

IMPERATIVES OF ENVIRONMENTAL JUSTICE FOR SOCIAL INCLUSION AND HUMAN DEVELOPMENT

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ABSTRACT: : *Human development could attain its optimum level only if the society and the environment in which it exists are balanced. This calls for social inclusion and environmental protection whereby deterioration of the environment and social exclusion should be minimized. Justice for our planet and justice for our people should simultaneously take place. Both these phenomenon are inherently connected to each other whereby both impact and have direct as well as indirect ramifications for the other. Accordingly, through this paper, the author aims to discuss the imperativeness of environmental justice in order to achieve inclusive development.*

Key Words: *Environmental Justice, Social Inclusion, Human Development*

INTRODUCTION:

"The more clearly we can focus our attention on the wonders and realities of the universe, the less taste we shall have for destruction."

– *Rachel Carson*

The Constitution of India calls for the protection of environment and its citizens through its Directive Principles of the State Policy whereby the State makes various laws and legislations for ecological conservation and social inclusion. With the private sector being more aligned towards the achievement of profit rather than addressing the cost to environment and the society. It is the responsibility of the State and the judiciary to protect and promote the interests of those who bear the negative outcomes of development through gross environmental pollution, forced displacements and loss of livelihoods. Although there have been instances where judiciary has gone out of its way through judicial activism and by various other means to protect the damage done to the people and the environment. But other than some instances of environmental and social protection and jurisprudence, the State has drastically failed.

Sustainable Development Goals also call for the achievement of socio-economic development which aim at reducing poverty and hunger; attainment of good health and well-being for people; quality education; gender equality; clean water and sanitation; affordable and clean energy; decent work and economic growth; industry, innovation and infrastructure with reduced inequalities; sustainable cities and communities; responsible consumption and production; concern for climate change, life below water and life on land; peace, justice and strong institutions; and lastly partnerships for the attainment of these goals (UN General Assembly 2015). These goals are together acknowledged as "Transforming our World: the 2030 Agenda for Sustainable Development" and each one of these have a relationship with environmental justice and inclusive development. Various stakeholders i.e. the government, the civil society and the corporate are all responsible for the maintenance of cooperative relationship amongst various pillars of the society for the attainment of holistic development. Inclusive development is incomplete without the protection of environment and the most marginalized sections of the society.

For instance, for every new developmental project, may it be through the government or through the private or through Public Private Partnership (PPP), land is acquired, people are displaced, mountains are blasted, forests are cut, rivers are diverted and exploitation goes on. Most of these people whose land is acquired are farmers, tribes, fishermen and other native people with strong bond with the land, water and forests being their only means of livelihood. A kind of development which snatches away the basic human rights of its citizens and puts them in a situation of interminable torment can never be fulfilling in its essence.

For that reason, through this paper, the author aims to discuss the imperativeness of environmental justice in order to achieve inclusive development. She wishes to showcase how intrinsically this relationship is connected. The author also argues for accountability on part of the citizens as well as the corporate and the government in order to attain sustainable development.

METHODOLOGY:

Secondary sources have been used - information from books, journals, government documents, information through law and environment institutions, writ petitions etc. Content analysis has been used to study and analyze the nature, context and the dynamics of environmental justice, social inclusion and human development.

Objectives:

1. To comprehend environmental justice in the context of the developmental paradigm.
2. To analyze the concept of environmental justice.
3. To understand the relationship between environmental justice, social inclusion and human development.
4. To realize environmental justice amidst accountability and sustainable development.

Through this paper, the readers shall develop an understanding over:

1. What is environmental justice?
2. The relationship between environmental justice and development.
3. What is the importance of environmental justice in the attainment of human development?
4. How imperative it is to attain environmental justice in order to achieve social inclusion.

THE CONCEPT AND MEASUREMENT OF ENVIRONMENTAL JUSTICE:

Environmental Justice is the achievement of justice for the environment and the people who are a part of and are affected through this environment.

Issues pertaining to environmental justice and sustainability have been quite contentious and uneasy with multiple socio-economic, political and ideological concerns.

The relationship between environmental justice and sustainability has traditionally been such that it has triggered the bottom up approach for planning and public policy. The history of environmental justice and definition and discourse of environmental justice, environmental sustainability, sustainable communities and how to make communities sustainable, has its own critique. Sustainability will include justice with the quality of life of present and future generations. Strategies for the implementation of robust, joined-up policies at the local, regional, national, and international levels is not enough, its feasibility is utmost important for credible sustainability (Agyeman, 2005).

Russ & Krasny (2017) draw challenges from around the globe and argue the manner in which cities drive our lives, society and culture. Diversity in classes, religion, cultures, ethnicity and other differences bring both challenges as well as opportunities for people who reside in these cities. Cities provide multidimensional environments where social, economic and political issues cannot be disconnected from issues of pollution and waste (De Andrade, Shava & Menon, 2017). With the continuous increase in the population of the people residing in cities; the problems facing the world like the poverty, climate change, environmental degradation, social inequity and food security have also proportionally increased. The role of learning and education has been explained by Russ & Krasny (2017) while drawing from the sustainability innovation success from the Netherlands, Sweden and Japan. Additionally, Bullard (1993) and Haluza-DeLay (2013) explicate environmental justice as mobilization in response of the fact that environmental perils affects some groups disproportionately than others with environmental benefits also collected disproportionately. Issues and benefits pertaining to environment are also interconnected with gender, sexuality, ethnicity, race, globalization, anthropocentrism, ability, colonization and social class (McKenzie, Koushik, Haluza-DeLay, Chin & Corwin, 2017).

Furthermore, in a cross-national analysis of seven different countries – the United States, the Republic of Korea (South Korea), the United Kingdom, Sweden, China, Bolivia and Cuba; Bell (2014) explains environmental justice and injustice. Environmental justice is the achievement of healthy environment for everyone, now as well as in the future to come. Though environmental justice is often seen as justice to those who suffer the hazardous outcomes of harms done to the environment, it also essentially incorporates ensuring health, survival and wellbeing of all natural beings and systems.

Tracing back to the history of environmental justice, most analysts agree that it was in 1980s that the term environmental justice emerged out of the resistance of setting up of toxic facilities in the poor, black and other minority ethnic communities in the United States. It was with the publication of a research that reported toxic waste dumps and hazardous installations in areas with higher percentages of 'people of color' which instigated further investigations and confirmations (UCC, 1987).

Consequently, the causes and explanations for environmental injustice could be broadly categorized and understood as industrialization; capitalism; discrimination (on basis of income or race); lack of citizen power; and market dynamics. Additionally, 'culture' and 'individual behavior or life-styles' also form two substantive aspects of environmental justice. However, capitalism remains the root determinant of environmental injustice (Bell, 2014).

To sum up, environmental justice constitutes the whole gamut of environmental jurisprudence which encompasses the social, political, legal, cultural and economical dimensions (Schlosberg, 2007).

SOCIAL INCLUSION AND HUMAN DEVELOPMENT: LINKAGES WITH ENVIRONMENT AND JUSTICE:

Exclusion, discrimination and inequality continue to be the severe obstacles to universal human development. In most of the instances, vulnerable and marginalized groups may not be aware of their legal rights. They often lack access to mechanisms to remedy their grievances which further increases their vulnerability. Indian Constitution provides remedies for the violation of fundamental rights along with the presence of numerous laws and legislations. Despite the presence of proper mechanisms and instances of judicial activism and liberalization of tedious procedures, justice at times becomes inaccessible to those in need. In the administration of environmental justice what is most important is the access to justice and legal protection. For a society to attain complete human development and social inclusion, fair distribution of environmental benefits and burdens is required. This constitutes distributive justice perspective, whereas remedial justice aims at providing appropriate remedies to the aggrieved stakeholders in which procedural justice guarantees a fair procedure for the realization of the remedies.

With the pace of economic development around the world, despite the presence of sustainable development goals worldwide, what is observed is the presence of inequalities and irreparable harm to the environment. India today faces severe multi-dimensional challenges of population explosion, poverty, economic development, class and caste divide, national and international conflicts. There is unequal distribution of environmental burdens on different classes of people. The proportion of environmental benefits to that of environmental harms or burdens is ruthlessly distorted and unequal to different strata of the society. Fair distribution of environmental burdens and benefits with least discrimination and distortion is the responsibility of the state. But in the present times we see how powerful nexus between the political groups, the corporate and the executing machinery of the government have debarred several people and communities of their basic intrinsic rights of livelihood and clean environment. Environmental justice in India calls for the adoption of proper compensation, rehabilitation and adoption of principles like the Polluter Pays principle in order to minimize the impact of environmental harms on the vulnerable population. However, governmental and judicial processes take months and years to be implemented and meanwhile irrevocable damage is caused to the innocent ones and the environment.

Fair distribution calls for equal access of natural resources with Inter generational equity and intra generational equity as the two basic principles. Fair distribution of natural resources among all members of the society or nation is the responsibility of the administrators and law makers. Equal access and fair distribution of environmental benefits call for responsive and comprehensive environmental legal framework with comparatively stringent environmental legal system for non-replenishable natural resources. Such fair distribution in itself will eliminate most of the social ills constituting terrorism, crimes, poverty, hunger, discrimination, and social exclusion among others. The goal of environmental justice is to provide a socio-legal environmental framework that safeguards the rights of all people and communities with respect to natural resources irrespective of their caste, class or ethnicities.

SIGNIFICANCE OF ENVIRONMENTAL AWARENESS AND EDUCATION FOR THE ACHIEVEMENT OF PUBLIC PARTICIPATION AND ACCESS TO JUSTICE:

Public Participation in Environmental Decision Making: Grassroots public hearing or public consultation is the most effective method employed by the administrators for formulation and implementation of environmental policies. Discussion of ideas and collection of information from the affected communities and people at the grass root level constitutes democratic and participative environmental decision making which promotes internalization and institutionalization of policies by the society. The inputs in public participation are provided by the people from the grassroots, the NGOs, general public, state agencies, industries and the experts. In India, public consultation is not a mandatory process, however, not uniformly though, but there are several instances of public consultations before the enactment of some laws and policies. For instance, environment impact assessment (EIA) has been made a compulsory element through proactive Indian judiciary with other pro-bono decisions as in the cases of Public Interest Litigation (PIL). Nevertheless, the provision and practice may or may not be adequately implemented.

Access to Environmental Information: Access to environmental information is utmost important for the people and communities to make informed decision. There have been instances where innocent people have been misguided with wrong or inadequate information and their rights have been taken away. Cases of fake environmental assessment reports and misleading maps are not new for the Indian judiciary. There has been politics over the information available through maps, governmental and non-governmental records, and oral histories of people and communities. Provisions like the RTI often fall short when it comes to the distortion of information through the so called well read strata of the society with the rights to environment and livelihoods of the forest dwellers, farmers, fishermen, tribes, varied rural and urban communities been snatched away.

Environmental Awareness and Education: Attitudinal change and behavioral modification need to be the most important constituents in environmental awareness and education. The analyze of environmental jurisprudence theories and definitions depict how more harm is done to the environment with ever increasing urbanization and capitalization rather than the utilization of environmental resources by the native people or the original habitants of the forests and communities. The common discourse is to sensitize, educate and aware the most vulnerable population from the grassroots despite the fact that most drastic harm to the environment and the society is done through the white collar crimes and the lifestyles of city dwellers. People in forests and villages still have very close connection with the land, water, forests and mountains whereby they have since times immemorial maintained a sustainable and harmonious relationship with the nature. It is the careless demand driven intervention through the builders, the manufacturers and the state which is causing all that is unsustainable for the whole world and unfair too. Therefore, what is important is the environmental awareness and education which focuses on the present global environmental crisis caused through the callous attitude and lifestyles and solutions to mitigate the environmental and social loss and damage, along with the dissemination of knowledge about environmental rights and fair administration among the poor and the disadvantaged sections of the society.

ANALYSIS:

Despite having highlighting the responsibility of judiciary and state in order to achieve environmental justice, the roles of various stakeholders like the civil society and corporate cannot be neglected. The poor continue to suffer the most when it comes to the bearing of environmental harms and human rights violation.

Biodiversity, as described by Wilson (1988) constitutes all living organisms on the planet, however with passage of time it is often used to describe all the living species except humans which has created an adverse dichotomy between the voting and non-voting species (Dobson, 2016). In such a situation where the decisions of the voting species matter, nature suffers the most. Humans in their ruthless demand driven environmental destruction tend to forget that this insensitive attitude and behavior ultimately harms the entire society where the most vulnerable population suffers the most. As a relatively new design methodology biomimicry that studies nature's best ideas, abstracts its deep design principles, and then imitates these designs and processes to solve human problems could be one of possible solution towards achieving environmental justice and human development (Schwan, 2016).

Additionally, Bioregionalism, which is a social movement and action-oriented field of study focused on enabling human communities to live, work, eat, and play sustainably within Earth's dynamic web of life could be seen as another solution. At the heart of the matter is this core guiding principle: human beings are social animals; if we are to flourish as a species, we need healthy relationships and secure attachments in our living arrangements with one another and with the land, waters, habitat, plants, and animals upon which we depend. Unfortunately, we have lost our way. Humanity's collective capacity to nurture healthy relationships and secure attachments is not being realized (Pezzoli, 2016).

Moreover, public discourse should be focused on environmental challenges, especially climate change, whereby 'environmental justice', as a concept, should be widely or intensively debated by policy makers, researchers, NGOs or the public. Promoting justice should be highlighted in political planning and discussions (Bell, 2014).

Social inclusion constitutes environmental justice among other rights to equality and livelihood. There exists significant relationship between human development, social inclusion and environmental justice which is utmost important for the achievement of sustainable development. Therefore, sustainable development goals could be realized in true sense only if the rights of livelihood and environmental justice flourish with conservation and preservation of our natural resources.

For that reason, inclusive development is incomplete without the protection of environment and the most

marginalized sections of the society which explains the imperativeness of environmental justice in order to achieve inclusive development. Environmental justice thus prominently calls for accountability – through the people and civil society, through the corporate, through the government and the judiciary for the attainment of social inclusion and human development.

REFERENCES:

1. Adamson, J., Gleason, W., & Pellow, D. (Eds.). (2016). *Keywords for Environmental Studies*. NYU Press.
2. Agyeman, J. (2005). *Environmental Justice*. In *Sustainable Communities and the Challenge of Environmental Justice* (pp. 14-38). New York; London: NYU Press.
3. ANDERSON, G. (2007). *Indians and the Environment*. In WILSON C. (Author) & MELOSI M. (Ed.), *The New Encyclopedia of Southern Culture: Volume 8: Environment* (pp. 83-85). University of North Carolina Press.
4. Bell, K. (2014). *Introduction: Fighting for humanity*. In *Achieving environmental justice: A cross-national analysis* (pp. 1-14). Bristol: Bristol University Press.
5. Clyburn, J. (2003). *Environmental Justice and the Intersection of Health and Economic Development*. *Human Rights*, 30(4), 7-20.
6. De Andrade, D., Shava, S., & Menon, S. (2017). *CITIES AS OPPORTUNITIES*. In Russ A. & Krasny M. (Eds.), *Urban Environmental Education Review* (pp. 39-48). ITHACA; LONDON: Cornell University Press.
7. Dobson, A. (2016). *Biodiversity*. In Adamson J., Gleason W., & Pellow D. (Eds.), *Keywords for Environmental Studies* (pp. 17-19). NYU Press.
8. *Environmental Justice in Action*. (1997). *Environmental Health Perspectives*, 105(4), 374-377. doi:10.2307/3433329
9. *Environmental Justice Milestones*. (2003). *Race, Poverty & the Environment*, 10(1), 14-15.
10. Fritz, J. (1999). *Searching for Environmental Justice: National Stories, Global Possibilities*. *Social Justice*, 26(3 (77)), 174-189.
11. Hill, B. (2003). *Environmental Justice Action Plans at the Environmental Protection Agency*. *Human Rights*, 30(4), 9-9.
12. Hughes, J. (2016). *Biopolitics*. In Adamson J., Gleason W., & Pellow D. (Eds.), *Keywords for Environmental Studies* (pp. 22-24). NYU Press.
13. McKenzie, M., Koushik, J., Haluza-DeLay, R., Chin, B., & Corwin, J. (2017). *ENVIRONMENTAL JUSTICE*. In Russ A. & Krasny M. (Eds.), *Urban Environmental Education Review* (pp. 59-67). ITHACA; LONDON: Cornell University Press.
14. Pezzoli, K. (2016). *Bioregionalism*. In Adamson J., Gleason W., & Pellow D. (Eds.), *Keywords for Environmental Studies* (pp. 25-28). NYU Press.
15. Rinne, J., & Dinkins, C. (2011). *Environmental Justice: Merging Environmental Law and Ethics*. *Natural Resources & Environment*, 25(3), 3-7.
16. Ross, A. (2016). *Climate Change*. In Adamson J., Gleason W., & Pellow D. (Eds.), *Keywords for Environmental Studies* (pp. 37-41). NYU Press.
17. Russ, A., & Krasny, M. (Eds.). (2017). *Urban Environmental Education Review*. ITHACA; LONDON: Cornell University Press.
18. Schwan, B. (2016). *Biomimicry*. In Adamson J., Gleason W., & Pellow D. (Eds.), *Keywords for Environmental Studies* (pp. 20-21). NYU Press.
19. *Strategic Elements for Environmental Justice*. (1995). *Environmental Health Perspectives*, 103(9), 796-800. doi:10.2307/3432390
20. Suagee, D., Pair, Q., & Gough, B. (2003). *Environmental Justice and Indian Country*. *Human Rights*, 30(4), 16-17.
21. WILSON, C. (2007). *The New Encyclopedia of Southern Culture: Volume 8: Environment* (MELOSI M., Ed.). University of North Carolina Press.