



living in a clean and healthy environment is everyone's right

NGO Leaders Meeting on Democracy, Environmental Justice and Sustainable Development

26th October 2009

Background note

Capacity Global and the Foundation for Democracy and Sustainable Development believe that environmental justice and sustainable development outcomes depend closely on the quality of democratic decision-making, and that we need to put conscious effort into equipping our systems of democratic decision-making to achieve those outcomes.

This short background note is intended to help stimulate discussion at a half-day Non-Governmental Organisations (NGO) Leaders meeting on democracy, environmental justice and sustainable development on 26th October 2009. The meeting will be attended by leaders from a range of not-for-profit organisations working to invigorate democracy; to enhance the quality of public participation; or towards a variety of environmental or sustainable development goals. This note isn't prescriptive in any way; rather it offers pointers on the kinds of issues that might usefully be considered during our conversation.

For these purposes, sustainable development is essentially about taking an integrated approach to decision-making across three main areas of concern: economy, environment and society. Here, economy means economic development not never-ending economic growth. Environment means environmental protection, but it is also about how we use our natural resources. And society incorporates ideas about social justice, fairness, and poverty reduction.

Environmental justice, in turn, is based on the notion of social justice, equality and the right to a clean and healthy environment for all. At the heart of the environmental justice agenda is a mission to protect the most vulnerable people with the least power and money from seeing their environmental rights being denied. In essence it's about ensuring that environmental 'goods' and 'bads' are equitably shared. Environmental justice has been called a number of things: environmental equality, just sustainability, environmental racism, and environmentalism of the poor. Whilst there are some fundamental differences in these concepts, they are all founded on three procedural and democratic requirements. One, access to environmental information – to help make informed decisions about protecting rights to a clean environment; two – free and fair access

to participate in decision making processes; and finally, a legislative and regulatory system that is consistent with the former two obligations.

There are environmental justice movements, amongst others, in the US, South Africa and India, and many operate as part of a global network. UK environmental justice policies can be found in quality of life indicators, social inclusion, regeneration, spatial planning and climate change frameworks. In addition the UK as a signatory to the *Aarhus Convention* also has legislative duties to support procedural environmental justice. More recently, the Equalities Bill, the Race Relations Amendments Act, and both the Gender and Disability Acts offer potential to be used by environmental NGOs to develop further challenges to environmental decisions (or omissions) and their impacts on specific groups. For example, Heathrow and City Airport extensions have been or are been challenged on the grounds that they have a discriminatory impact on Asian and ethnic communities. Discrimination laws are likely to provide more opportunities for challenging of decisions that may directly or indirectly discriminate against disabled, ethnic communities, women and working class communities.

As for democracy: we are concerned to explore democracy in the broadest sense. Naturally, democracy is to do with free and fair elections; it's about the process through which people choose their representatives, and about the accountability and legitimacy of those representatives. But democracy is much more than the processes of representative democracy. It is also about the opportunities that people have to participate in decisions *between* elections. And it's about how people organise themselves to participate in decision-making on issues of public importance whether or not elected national, regional and local government representatives are there to represent them.

If democracy fails to deliver the kind of social justice that is embedded in sustainable development, the result is likely to be an erosion of democracy. In the UK, one of the world's most unequal rich countries, the potential for inequality to drive wider social malaise has received considerable attention with the publication of *The Spirit Level: why more equal societies almost always do better*. This book uses statistics on income inequality and social and health problems to argue that only greater equality – not wealth, but equality – will allow us to improve levels of human wellbeing and address environmental problems effectively. How could these insights be relevant in understanding how best to equip democracy to deliver environmental justice and sustainable development?

Democracy needs sustainable development too; because social justice, environmental protection and economic development - done well - nurture and sustain "government by the people for the people".

Today, there are formidable environmental and natural resource challenges just around the corner; population growth, energy and natural resource scarcity are among them. Climate change is the biggest of all. *Closing the Gap, the Anatomy of a Silent Crisis* and the *Stern Review* reports illustrate the impact climate change will have on society but most importantly on the potentially devastating impact on the most vulnerable, specifically the poorest people. The real and present risk is that democracy will not, without conscious effort, prove resilient in the face of these challenges. So if we want to remain committed to democracy and environmental justice, we must prepare to ensure that

it rises to the challenge; that we come out of these formidable challenges an evolved and adapted democracy, not something else entirely.

Tough choices lie ahead here in the UK. Those choices raise questions about the UK's approach to democracy itself. What kind of democracy might be capable of delivering renewable energy, or affordable housing, the siting of hazardous installations, or heading off the worst negative social impacts of climate change, on the scale that is likely to be needed? Further challenges arise because these tough choices will mount against a background of relatively low levels of formal engagement in mainstream political decision-making by citizens; major and widespread concerns in political and civil society circles over lack of citizens' trust in their elected representatives; and an urgent need to deal with the legacy of the massive public spending and banking sector nationalisations of the 2008-2009 recession.

As external environmental pressures mount and the UK's population increases, new social challenges will result. Yet wind farms, eco-towns, even voluntary home energy-saving measures; all have faced significant local opposition or lack of take-up.

Could the problem be democracy itself; particularly the current divisions of responsibilities between local, regional and national level representative democracy and between different kinds of democratic decision-making; or does it, rather, lie with the kinds of development proposed or endorsed by government at different levels?

Here in the UK, one example of tensions between democracy and sustainable development stems from the Labour government's proposals for a series of new "eco-towns". The idea of eco-towns was adopted in 2007 as 'new towns which are exemplar green developments of a minimum of 5000 homes... designed to meet the highest standards of sustainability, including low and zero carbon technologies and good public transport. By no means all local authorities have welcomed eco-town proposals, however. Opposition to eco-towns is far more significant in sustainable development policy terms than simple nimbysism ('not in my back yard' thinking on the part of local people). In addition the siting of hazardous installations such as nuclear power stations or incinerators or extensions of airports reflect different views on how to operationalise sustainable development and environmental justice – and who should have responsibility for what.

Another visible trend is to pass decision-making on the most difficult controversial issues to experts (such as those who will work in the proposed Infrastructure Planning Commission). Another has been to promote decentralisation or transfer of powers on sustainable development or climate issues for those local authorities who want it and who can show that they carry public support (as with the Sustainable Communities Act 2007 or as proposed in a recent Local Democracy consultation paper from the Department of Communities and Local Government).

Are there risks that these developments could result in a piecemeal approach that could undermine the culture of democracy in the UK? Could highly unequal distribution of decision-making power result in unequal distribution of social and environmental innovation? Is democracy eroded when the most difficult public decisions are withdrawn from elected representatives?

In any event, democracy for environmental justice and sustainable development has to be about much more than action by elected representatives. Mass support from citizens will also be needed to achieve change and to give elected representatives confidence to make the kinds of tough choices that will be required. So far, however, such a movement has failed to materialise.

This is a very basic dilemma. For Governments acting alone cannot hope effectively to steer citizens to lasting mitigation and adaptation, however visionary they might be. Democracy demands active citizen engagement; and policy for environmental justice and sustainable development demands much more than simply action by governments.

What, then, are the practical insights from our respective work programmes and advocacy efforts that can help to build a mass movement for environmental justice and sustainable development, in which we allow elected representatives to demonstrate real leadership and generate active citizen engagement from the bottom up? How, in these endeavours, can we secure the kind of support that is needed from various kinds of media, from Web 2.0 platforms and social networking to broadsheets and broadcast? And how can we ensure, in the face of potentially massively socially disruptive environmental challenges, that scientific evidence and expertise is given due weight in the process, without undermining citizen participation? How can the approach reflect different cultural and political concerns of a diverse society with changing demographics?

Grassroots movements such as the UK's burgeoning Transition Town movement, which is based on community self-organisation to achieve greater resilience in the face of the climate change and peak oil challenges, offer a compliment – and sometimes an alternative – to existing processes of representative democracy. As (or if) such 'self-help' movements gain ground, an increasing challenge will be to find ways to ensure they are socially inclusive and can be incorporated within our understanding of vibrant democracy working to tackle climate change, and to ensure that they deliver inclusive environmental justice.

Devolution in the UK also deserves attention; with a great deal of environmental innovation emerging from the Welsh and Scottish Assemblies in areas such as environmental justice and climate policy and genetically modified organisms. Is it possible to offer any generic insights into whether devolution is inherently better or worse equipped, in a variety of policy areas, to deliver environmental justice and sustainable development at different levels?

Finally, the new duty to 'consult, inform and involve' placed upon most local and regional authorities as from April 2009 offers new opportunities to secure meaningful public participation in decision-making on important sustainable development issues. What can civil society do to ensure that the quality of consultation and involvement at local level is substantially improved, that it is genuinely inclusive and broad-based, and that environmental justice and sustainable development result?

Issues for discussion:

We would be pleased if you could come to the meeting prepared to answer a central question: what insights does your organisation's work in the UK deliver in terms of the relationship between democracy and sustainable development? Please do feel free to think laterally – and come with examples of particular controversies, tools, surveys, research or other insights that your organisation

has been involved with. How do your experiences deliver insights into the challenge of 'getting democracy working for environmental justice and sustainable development'?

What are the most important issues that need to be addressed if we are to get democracy working for sustainable development at different levels?

How do sustainable development or environmental justice considerations change the desirable balance between direct, participative and representative democracy in the UK?

To what extent, if any, will changing demographics require a change of focus on how future sustainable development and environmental justice agendas are agreed and on who represents those agendas?

When do devolution and decentralisation work for sustainable development and environmental justice? How could practice to date be changed?

What role should scientific evidence, interdisciplinary research and 'expert' analysis play in the democratic process, and what needs to happen for science, expertise, and citizen judgement to work together optimally?

Are there any examples of practical innovation that could help better to equip the UK's system of democracy to deliver sustainable development? For example, the Hungarian Parliament has elected a Parliamentary Commissioner for Future Generations. Could this approach be relevant in the UK context too?

Assuming there is a problem: i.e. that conscious efforts need to be put into equipping democracy to deliver environmental justice and sustainable development; what 'hooks' might work best with different audiences and political parties (e.g 'future generations'; 'environmental justice', 'citizen participation', 'decentralisation'?)

Is there value in non-governmental organisations or civil society organisations seeking to collaborate on further efforts to get democracy working for environmental justice and sustainable development?

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