Global Environmental Justice: A Review of the Literature

By Robert C. Robinson

The term "environmental justice" carries with it a sort of ambiguity. On the one hand, it refers to a movement of social activism in which those involved fight and argue for fairer, more equitable distribution of environmental goods and equal treatment of environmental duties. This movement is related to, and ideally informed by, the second use of the term, which refers to the academic discipline associated with legal regulations and theories of justice and ethics with regard to sustainability, the environment, and ecology. It is this latter, more academic—though vast and interdisciplinary—use of the term that is the subject of this essay. However, activists who pay careful attention to the arguments offered with regard to the political, legal, social, and philosophical treatments of these issues are potentially in a stronger position with regard to their own social movement. In that way, the two uses of the term may progress hand in hand. More broadly, however, the foundational claim about which both grassroots activists and legal, ethical, and policy advocates can agree is that environmental burdens—climate change, pollution, and their associated health risks—are borne disproportionately by the poorest and most vulnerable populations, and tend to have the greatest impact on racial and ethnic minorities, no matter where they are in the world. This is what makes the empirical questions about the environment a normative question about justice.

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Theories of Justice

To do any credit at all to the field of environmental justice, it is necessary first to catch up with philosophers and political theorists who, at least since John Rawls's important *Theory of Justice* (first published in 1971, since revised), have dominated the literature in that realm. Rawls argues that justice is best understood as the appropriate division of social advantages. His real innovation was in describing what that appropriate division is. To do that, he offers a thought experiment: one should abstract away one's particular strengths and weaknesses, and one's place in the overall social scheme, and under those strictures decide how best one would organize the society in which one would want to live. Under that condition of ignorance about one's own position in society, he argues, one would choose social institutions that respect the rights of each individual equally, and that would treat social and economic inequalities as justified only insofar as they benefit everyone, and particularly the least well off. In his later *Political Liberalism*, Rawls expands this idea to show that classical liberalism is compatible with political pluralism, or the competing, apparently inconsistent values that exist across a society. Rawls revised and updated many of his ideas in *Justice as Fairness: A Restatement*, edited by his student Erin Kelley. Here, Rawls gives special attention to the role of the Kantian notion of public reason as potentially distinguishing political positions from divergent philosophical or moral positions. The importance of Rawls's innovative position cannot be overstated, and this literature is important reading for anyone interested in developing or considering a position regarding applied theories of justice. In *Rawls* Sam Freeman provides a concise outline of the development of Rawls's ideas through these three works. Rawls attempted to apply this theory to global, cosmopolitan political structures in his final book, *The Law of Peoples*.

As a central figure, Rawls has been criticized from every perspective. A well-known critic of Rawls's *Theory of Justice* is Robert Nozick, who, in *Anarchy, State, and Utopia*, contradicts Rawls's claims that the state has an interest in promoting equality. Rather, Nozick argues, the state's involvement should be minimal, limited to roles such as policing violent crime, maintaining national defense, and protecting contracts. To do any more, Nozick argues, risks violating a person's fundamental rights of property and liberty. Marxist critics of Rawls include Gerald Cohen, who in *Rescuing Justice and Equality* argues that internal commitments by Rawls are inconsistent with his view that economic

inequalities are just if they benefit the least advantaged; rather, Cohen argues, applying those provisions to individual choices and actions requires a much more equal distribution of social goods than Rawls would have accepted. Important feminist critics of Rawls include Susan Okin, who, in *Justice, Gender, and the Family*, argues that major political theories of equality, such as those of Rawls and Nozick, ignore the dynamics of the home and family or, worse, assume that traditional family roles are unjust.

It is important to think about these issues, since it is impossible to have a comprehensive theory of environmental justice without first having a theory of justice. Though not all or even most of what follows agrees with Rawls's dominant position, or intersects exactly with these critics, most of it is influenced by the model of distributive justice inherited from the literature written in the forty-five or so years since Rawls first published *Theory of Justice*.

History

In addition to a background in the theories of justice, an informed position on this topic requires an understanding of the literature on the history of environmental justice and the ecological movement. An ideal place to start is Gordon Walker's *Environmental Justice: Concepts, Evidence and Politics*. Walker argues, as this author will, that in each space he considers—including research, policy development, and activism—inequalities in impacts, vulnerabilities, and responsibilities can be found. A similar, though somewhat older, historical perspective can be found in Clifford Rechtschaffen and Eileen Gauna's *Environmental Justice: Law, Policy, and Regulation*. In addition to its historical treatment of the subject of environmental justice, this title has the added benefit of course notes, case studies, and other teaching resources that make it a valuable classroom tool on the subject. (A third edition of this text, overseen with a somewhat closer editorial eye, would make for an extremely valuable addition to the field.) Finally, in *Hazards, Vulnerability and Environmental Justice*, Susan Cutter, a leading expert in the field, collects thirty years of essays on the topics of climate change, natural disasters, and their impacts on the poor and vulnerable in the United States and around the world. Cutter is a geographer, and her analysis leans heavily on data-driven analytics, but her arguments will resonate with researchers and students across a range of disciplines.

Ecocentricism

David Schlosberg, in *Defining Environmental Justice: Theories, Movements, and Nature*, was perhaps the first to capture the change movement—i.e., when political philosophers started to extend the meaning of the political to include human relationships with the natural world. More important, the inclusion of people in the scope of environmental justice allows one to focus on the world's vulnerable, such as the poor and Indigenous peoples, along with nature and wilderness, as deserving protection. Schlosberg may also be the first to extend the political theories of Rawls et al. to wild systems, arguing that something like Rawls's two principles extends to natural systems and organisms, which also deserve a fair distribution of goods and resources and access to and inclusion in the political process. Though on the face of it, it seems odd to extend political rights and liberties to nonhuman animals, trees, single-cell organisms, and so on, Schlosberg's argument opens a dialog about taking seriously ecocentric views that consider the rights of natural systems.

Robyn Eckersley's *Environmentalism and Political Theory: Toward an Ecocentric Approach* provides an early critique of models of political theory that treat humans' relationships with nature only on an instrumental basis—viz., in terms of nature's benefits to humans. Instead, she argues that by considering strong critiques of Western political philosophy, this anthropocentric political view is best understood alongside a more ecocentric melting pot of green political thought. More recently, Eckersley and Peter Christoff have taken this ecocentric model one step further in considering the role of globalization in environmental problems. Based primarily on case studies, Christoff and Eckersley's *Globalization and the Environment* argues that climate change and loss of biodiversity are critical risks in the future, risks that will particularly affect the world's poor.

Though it is obviously important to have a system that values the environment and ecological health, an ecocentric, noninstrumental system of environmental justice involves certain assumptions that will make most political theorists uncomfortable, particularly those working from within the Western tradition, with its roots in the humanist ideal of human dignity and respect for all persons. (A more palatable alternative to the humanist model is utilitarianism, which is more consistent with an instrumental view of the value of nature, and which is discussed below.) Thus, more mainstream contemporary models of environmental justice find their roots in what has become known as the human rights–based approach (HRBA). According to this view, political commitments to one another can best be understood in terms of whether and to what extent those commitments respect fundamental human rights.

Probably the leading voice in the HRBA is Henry Shue. In his *Basic Rights: Subsistence, Affluence, and US Foreign Policy*, Shue argues that there are certain rights that are basic, meaning they are necessary in order to enjoy any other right. Contrapositively stated, if basic rights are denied, no other rights can be enjoyed. Subsistence and physical security are examples, for Shue, of basic rights. By subsistence (also known as economic security), Shue means access to clean water and clean air, in addition to food, shelter, clothing, and so on. Martha Nussbaum, philosopher and scholar of law and ethics—influenced no doubt by the arguments of Shue and others—extends the HRBA to include an Aristotelian conception of virtue and later an outcome-centric view of theory of justice, particularly as it relates to gender equality. In her *Frontiers of Justice: Disability, Nationality, Species Membership*, Nussbaum lists capabilities that are to be used to provide a benchmark to determine if a society has delivered a minimum level of justice for its citizens. Thus, a just society is one that guarantees a base level of each of these capabilities. Nussbaum's approach is notable for its rejection of the social-contract foundation of justice, since, she claims, contractarian theories conflate the needs and interests of those who create the system with those who may need to benefit from it.

The capabilities approach to justice has been widely influential, particularly among those interested in issues concerning women and concerning the environment—constituents that have been historically marginalized and have less political power to speak for themselves. In *Cosmopolitanism and the Geographies of Freedom*, David Harvey outlines a cosmopolitan political philosophy similarly rooted in human experience but less reliant on political ideologies and theories. When discussing cosmopolitan theories of justice, one must also be aware of Simon Caney, another leader in the literature on global theories of justice. For instance, in his important *Justice beyond Borders: A Global Political Theory*, Caney makes one of the most persuasive arguments for a global political order, one based on universal human needs and the need for humanitarian and environmental intervention across borders.

Environmental justice is not just for activists and academics. There is a lively literature surrounding the legal and policy work associated with both sides of this issue. In *Climate Change Justice*, for example, Eric Posner and David Weisbach argue, counterintuitively, that issues of justice should be separated from issues of climate change. For one thing, a simple decrease in greenhouse gases would improve the environment but would harm many of the poorest and most vulnerable living in developing nations. Posner and Weisbach offer a Rawlsian-style compromise, whereby every country agrees to reduce greenhouse gases but does so in a way that improves each of those countries. Stephen Gardiner and Darrel Moellendorf have been critical of this approach. In *A Perfect Moral Storm: The Ethical Tragedy of Climate Change*, Gardiner argues that climate change is not a political problem (that is, within the realm of justice) but rather an ethical failure on the part of individuals who are willing to leverage the health and happiness of the next generation for present benefits, and who willfully fail to grasp simple concepts in science, politics, and international affairs. Likewise, in *The Moral Challenge of Dangerous Climate Change: Values, Poverty, and Policy*, Darrel Moellendorf considers the problems of global warming and greenhouse gases to be ethical, as individuals, companies, and nations consider what they owe to each other and how best to organize and facilitate public policy on the basis of those judgments. This situation is made worse by the fact that much of environmental damage was done by polluters who are now long dead. Why suffer for something someone else did? Why suffer to preserve some species or ecosystem that may never benefit oneself? In answering these questions, both Moellendorf and Gardiner go beyond the political questions of justice to focus on the moral questions. Stephen G. Morris's *Science and the End of Ethics* reexamines those foundational ethical considerations in light of new scientific advances, in order to frame a new ethical agenda that more consistently achieves important goals shared by moral and political philosophers.

Kristin Schrader-Frechette merges disciplines surrounding environmental justice in *Environmental Justice: Creating Equality, Reclaiming Democracy*. She comes to two conclusions. First, there is a moral reason for distributing the burdens of environmental degradation more equally. Second, it is not just government actors who have a duty to combat unfair use of the environment; rather, in a democracy each individual has a duty to engage in activism in the area of environmental justice.

Those interested in a more conservative analysis critical of the overall project of environmental justice should start with *The Promise and Peril of Environmental Justice*, a study funded and published by the Brookings Institution and written by Christopher Foreman. Somewhat heavy-handed and dismissive in his criticism, Foreman argues that the environmental justice movement, though it has had significant political and social victories, through discord and disorganization threatens to harm those it intends to help, ignores important political trade-offs necessary to achieve its goals, and misunderstands the entailment from environmental facts to the goals of environmental justice. John Foster provides a contemporary alternative to this view in *After Sustainability: Denial, Hope, Retrieval*, in which he considers the consequences for a world that easily passes the two-degree threshold for catastrophic climate change. Unlike Foreman, Foster is speaking not just to those who agree with him but also to climate deniers and those on the fence. Foster's conclusion: it is already too late, and everyone should be very concerned about the future.

Finally, there are several good college-level textbooks on environmental politics and environmental policy, which is a good sign; courses on these topics should continue to be developed and offered to undergraduate and graduate students. Barry Field's *Environmental Policy: An Introduction* is a fine overview for undergraduate students and covers issues ranging from public policy to environmental statutes and environmental policy in the US. More advanced students can look to *Environmental Policy: New Direction for the Twenty-First Century*, edited by Norman Vig and Michael Kraft (now in its ninth edition). Vig and Kraft have studied and written about policy in the US from the 1960s to the present, but rather than simply chronicling the history of environmental policy they trace the threads of underlying trends and political constraints that have helped to shape current environmental politics.

Applied Areas of Environmental Justice

Given the above, it is no surprise that some authors have taken those general principles regarding environmental justice and activism and applied them directly to particular problems in their communities. David Pellow's *Garbage Wars: The Struggle for Environmental Justice in Chicago* takes a close look at garbage and pollution, using Chicago (the city with the highest landfill per square mile ratio of any city in the US) to show the outsize impact landfills have on the poor of society. Similarly, Julie Sze takes on New York in *Noxious New York: The Racial Politics of Urban Health and Environmental Justice*, looking at issues having to do with garbage collection and landfills, incinerators, and power plants and describing the politics and history of activism surrounding these problems in specific poor neighborhoods. In *Environmentalism and Economic Justice: Two Chicano Struggles in the Southwest*, Laura Pulido focuses on two local issues: the United Farm Workers 1965–71 campaign against pesticides and a conflict in northern New Mexico between a local cooperative

seeking access to grazing rights for cattle and hunters who had reserved that space for hunting wild elk. Pulido's analysis brings into sharp contrast the work that poor, grassroots activists can do when going up against elite, wealthy stakeholders, such as hunting organizations, unions, and those who have a stake in natural resources. These two struggles make a strong case for Margaret Mead's famous remark that a small group of thoughtful, committed people can change the world. A no less relevant look at the impact that social activists can have is to be found in Luke Cole and Sheila Foster's *From the Ground Up: Environmental Racism and the Rise of the Environmental Justice Movement*. The issue was Bill Clinton's 1994 executive order having to do with toxic waste dumps and factories that pollute the environment of minority and low-income populations in particular. Although everyone theoretically has the right to enjoy the outdoors, the reality is quite different. Carolyn Finney addresses this in *Black Faces, White Spaces: Reimagining the Relationship of African Americans to the Great Outdoors*. She argues that the historical legacy of slavery, Jim Crow, and racial violence has shaped the discourse in the United States with regard to nature and natural places, and who should enjoy them. She highlights the perceived and realized ways that the natural world is racialized in the United States, from the legislation and implementation of the 1964 Wilderness Act to Hurricane Katrina in 2005.

In *Dumping in Dixie: Race, Class, and Environmental Quality* (first published in 1990 and now in its third edition), Robert Bullard explores the idea that because of their social and political vulnerabilities, African American communities in the South have been targeted to house the sites of facilities that are high polluters. Rob Nixon calls this "slow violence," and in *Slow Violence and the Environmentalism of the Poor* he looks at how ongoing situations such as climate change, deforestation, and the environmental effects of war and industry can take many years, and generations, to become evident, and are often invisible, in contrast to other areas that inspire activism. They are no less dangerous or lethal, but they are slow in revealing the depredation. Dorceta Taylor address this same reality in *Toxic Communities: Environmental Racism, Industrial Pollution, and Residential Mobility*. Here, she investigates poor communities, home to immigrants and minorities, and shows that many of them (Baltimore, New Orleans, St. Louis) are so badly polluted that living there can be hazardous to health and significantly lower quality of life and life expectancy. As causes, she points to lack of strong environmental and housing regulations, racially motivated zoning laws, and nearby gentrification, and she paints a bleak picture for the future of these areas. In *Clean and White: A History of Environmental Racism in the United States*, Carl Zimring carries forward the discussion of the way race in the United States has impacted who lives where, and how people identify and define their relationship with waste. In doing so, he carefully and thoughtfully develops an extended metaphor on whiteness as cleanliness and draws causal parallels with the struggles of racial minorities.

Other titles look at these issues outside the borders of the United States, but are still relevant. Julian Agyeman brings lessons regarding environmental justice to social movements, public policy, and public planning in Canada. In his edited volume *Speaking for Ourselves: Environmental Justice in Canada*, he brings a noteworthy collection of authors together to speak to issues specific to the environment in Canada. Though the arguments focus on issues of importance to Indigenous peoples, most can be generalized beyond the borders of Canada. Given the diversity of countries and situations in Latin America, *Environmental Justice in Latin America: Problems, Promise, and Practice*, edited by David Carruthers, covers topics ranging from the US use of the island of Viequas, Puerto Rico, as a site for Naval bombing training to public policy regarding access to water in Mexico. Again, these specific issues generalize to the wide world, which ignores them at its own peril.

Popular Culture and the Environment

Activists approach the issue of environmental justice not just with academic articles and political writing but also through poetry, art, and testimonials. In *Sharing the Earth: An International Environmental Justice Reader*, editors Elizabeth Ammons and Modhumita Roy collect more than eighty original works from activists from the South, including personal essays, testimonials, and art and poetry. A title along the same lines is *The Quest for Environmental Justice: Human Rights and the Politics of Pollution*, edited by Robert Bullard and Maxine Waters. This volume collects fourteen essays on topics ranging from grassroots activism around the world to the American South, and it includes the voices of those living in the most polluted environments in the world. Fictional examples of this phenomenon are entirely too numerous to list here, but if this writer were to suggest just one, it would be Margaret Atwood's *The Year of the Flood*, a work of speculative fiction in which she imagines a waterless world, overrun with genetically altered animals roaming the deserts, and the last humans' attempt to survive. Those interested in the intersection of popular culture and climate change may find Noël Sturgeon's *Environmentalism in Popular Culture: Gender, Race, Sexuality, and the Politics of the Natural* useful. Sturgeon is particularly compelling in making the case that popular culture—including novels, stories, television, and movies—depicts social inequalities as natural, and that this view can be dangerous. Conversely, contemporary idyllic portrayals of nature interfere with proposed solutions to the most pressing environmental and ecological problems, particularly as they threaten society's most vulnerable worldwide. Sturgeon's is an early and decidedly impactful ecofeminist critique of popular treatment of the natural world.

Conclusion

Access to the rights and burdens of the environment is unfairly and unjustly distributed according to age, race, financial status, ethnicity, and geographical location, both within rich nations and outside of them. The subject of environmental justice moves from empirical claims about the environment (e.g., global climate change, pollution, and so on) to a normative claim about the justice of the distribution of these resources and burdens. As this essay reveals, the normative problems associated with environmental problems have become a critical issue for everyone, but in particular for the poor-

est and most vulnerable populations. Taken together, all of the sources listed in this essay expose the deep injustices surrounding environmental problems, along with, ideally, strategies to prevent the further degeneration of the planet and its inhabitants.

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