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Review

Critical notes on environmental justice and sustainable development

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The international community is more than ever before faced with environmental issues that attract interdisciplinary attention: deforestation, global warming, environmental pollution, species extinctions and desertification, among others. Man's development over the centuries has been such that he cannot but rely on the use of the environment. Economic, scientific and technological developments take place in space and time. The spatio-temporal nature of man's development generates concerns about human rights vis-à-vis the environment. Through the use of conceptual analysis the study critically examines the concepts 'environmental justice' and 'sustainable development'. The study establishes that meaningful development implies, inter alia, respect for the environment and respect for the rights man has over the environment. Global happiness, the study concludes, is attainable only in an atmosphere of inter-state understanding that sustaining the environment imply respecting rights to the environment. Thus, the study recommends, among others, that efforts at sustainable development be founded on environmental justice.

Key words: Environment, rights, environmental justice, sustainable development.

INTRODUCTION

"The environment is man's first right. Without a safe environment, man cannot exist to claim other rights, be they political, social, or economic".

- Ken Saro-Wiwa (1941 to 1995)

The environment is defined as all the external factors influencing the life and activities of animals, plants and people. Thus, the environment refers to whatever it is that is in the surrounding that has the capacity to influence human and non-human lives (Miller and Tyler, 2003).

The environment of Mr. X would for example include trees, waters, sun, air and other humans, among others.

To imagine Mr. X's existence without the environment is defective and specious. The hypothetical Mr. X needs the support of other humans to realize and actualize his humanity (friends and relations); he needs the trees for food, clothing and oxygen; he needs water(s) for travels; and, the sun, for energy and measurement of time. Man, in essence, not only needs his environment, he also needs to understand the workings of his environment (MacShane, 2012).

As identified earlier, it is not just human lives that are influenced by, or exist in, the environment. Non-human lives, plants and animals are also influenced by activities

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in their surroundings. When humans cut down trees, plant and animal lives are affected. Studies in ecology continually prove the interdependency of living organisms and their interactions with the environment (Howe and Lynn, 1990).

The way the environment is treated then calls for concern. Normative questions come up: are humans just in the way they treat the environment? Do non-human lives (animals for example) have a right to the environment? Are the lifestyles of the present and past citizens of the globe fair to future citizens of the globe? These, among others are ethical questions about the environment. The questions become more forceful when we attempt to see the interplay between man's development and the environment.

The perennially present interplay between development and the environment birthed the phenomena *environmental justice* (EJ) and *sustainable development* (SD). With particular reference to Europe for example, the concern for fairness with respect to the ways man relates with the environment dates back to the 18th century. The earliest documented local struggle for EJ in Europe is rooted in the loss of Native American lands in the course of Spanish colonization in the 18th century (Martin, 1995; Taylor 2011). Similarly Cesar Chavez mobilized farm workers in California in historic fights for the implementation of work place protections against toxic pesticides in the 1960s.

In the 1970s and 1980s, local struggles for EJ became pronounced across the globe, and in the United States in particular. Corollary to the EJ movements are the *anti-environmental racist* movements across the globe which birthed the convening of the First National People of Color Environmental Leadership Summit (FNPCELS, 1991) held in Washington DC in 1991 (Merchant and Gottlieb, 1994).

The significance of the FNPCELS is that it laid the historic documented foundation for environmental justice movements with the production of two works – "Principles of Environmental Justice" and the "Call to Action". The FNPCELS documents have continued to shape discussions on development and the environment, among others (Rio Declaration, 1992, 2012). It is imperative at this juncture to examine more closely the interplay between development and environment.

DEVELOPMENT AND THE ENVIRONMENT

The history of economic development can hardly be written without the impact that development have had on the environment. Technically speaking, development refers to a process of change or becoming. Development suggests improvement, progress and advancement. Thus, economic development implies advancement of economic activities. Scholars of *economic development* see improved tools and techniques as *sine qua non* for

advancing or promoting economic activities (Gilpin and Gilpin, 2001).

The history of man's economic activities runs through the agricultural, the industrial and the information age. Pre-historic agriculture involved hunting and food gathering with simple tools (hoes and cutlasses, for instance). Through the scientific and industrial revolutions of the 17th century, agriculture became a scientific enterprise and emerged an industry. The emergence of industrial agriculture marked a turning point in economic development: the introduction of large scale farming; the use of synthetic fertilizers and pesticides, large scale animal confinement (husbandry), use of antibiotics and hormones and, dependence on machinery became the order of the day (Kimbrel, 2002).

As the saying goes, 'there is no free lunch'. The industrial revolution which birthed industrial development, and industrial agriculture in particular, has impacted negatively on the environment in many ways. Economic developments have had adverse environmental consequences (Gibbs, 2002). Industrialization has brought about intensive use of water resources. The implication is that groundwater and aquifers are being drained faster than they can be renewed.

The intensive use of energy is also characteristic of economic development. With particular reference to agricultural development, for example, much energy is needed to power heavy farm machines, produce nitrogen-based synthetic fertilizers, manufacture pesticides and transport food over long distances. The implication is air pollution due to burning of large amounts of fossil fuels, which in turn lead to global warming.

Through developments and advances in biotechnology farmers have come to embrace the use of synthetic fertilizers to boost production. The effect of this is a drastic reduction in the ability of the soil to retain moisture, and a heavy dependence on the use of irrigation systems. Ground and surface waters also get contaminated in the process of applying the use of herbicides and insecticides.

The ultimate effect of these anthropogenic activities – large scale farming and industrialization, among others – is the continued threat to the existence of human and non-human lives. At this juncture it becomes pertinent to raise the question: is it *just* for humans to continue to treat the environment as they desire, in the name of development? It is precisely this question that triggers the need for this study to address the issue of EJ vis-à-vis the concern for SD, with particular reference to developing economies (Kimbrel, 2002).

HUMAN NEEDS AND ENVIRONMENTAL JUSTICE

Humans need food, clean water, education, income, and good health. The cause of inability to meet these basic needs is poverty. Poverty therefore is a threat to the

sustainability of human life. Derivable from the basic human needs are basic human rights. In other words, humans have rights to food, water, education and health, among others. The lack or absence of any of these needs is capable of creating negative chain reactions. Lack of food for example weakens the immune system; a weakened immune system generates malnutrition; malnutrition opens door for attack by diseases and sicknesses (Mingione, 2001).

Human needs – food, shelter, and clothing – exist in every sociopolitical and economic system. Thus the right to the basic needs of life is, characteristic of rights, universal and inalienable. It then makes sense to speak of environmental rights, environmental equity and environmental justice. The phenomenon EJ refers to “the fair treatment and meaningful involvement of all people regardless of race, color, sex, national origin, or income with respect to the development, implementation and enforcement of environmental laws, regulations and laws” (Schlosberg, 2007).

According to the South African Environmental Justice Networking Forum “Environmental justice is about social transformation directed towards meeting basic human needs and enhancing our quality of life -economic quality, health care, housing, human rights, environmental protection, and democracy” (MacDonald 2002). From his analysis of various definitions and conceptions of EJ, David Schlosberg identified four basic themes in the EJ discourse thus “the equitable distribution of environmental risks and benefits; fair and meaningful participation in environmental decision-making; recognition of community ways of life, local knowledge, and cultural difference; and the capability of communities and individuals to function and flourish in society” (Schlosberg, 2007).

Thus, EJ is a quest for fair treatment at two inter-related levels: fair treatment of people and fair treatment of the environment. People, in order to enjoy their right to the basic necessities of life need an enabling environment. What is fair for Mr. X, for example, is that Mr. X creates an enabling environment for others to enjoy their rights, while others also reciprocate. Mr. X's environment would include where he lives, works, plays, prays and learns, among others. Vice versa, what is fair for the environment is that everyone, including Mr. X protects the environment and keeps it safe.

Concerning an appropriate understanding of EJ, Buyan Bryant aptly submits “Environmental justice is served when people can realize their highest potential” (Bryant, 1995). Sometimes referred to as eco-justice, EJ aspires for right relationship between humans and the earth. The center of attention for eco-justice is specifically the vulnerable people and the earth's creatures at risk of greed and destructive human activities. An essentially anthropocentric ethic, EJ, from the standpoint of morality, seeks to advance human welfare and social equity, while not viewing as inconsequential endangered species and the health of the eco-system (Newton, 2009).

In a bid to secure equal right to the environment, advocates of EJ seek to redress inequitable distributions of environmental burdens. Environmental encumbrances or burdens which may debar people from realizing their potentials include, for example, pollution, industrial facilities and crime, among others (Berry, 1977). What constitutes environmental injustice is traceable to a number of causes.

Principal among the causes of environmental injustice is the un-regulated modification of land, water, energy and air (Newton, 2009). When land, water, energy and air are indiscriminately treated for example, it is not only wildlife that suffers, but also human life. Deforestation of vast areas of land, in the name of human progress has led to incalculable loss of natural resources on a global scale.

The environmental rights of aboriginals all over the world are continually threatened by industrial expansions. Marine life is not spared in the way water is indiscriminately treated. Riverside communities all over the world depend on water for sustenance and transport, among others. Fishing in particular provides a veritable source of income for riverine communities. Thus if humans do not treat waters with respect, the right to the means of livelihood for some people is jeopardized (Zimmerman, 1993).

Akin to the aforementioned causes of environmental injustice is modification of energy and air. Gas flaring and exploration of fossil fuel for example has contributed in no little measure to environmental degradation in several parts of the world. A ready reference point is the Niger Delta in Nigeria. The Niger Delta in Nigeria is a largely riverine region naturally endowed with crude oil. Today, the Niger Delta in Nigeria appears to be faced with environmental injustices in terms of the sufferings that the exploration of crude oil has visited on its inhabitants. Thus, the co-modification of land, water, energy and air in the naturally endowed Niger Delta has brought about environmental degradation with attendant injustices (Ejumudo, 2014).

The failure of government to put in place responsive and accountable government policies and regulations could also be identified as a cause of environmental injustice. Failure to recognize the rights of others to a clean, safe and healthy environment is also traceable to the failure of governments, particularly in developing countries, to realize the need for well thought-out and laid down state policies and regulations on environmental pollution. The attitude in developing nations, where environmental injustices appear to be a normalcy, is that governments wait until there is a kind of environmental pollution before a solution is sought.

Institutionalized racism also threatens environmental justice. The tendency to see some people's environment or region as environmentally inferior to some others breeds injustice. The truth is that the worlds' poor people are largely found in black communities. Thus, the tendency is that black communities would likely be home

to unkempt environment. This explains why black communities all over the world seem to provide a ready site for toxic wastes. And because poor communities (or races) lack the resources and power to challenge or fight industrially advantaged communities or races they resign to fate.

Environmental racism which seeks to polarize the world and create new complexes – *environmental inferiority complex* and *environmental superiority complex* – create environmental injustice. What is deducible from the foregoing is the fact that not everyone enjoys the same degree of protection from environmental and health hazards. Also, at another level of injustice, not everyone has equal access to the decision making process to have a healthy environment (Foster, 2001).

Same applies at the level of international relations. The relationship between developing and developed nations with respect to the treatment of the global environment speaks of environmental inequalities and injustices. The developed or industrially advanced economies are the worst pollutants of the environment.

Developed economies sometimes treat environments in developing nations with disrespect: industrial toxic wastes often find their way to dump sites in developing nations. The attempt on the part of Bush-led US Government to derail the 1997 UNFCCC-Kyoto Protocols on climate change constitute an unfair and unjust attitude towards the environmental rights of other nations and nationalities. In addition, the US-Paris Accord Pullout (2017) by the Trump-led US Government has far - reaching socio-economic implications for developing economies in particular.

SUSTAINABLE DEVELOPMENT AND ENVIRONMENTAL JUSTICE

The phenomena *sustainable development* and *environmental justice* come to play in the quest for growth in developing economies. By SD is meant the meeting of economic, environmental and sociopolitical needs of the present generation without endangering future generations (McNeil, 2001).

SD is a single phenomenon that has a tripartite dimension. SD is sociopolitical; it is economic (economic sustainability); and it is environmental (environmental sustainability). The three dimensions of sustainable development are however inextricably interwoven. It then becomes almost difficult to put these areas of sustainable development into water-tight compartments. For instance, socio political activities (war for example) impact on economic activities (war time budgets for example), which also impact on the environment (massive use of weapons which destroy the environment (the Hiroshima experience, for example).

If SD implies the use of resources in such a manner that they are not depleted outright, we raise the question, with respect to Africa, for example, to what extent has

Africa contributed to global efforts towards sustainable use of natural resources? (Ogungbemi, 1977). Again, if the goal of SD is to meet the needs of the people, while preserving the integrity of the environment, we ask the question: can most African nations pass the sustainable development test? Answers to these questions would have implications for environmental sustainability and EJ in Africa.

Africa is no doubt, more than any other continent, endowed with natural resources: vast cultivatable land, rivers and minerals, among others. It is no longer information that the most naturally endowed continent, Africa, is also home to conspicuous poverty, unimaginable squalor, and unprecedented environmental degradation (Fadahunsi, 2007; Maier, 1977).

The African environment is not supportive of EJ. The environmental rights of the average African – right to food, clean water, and healthy environment, among others, – are continually threatened by the lack of *environmental education*, the foundation of which is *environmental ethics*. SD, which guarantees environmental rights, is founded on appropriate enlightenment about the place of the environment in human life. Humans are born into some kind of location (in the environment); they are nurtured by the environment; and the beliefs and values they hold are influenced by the relationship with the surroundings (the environment).

Failure on the part of a people to treat the environment with respect results in food crisis, flooding, and threat to both wildlife and human life. With particular reference to wildlife for example, so much of birds, animals and plants are on the endangered list. In the name of progress, all over the world, earth's most beautiful natural resources, wildlife, has been pushed out of the way. And due to the loss of their natural habitat many animals are dying. The loss of wildlife contributes to the poverty of human existence. The chain of the ecosystem, which sustains human life, is broken each time particular specie in nature is in extinction.

Regional governance of the rich wildlife of Africa is worthy of attention at this juncture. The AU seems to have inherited from its institutional predecessor – the OAU – the culture of theoretic commitment to eradicating poverty and protecting the generally acknowledged richness of Africa's natural habitat. As far back as 1968, the OAU articulated and adopted the *African Convention on the Conservation of Nature and Natural Resources*. NEPAD with its programmatic predecessors – Millennium Africa Recovery Plan (MAP) and the Omega Plan for Africa – seeks to improve environmental governance, among others.

AU's Agenda 2063 is the latest developmental initiative geared towards actualizing the regional vision for a *sustainable* continent, among others. Sustainable development is central to AU's Agenda 2063 as it recognizes the need to preserve the environment and

ecosystems. Thus, at a regional level, there appears to be the inter-governmental recognition by African States to subscribe to the principles of environmental sustainability. The issue however is not that of inventing and reinventing environmental sustainability programs in Africa. Rather, the issue is that of AU putting in place pragmatic inter-governmental infrastructures that ensures EJ and SD.

CONCLUSION

From the foregoing, it becomes obvious that the quest for global justice cannot ignore the need for global concern for the environment. The survival of individuals and the collective survival of nations depend on the existence of a clean, healthy and safe environment. Developing economies, most African nations – for instance, are paradigmatic of experiences in environmental degradation and injustice.

There is the need for governments, in developing nations in particular, to develop a fair, effective and accessible system of justice with respect to how the environment is put to use. The African continent is endowed with biomass, solar, wind and geothermal forms of energies that are yet to be fully accessed for eco-friendly development. Oil rich nations like Nigeria, for example, need to develop and embrace sustainable energy development programs that would combat the damage done to the globe through the continued exploration and use of fossil fuel.

At the level of relations between states it becomes imperative to show global worry about environmental injustice. Environmental discrimination breeds environmental inequality, both of which are not in the best interest of the global environment. Respect for the environment is a *sine qua non* for sustainable development. Man needs to come to the realization that natural resources are not *limitless* resources. In enhancing human welfare, there is the conscious need to devote attention to the health of the earth.

At the regional level, the AU has generated a plethora of sustainability initiatives which needs to be translated into action. There is therefore the desideratum for the AU to strengthen and deepen environmental governance space in Africa by prioritizing the monitoring and evaluation of sustainability policies within the framework of APRM.

With particular reference to disparity between developed and developing nations, it becomes imperative that developed and developing nations continually seek to redress existing wide political and economic inequalities, and its attendant environmental injustice. The current disproportionate benefit of development (in favor of advanced economies) and disproportionate cost of development (borne by the developing economies) is in itself contributory to higher levels of environmental damage. In addition, some costs of the economic activities that degrade the environment – in the form of

global warming for example – is borne not only by persons (or nations) involved in advanced economic activities (the major pollutants) but also by persons in less developed economies. In this regard the Trump-led US government is engendering environmental injustice with its recent pullout from the Paris Agreement, - a treaty premised on the principle of global partnership for sustainable development.

What the foregoing implies is that there is need for global understanding. Efforts at SD must be founded on EJ. Global happiness is attained when there is inter-state understanding that sustaining the environment is inextricably tied to the need to respect the rights of others to the environment. A clean environment is a human right. Injustice to one is injustice to all. Injustice to any part of the environment is injustice to the global environment.

CONFLICT OF INTERESTS

The author has not declared any conflict of interests.

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