulations. This ignorance revolves around a large range of action that goes from the business level, to ordinary citizens.

Dimensions and needs

Man's relationship with the environment has been constantly changing according to his own evolutionary, social and cultural process, from hunter to farmer, then with the industrial revolution and in present with information society. The interactions between man and the environment have existed since the very appearance of humanity. Due to the rapid population growth, the accelerated development of cities and industries and the consumption of natural spaces and resources, there has been an increase in human pressure on the environment in recent centuries.

While it is true that environmental protection programs and policies are needed, it is also true there is an urgent need for ecological awareness, acquired through proper education of population, which results in a change in behavior and attitudes. Hence the need to develop an appropriate environmental education to achieve a better level of training and information. There is urgency in the mentality change and objectives, not only at the collective level, but also at the individual level, to modify ideas, attitudes and habits through the acquisition of knowledge, to enhance more responsible behaviors and to sit the bases of development of a society more respectful with the environment.

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The only way to get ahead with this problem is to return its value to life. Man attempts against life itself in its desire to live better. There can be nothing for man more valuable than life, underlying the desire for any material good, is the desire always for a better life.

Education

With education, a link is established, a relationship between men, between society and the individual, and that special contact originates when one of the two parties in the relationship influences the other in order to improve it (Medina, 2001).

Not only the educator educates, but also educates the one who is educated. When human beings feel seriously engaged in educational activities, they become better beings in addition to always accumulating new experiences. The one who educates openly knows that, in turn, he is being educated. There is always a lot to teach and there is always a lot to learn.

Education is not just a verifiable fact, it is a human reality, a sign of reciprocal intellectual and moral solidarity that must reign among men.

Medina mentions man is not content to know the facts and things only instinctively. The man also enters in a reasoning labor work around the direct cognitions of their own or received from others, a work of analysis and synthesis that is almost a withdrawal of the mind on itself, a reflection with which man tends to know why of the facts and laws according to which the events occur.

If this display of the mind occurs with people who have been educated, or who have taken examples of people whom they admire for their actions in favor of the environment, we will be facing people who will become increasingly aware of their actions and why we must work according to a green world. To understand why the planet demands its respect is to understand it is a respect in reality also for ourselves, for our future and for our ancestors. It is to understand everyone depends on how you live now, how you will live in the future; It is to understand the planet is like a child that must be taken by the hand, is also pure, since gives us all fruits by asking only in return for letting continue offering the wonders and letting us pose on his abode.



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The important, compromising and responsible function of educators is to place students in situations that lead them to discover their own value systems, in this way the new attitudes, derived from the educational process, when discovered within them, will have their deep roots, since they will behave themselvesact for a better world. But, let us understand by educators, not only those stationed in a classroom or in a university classroom, educator is anyone who has contact with a group of people and who can influence them with their presence.

With all the laws of the state, there is a very big challenge to the leaders and it is they not only enforce their laws, but their spokesmen must believe in them self and what are speaking, and that they devise compliance mechanisms such they are not complied with for fear of penalty, but they are fulfilled by their own conviction, by free will, for love to mother earth.

Education and the Organic Law of the Environment

It has been said education plays an important role in compliance with Venezuelan legislation but, it should also be noted in education and environmental laws, these aspects are highlighted, as show below. It only remains to ask: what is failing then? It remains to let each one of us look inside and simply ask: do I do something for the environment?

Let's talk about the organic law of the environment in relation to education, according to Rangel (1998). The Organic Law of the Environment incorporates certain provisions allowing its application; among them, some of educational, formative and informative nature stand out, indicated in article three, ordinals six, seven, eight and nine, such as: orientation of educational and cultural processes, promotion and dissemination of studies and research, promotion of initiatives public and private, education and coordination the activities of the administration and of individuals, for which it foresees, the creation of foundations and boards, contemplated in chapter III, article 13, ordinal five.

On the other hand, in the partial regulations of the aforementioned law in article 13, ordinals one, two, three and 12, specifies the functions related to the promotion and dissemination of



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studies, campaigns and conservation programs that must be carried out by the Boards of Conservation, Defense and Improvement of the Environment.

It is important to note the deterioration of environment with all its consequences is a clear indication of the need to reflect urgently on the relevance of reorienting the models of interaction with the environment. Undoubtedly, changes that promote the search for options that favor the promotion of knowledge, values, attitudes, aptitudes and positive behaviors towards the environment to promote and assume an ecological lifestyle; also, the creation of conditions that allow the transition towards an economic model oriented towards sustainable development. And this is where Environmental Education comes in, which has acquired great importance and represents an option, which from the educational perspective, has greater potential to generate the changes required for the transformation of human beings' relationships with nature that allows definitively guarantee the necessary living conditions for the continuity of natural and human life on planet.

While it is true the elements described above refer to environmental education has experienced and constitutes a breakthrough in education, as they are also incorporated in the Constitution, they require the creation of legal infrastructures in addition to administrative ones to allow the generation of social spaces in a sustained way to be operationalized.

The Organic Law of the Environment is oriented to manage the environment framed in the principles of sustainable development. Regarding environmental education, its article three defines it as: "Continuous, interactive and integrative process, through which the human being acquires knowledge and experiences, understands and analyzes them, internalizes and translates them into behaviors, values and attitudes to prepare it to participate prominently in environmental management and sustainable development" (Asamblea Nacional, 2006:3).

It expresses a holistic conception of the process, which in addition to integrating knowledge and experiences, also focuses on the understanding and analysis that allow the transfer of knowledge. Environmental Education can influence behavior, the formation of values, and the change in the attitudes of citizens.



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In its article four, interrelate environmental education with environmental management. Citizens must have values oriented to the promotion of a healthy, safe and ecologically balanced environment; this must be incorporated into formal and informal education.

Article 10 expresses the objectives of environmental management and announces environmental education and citizen participation should be promoted, both also referred to in article 30. For this, a whole section is dedicated: Title IV, mentioning the purpose of environmental education is to

... promote, generate, develop and consolidate knowledge, skills and attitudes in citizens to contribute to the transformation of society, which will be reflected in alternative solutions to socio-environmental problems, contributing thus to the achievement of social welfare, integrating into the management of the environment through active and leading participation, under the premise of sustainable development. (Asamblea Nacional, 2006:15)

Mention is also made of the guidelines that include the incorporation of a compulsory subject at all levels and modalities of the education system; also the link between the environment and ethics, peace, human rights, among others; develop environmental educational processes; incorporate environmental education into endogenous development; and promote the dialogue of knowledge (article 35).

On the other hand, those responsible for environmental projects, whether natural or legal persons, must generate permanent processes of environmental education (Article 36). Environmental education should be promoted by incorporating its principles into personnel training programs, whether public or private institutions (article 37). The contribution made by indigenous peoples and communities to the environmental education process must be taken into account (article 38). The media should also promote environmental education (article 74).

Social environment

We are subject to social processes that constantly influence our social organizations and as they intensify they become complex. In the environmental case, social ecology is responsible for studying the relationships human groups maintain with the environment and the relationships



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established between them. It also deals with analyzing the location of humans in space (Cáceres, 1974).

The more nature is studied, the more impressed we can be of its organization and its numerous mechanisms that operate to maintain its balance. However, there are two types of forces that tend to destroy that order: natural forces and the maninfluence. A consequence of the enormous increase in the planetary flow of energy is non equitable distribution affecting different species including the man; the diversity of the biological world is decreasing, thus decreasing the stability of ecosystems and making them more vulnerable (Watt, 2001).

Society educates individuals according to the values it possesses in a certain phase or era of its development and, in turn, educated individuals influence in society and its values (Medina, 2001).

The same author points out society has its own consistency, although dependent on human nature. It provides man with the complement he needs by nature to achieve his goals, and is made possible by everyone's cooperation.

Achieving a society with ecological thinking will depend on the human nature of its members. The aims of a society with ecological thought are intended to induce through the observations or the particular experiences of its individuals the general principle that is implicit in it: to promote a sustainable life for now and for forever.

The cause of today's environmental crisis has its roots in the epistemological foundations of modernity. We must learn to deconstruct these modern assumptions by building new concepts that lead us to understand and apprehend the world. The current problems are the result of a crisis of civilization where we must propose to rethink the foundations of modern rationality that underlies contemporary global society (Eschenhagen, 2012).

Values

Values are not static or permanent realities that must be instilled and preserved immutable; but changing, subjective, immanent realities. Its clarification will require a long and complex



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maturation process that involves certain conditions. The conditions will be the possibility of freely choosing one's own values, the representation of various alternatives and the due exposure of the consequences of the election. Once the values themselves have been chosen, they must be internalized and assumed as part of their own existence and must be incorporated into the regularity of their daily lives. This process guarantees the definitive establishment of these values in the individual.

There are appreciable and transmitted norms or values from generation to generation that society itself has given (Medina, 2001). But if these are not leading us to improve the quality of life due to the deterioration of the environment, then it is time to start changing those paradigms that affect all of humanity.

The famous choir of the Antigone of Sophocles exalted a nature that never bent before the plow that year after year tore the crust of the earth, which did not allow the constant navigation of ships along the surface of the seas disturb their eternal cycles. However, our ancient contemplation of nature has turned into action; we have gone from spectators to transformers, to active agents capable of modifying the course of all evolution. (Juárez, 2003:64)

Humans in general, do not realize the danger and risk of individual and collective behavior; a danger and a risk for all and for generations to come. It is difficult to realize this risk. It is difficult to understand abstract and uncertain scientific information, perceive it correctly and assess it in a way to be able to modify behaviors. Among other reasons, because current perception and value systems do not help to understand global change and integrate the environmental conservation of the earth into what human beings consider valuable. Environmental problems tend to be considered more from techniques than human behavior and this is wrong (Ludevid, 1997).

For this not to happen, values must be educated and one of the greatest opportunities that values education has to be put into practice is offered in ecological education. To be educated in ecology, the person has to be sensitized, and to be sensitized there must be an adequate relationship between education in values, ethics and ecology. Therefore, any enactment of the



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law must have the educational process implicit, seeing it, not only from the point of view of "making the law known", but, from the holistic point of view and all that it implies. A law without the promotion of change of consciousness, is another decree promulgated, in which only those fearful of the law comply.

In this sense, Juarez comments education in values in the case of ecology, should point to the proposal of solutions, while promoting attitudes that care and protection of nature. The environmental problem must be addressed by looking first for its roots.

To educate is to educate in values. There is no education without the transmission of values. Environmental education, within the framework of education in values, encourages students a way to interpret the relationship with nature.

There is a need to highlight the ethical and axiological component of ecology and environmental education today. Ethics cannot be conceived separately from ecology because the responsibility is recognized in the negative environmental changes that are currently undergoing.

Continuing with the same author, we must consider the ecological and educational problem as a broader problem than the mere need to respond spasmodically to local needs. It is necessary to include an adequate environmental education putting the emphasis on the values that want to be promoted or developed in the students. Each decree, law, ordinance or whatever you want to call it, should be on its main values and be promulgated as such.

It is not enough to have the information of the existence of environmental problems and the affectation. But something must drive action and in the act of man, values, beliefs and feelings play an important role (a link between knowledge and action). An education in values should be expected from environmental education, configuring in students an awareness of environmental problems and a tendency towards actions that seek the care of nature and its proper use. To the valuation system, we must add everything that needs to be incorporated in order to constitute a genuine ecological culture. This ecological culture must be promoted mainly in those in charge of making laws, in those in charge of enforcing it, in those in charge of education, in those in charge of leading a nation.



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Environmental education should not be a complementary part of education in values, but be the background of all education, be a transversal axis, forming supportive, responsible and fair subjects in dealing with nature, living beings and other human beings.

The values associated with environmental education and ecology, by themselves, do not guarantee a behavior considered with the environment or with the rest of the living species. The valuation of the medium is not separated from other values. Values must be part of the most entrenched beliefs and culture.

Generating attitudes

Definitely, the way to route without diverting the course towards sustainable development is by modifying current attitudes in society. To do this, it is necessary to know what its components are. The school of multiple components conceptualizes the structure of the attitude by three components: the affective, cognitive and behavioral (Ros, 1985).

The cognitive, formed by the perceptions and beliefs towards an object, as well as the information we have about an object. Objects not known or on which no information is placed cannot generate attitudes. If the cognitive representation is vague, the affect related to the object will tend to be little intense. The affective is the element for or against a social object and the behavioral is the tendency to react towards objects in a certain way.

One of the ways to verify if the efforts have induced the ecological thinking of a person is by observing their attitudes. Before a society that seems to be going blind in the face of the abysmal environmental problem that exists today, it is everyone's job to ensure the awareness of its citizens. Anything, however small it seems to be done based on a clean world, will be rewarded. One of the ways of knowing if ecological thinking has been induced in people is through the evaluation of their attitudes. This evolution can be evidenced, in compliance with legal regulations, monitoring, for example, companies and measuring the incidence rates in environmental crimes.



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The cognitive component may not only be evaluated at the educational level, when in the classroom the teacher probes how the knowledge of the environment is in their students; it can be done with children, friends or family and can even be an excellent excuse to start, for example, a conversation. The information that you want to arrive can be done directly, indirectly or subliminally, so the people around you begin to be aware, not only of the state in which the planet is located, but of where it is going and, more important, what can be done. It would be helpful if the leaders had this ecological awareness and all their actions revolved around it.

The affective component is also very important, when you put feeling on something, strength and perseverance are printed, which translated that into a small group of people surrounding the being, who will do the same with those who in turn surround them, a new ecological society may be passively and solidly beginning.

Many people model behaviors and if it promotes affection in favor of the search for a better world, those whose fibers are touched, will also affect in favor. The example is the most important, but this must be a true example. A true example implies an attitude in which integrity is demonstrated as human. An integral being is one who does and says what he thinks, therefore, the word and the action must be in line with what the inner thought says. If this is not so, then we are faced with the response to a fashion in which the salvation of the planet is promoted, but that does not happen from there, and as such fashion, then, it is forgotten or separated with the passage of time. Achieving attitudes of the affective component is to ensure that citizens not only care for care, but care for love and with love.

And it remains, therefore, before the achievement of these cognitive and affective attitudes, the behavioral ones. They are simply the fruit of the previous ones, to achieve a society whose reaction to environmental problems is proactive, whose purpose is a cleaner world every day, whose north is a sustainable life, is to achieve a behavior that lasts over time and doesthe world be a world more and more aware of its surroundings, of its place in the world, of its reason for being.



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Final Considerations

Sanctions for ecological problems, no matter how punitive, do not solve environmental problems, although these, within the legal framework of a country, are immensely necessary.

The solution to problems that afflict the environment and are increasingly serious, but we do not see them because their effects are not immediate, is simply within each of people.

It is the duty of each being, to do something for the environment every day, to act in favor of human beings themselves, in favor of mother nature, in favor of consciously and rationally taking advantage of natural resources. There is talk of simple but forceful, small but deep work.

The laws, after having seen their historical evolution, are definitely admirable because they contemplate almost all aspects susceptible to being evaluated in environmental crimes. In them too, as mentioned, educational aspects stand out as in the Organic Law of the Environment, which highlights the orientation of educational and cultural processes in order to raise awareness, promoting the dissemination of studies and research concerning the environment, the promotion of public and private initiatives that stimulate citizen participation in problems related to the environment, among others.

The environmental problems are not only of the leaders, of those who make the laws, of those who enforce them or the educators, in reality "the problem belongs to everyone." And depending on what perspective is seen, because the laws will become insignificant by those who do not comply with them, who avoid fines, who are inert in relation to environmental problems, who are not aware of their place on earth and of the importance of recognizing we are citizens located in the earth here and now, recognizing the damage that is being caused.

The laws will become in something important for sustainable life for those citizens with ecological conscience, sensitive by what happens around them, with attitudes that are in favor of caring the environment, being integral with actions connected with their thoughts and thoughts connected with the feeling.

We must be aware of the time factor, since we tend to be less involved in distant events, as the case of global change. The events related to it represent a long term event, are spatially out of



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reach or the effects are far from the causes. Hence the importance of the awareness process, in which it is visualized the problem is here and now and not there and then, that it is not an individual problem, that it is a collective problem. The matter is not only of complying with laws, not only of promoting ecological education, there is also a matter of being in the right timeline and being able to see what thetendency is.

On the other hand, something that characterizes humans is one tends to think unconsciously that positive things are the most likely to happen, rather than negative ones, which provides a sense of security. In minds, it is preferred to think the earth is not being warm, pollution problems are not so severe or acid rain is not damaging the ecosystem. An instinctive rejection is made, to try to live a little away from fear, a little out of everything. In addition to this, the stress of everyday life, the increasingly hectic life, and endless situations that today's man faces, it is therefore easier, more comfortable and safe to think in reality there are no such global changes. If you educate and become more aware every day that, if something is not done right now for the planet, the earth will be in serious trouble; if the people take this with responsibility and not from an overflowing attitude in panic or completely apathetic, the humanity will be able to assume the role of relevance in the rescue process of the planet.

Another noteworthy aspect is people cognitively tend to attach excessive importance to details of a given case, bypassing basic factors and especially the background of the case. In most situations, global changes are slow and gradual, which means the effects take time to notice, such as the deterioration of ozone layer. But generally, this basic information is forgotten, then ignoring what happens around. It tends to be more analog than logical and to give priority not only to the most representative experience, but also to the most recent and frequent experiences. There is therefore no environmental memory, since it gives more importance to what in life has an immediate result.

A disadvantage faced with environmental problems is when something or a situation is perceived in a certain way, it is difficult to change that perception, especially when faced with uncertain situations, in which there is a high chance of making mistakes and maintaining wrong



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points of view. Thus, the processes associated with global change are somewhat uncertain, and this is where this cognitive limitation manifests. It has not been said in this analysis that changing of thought and induction to a new ecological paradigm is easy, but the mere fact of knowing and being aware of the problem is already closer to its solution.

As thinking beings, there is a tendency to rely on preconceived judgments and opinions, based on beliefs named anchors. These anchors have the effect of reinforcing those beliefs, ignoring conflicting or threatening information because of the belief that people live in a stable and secure world. It is underestimate what is new to the knowledge system that does not confirm beliefs. There is a belief that technology will solve problems, and therefore the messages receivedfrom global change are discarded, for example. One way to make a change in beliefs is first by recognizing what belief the people have, and then of being consciously work for change it. A belief could be work by anchoring experiences that counteract those that want to be eliminated or change. Being in the here and now at all times, and being aware of attitudes, thoughts and acts will help to grow as people and together with us the humanity.

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