

Transformative connections between Francophone and Anglo-American justices approaches

**What are their contributions for the Analysis of
Environmental injustices?**

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Environmental Justice challenges

Introduction

Context :

- Resurgence of **social expectations** into environmental justice claims: see *yellow jacket movement in France*
- Growing **mobilization** on **climate** justice at **local** and **international** levels
- **Rescaling** environmental **injustices** between regions and countries in **globalized** word

Hypothesis :

- Renew way of thinking justice notions : **distribution, recognition, participation**
- Transformative connections help to **rethink articulation** and **meanings** of these **three notions**
- Environmental and climate policies : new articulations between **distribution and recognition** via another conception of **participation**

Questions :

- **Distribution:** how to adapt distributive framework to environmental ills and damages without considering only environment as a “good” or a resource contributing to well-being? What is the subject of Distribution with a recognition of social impacts of environmental policies and diversity of human-nature relations ?
- **Recognition:** How Q of recognition points out changes in environment-society relations, environmental discriminations and their democratic issues?
- **Participation:** What are lessons learnt from the changing status of participation into environmental justice approaches? Capabilities, empowerment, mobilization...?

Environmental Justice approaches

Content of the Presentation

Questions :

- How these aggregated changes in notions help to analyze types of **environmental injustices** ?
- How **fruitful exchanges** between Anglo-American and Francophone approaches **highlight new types of injustices** ?
- How they can help to ***rethink recognition and participation*** into new justice distributive climate policies?

Content

In this presentation, we are going to highlight :

1. How liberal approaches of distributive justice have been modified (by Sen, Fraser...) toward human capabilities and ethical human-environment relations?
2. What is the contribution of the recognition paradigm into participation and injustice analysis?
3. The transformative connections between AA-F approaches into the definition of environmental injustices ?
4. How citizen-NGO mobilizations for climate justice inform on aspects of injustices which can help to rethink distributive environmental policies?

Two parallel approaches Distributive Justice / recognition of injustice

→ Approaches of justice and injustices work together but have different meanings and purposes

1. Distributive Justice approach

- Rawls (1971): envisages **Justice as fairness** resulting from : a just **distribution** (1) of primary social **goods** to be **arranged** (2) to the **benefit of the least** advantaged people by (3) hypothetical **contract situation**
- **Critics:** Distribution of primary goods derives from these **hypothetical deliberation conditions**. Without these democratic conditions, how to deliberate on just distribution of what ?
- **Armatya Sen:** “**Functioning**” instead of “primary goods” ; resources only as regards **what they enable individuals to be or to do**: “to live in their own house, eat enough and feed their children”; **depend on rules and procedures** not only rights and liberties.
- **Inequalities of functioning:** due to personal **characteristics** (women...) and **social-environmental factors** which affect lives.
- **Injustice:** People do not have the same possibilities to **convert resources into a set of functioning vectors**
- **Idea of “capability”** in order to enable them to contribute to the improvement of their life. Focus on **achievements** that are **meaningful** to individuals: what they are reasons to value regarding their life.

- **Policies of distribution can evolve** : how to consider injustices referring to **capabilities** i.e. factors affecting lives and citizen possibilities to mobilize social and environmental amenities?

Changes in distributive justice paradigm

- **Nussbaum: in addition stresses on human rights and ethical considerations**

Human rights: refer to **equal** treatment respecting dignity and values, being able to participate in political decision

Ethical values into **relations with others** and **environment** respecting "**human and nature being**" : **ethic of care**

List of 10 capabilities of people (being able to imagine, think, reason..., to engage of various forms of social interaction, to live with animals, plants) **require educational conditions**

Exercise of "internal" and minorities capabilities require "external" democratic conditions: **liberty of speech**

Injustices are linked to unequal capabilities: social circumstances, educational and democratic systems can improve or degrade emergence of capabilities among groups of individuals (women...)

Aim of public policy: promotion of internal capabilities (by education...) and democratic conditions allowing people to plan a life and to use their combined capabilities

Justice : A just distribution of a set of capabilities among members of every society on earth

→ **Progressively capabilities are defined in accordance with values and democratic conditions that influence human-envt relations** → **How to build policies which integrate these capabilities ?**

Roots of recognition paradigm

2. **Injustice recognition paradigm** : is coming from Axel Honneth (German philosopher) :
 - Relationships are rooted in recognition : people's concern for the sufferings of others is related to what they have already endured
 - **Intersubjective relationships of recognition are linked to types of social relations:**
 - ***Subjective recognition*** → contributes to self confidence
 - ***Cognitive attention*** for others → refer to moral ***responsibility*** and ***juridical*** consideration
 - ***Social esteem*** → recognition of ***social contribution to collective expectations***
 - A ***share experience of contempt*** allows people to fight for recognition: similar than « ***apparentement de situation*** » of Rosanvallon French politist, ***value and knowledge creation in mobilization*** (Céfai)
 - **Struggles for recognition**: groups strive to value their ***cultural capital*** (Bourdieu) and they claim about a share representation of their suffering situations rendering them **invisible** (Rosanvallon, Céfai)
 - **Roots of injustice**: are located in social relations and mis-recognition (« *feeling of injustice* »)
 - **Mis-recognition**: demeaning **representations of disadvantaged people**, **problem of intersubjective and cultural depreciation which is socially grounded**
 - **Critics** : **misrecognition is also politically grounded** : **asymmetric power of participation in expressing groups' values and expectations**

2. Changes in recognition paradigm: Anglo-American approaches have modified the original meaning of recognition

Young & Fraser : justice not only a matter of ***distribution***, but a matter of ***recognition & participation***

Young : domination, oppression are **causes of injustices**: they include cultural, political and institutional aspects

Fraser suggests to rethink recognition with participation and distribution

For her, **recognition**: based on institutionalized significations and norms that devalue activities of minorities

Suggests to **treat recognition as a question of social status for gaining a voice**: what's required for recognition is status of group members as full partners: **they can express injustices suffered**

Misrecognition depends on **social subordination** in the sense of being **prevented from participating** in an asymmetric power of "representation" (not only a question of group identity)

Redressing injustice of misrecognition means changing social institutions (participation and institutionalized significations)

For her, **maldistribution depends on economic structures** (property régimes) depriving some groups of the resources needed: **dependence to other power** (of transforming resources-envt...) lead to economic subordination

She looks for recognition policies that do not displace distributive policies focused on socio-economic justice

Recognition of social and economic subordination can help to adapt ***distributive policies by considering factors affecting living situations*** of disadvantaged people and their **capabilities to empower actions**

Fainstein: argues that participation is always done in inequitable ways because of power relationships; participation is not sufficient to help to recognition

Parallel approaches of Environmental climate justice

Three notions (distribution, recognition, participation) without the same meaning

1. For liberal distributive paradigm:

- **Equity** (Rawls): refers to more fair distribution of environmental goods and burdens, benefits and ills
- **Recognition**: of prejudice, of impacts and differentiated **responsibilities** to environmental degradation
- **Participation**: to find a contractarian response (reach agreement) on the compensation required
- **Recognition and participation: precondition of distributive justice ; not one of the causes of injustices (of environmental discrimination...)**
- **Dominant paradigm in Climate COPs and negotiations**: green founds without transforming economic and social subordination linked to un- saistainable development

→ **Critics**: inequality is considered as given (its roots poorly understood), Environment: subject to compensation (i.e. substitutable good), agreement on compensation can mask **disagreement on responsibilities** and related **obligations** COPs

2. For alternative justice theory and movements (NGO...)

- Injustice based on **institutional, social and economic subordination determining dependence of minorities to environmental degradation** and their unequal participation (in resistance, conflict, alternative actions)
- **Lack of recognition** of relations-knowledge built with environment and **weak participation of minorities in land-use decision making explains harms and injustices experienced** by minorities
- **Recognition and participation** are not only means for distribution (compensation), but creating a share knowledge between citizen, local authorities and academics on injustices
- **Justice: refers to recognition of breaks/cuts in traditional human-environment relations** by economic subordination and non respect of political territory rights and citizen capabilities to defend environmental values and knowledges

Reciprocal exchanges Added value of francophone, ecologism of poors, political ecolgy

Environmental inequalities (EI) Francophone approach: four main characteristics

- Social unequal access, minorities' disproportional exposures to environmental deteriorations, differentiated citizen participation into decision making
- Spatial disparities and dynamics: two meca: location and participatory power : explaining location of waste and incinerators plants close to poor
- Cumulative social and environmental factors: social unequal capacity to resist and protest against environment degradation produced by others → policies can increase EI
- Tension governance/ participation: participation into compiling knowledge from affected users' situations in order to be able to claim for changes in urban planning decision (governance) and letting emerge citizen capabilities and mobilization
 - policies have to bridge some gaps between technical and experienced knowledge: what kind of alliances (scientist-NGO-local actors) to use recognition of injustices to address new challenge to distributive policies?
 - Grand Paris: new coalitions between citizen and local authorities to avoid not healthy “big urban projects”

Added value of others approaches

- Ecologism of poor: global economic chain transfers social and ecological costs from well-advantaged areas (region, country) to disadvantaged ones without considering envt and labor degradation of autochthones, breaks in social links and values, their low participation into decisions regarding location of activities → global chain of injustices
- Spatial justice: spatial distribution of urban services and waste plants is related to cultural and political domination
- Political ecology: analysis of human-nature relations as culture-society relations, subject of struggle for recognition in environmental conflicts and policies, tension between culture and power

→ Recognition paradigm is embedded into social and economic subordination between territories

Fruitful exchanges to define injustices inequalities: outcomes of injustices?

From inequalities to injustices: Injustices refer to :

- Taylor (2000) *Environmental rights in making claims about human-envt relations, which concerns how individuals are treated and advocated for corrective policies and actions* (Carson, 1962)
- Martinez-Allier (2014) *changes in environment made by one affect capabilities of others to benefit from experience-relation with environment, if there is no connection between languages (vernacular profane/ scientist knowledge) in order to deliberate into ecologic-distributive conflicts*
- Fraser (2005) Injustice occurred when one group makes choices that discriminate others and limit their possibilities to benefit from their social, urban or natural environment
- E. Laurent (2011) *lack of meaningful involvement into participatory process and fair treatment*
- Sue (2004) and Caney (2010) *Subordination to others' decisions in exploiting resources without considering ex-ante and ex-post ethical issues* (of responsibilities-obligations and breaks in human values and cultures built with envt)

Fruitful exchanges francophone and Anglo-American approaches: 6 notions which can be used to define injustices :

- **Representations** : **Diversity** of human-environment relationships: Latour, Thévenot, Taylor: human-nature compositions, profane knowledge embedded in practices
- **Subordinations** : to other power and capacity to transform built environment and to perpetuate dominant representations: Dufaux, Fraser
- **Dependences**: of the most disadvantaged people to envt changes coming from others ways of exploiting resources, living, consuming
- **Confiscations or dispossession** of knowledge and practices built with their environment: Gorz, Guattari
- **Misrecognition** of territorial, ecosystem and human deprivations/capabilities: cutting links that are vital for subsistence and social life
- **Participation and mobilizations** : into **controversy** changes in human-envt relations, **ability to create living worlds** and **empower actors** to drive new experiences (food local chain) and to **protest against others' actions or inactions**

→ **Political capabilities:** citizen become actors in the co-construction of envtal policies, by initiated practices of life connected to envt (ecological transition), by their **political contributions to use their contextual knowledge to address remediation actions (economic and every day life practices consolidating both social relationships and envt regeneration)**, by jurisdictional procedures toward States (for their inaction).

Environmental Injustice characteristics

Six types of Injustices :

1. Injustices due to the misrecognition of environmental discrimination experienced : disadvantage experienced by marginalized groups remain invisible in public policies

2. Injustices linked to segregation of minorities in cities suburbs and spatial distribution of urban amenities and waste plants

3. Injustices linked to eviction of minorities from participation and dominant culture used in decision making process of cities redevelopment

4. Social and economic subordination to environment transformed by others which affect living possibilities (survival)

5. Injustices related to breaks in experiences, cultural knowledge and relationships built with the environment : how concerns and representations were considered or not in the decision making process ?

6. Difficulties to mobilize capabilities, to resist or defend citizen knowledge and to empower actions

→ Injustices result from **socio-ethnic discriminations to environmental changes**, and **transfers of social and ecological costs** between territories and generations → links to sustainability

→ They are also related to the recognition of ethical and cognitive dimensions of climate changes which are rarely integrated into democratic participation and decisions affecting natural and built environments

→ Finally, they reveal the influence of the democratic functioning on the future of earth-society relations.

Citizen and NGO mobilisation against climate injustice

- **Recognition of injustice : takes into account**

- *Nature-culture relationships* : experience of injustice due to lack of recognition of environment knowledge acquired by indigenous and inhabitants; *versus* decision making process based on “technical” approaches of environment
- *Ecological debt*: transfer of social and ecological costs from wealthy and richest countries to disadvantaged region
- *Territory rights*: recognition of inhabitant right to defend the territorial integrity and relationships they built with envt
- *Autochthonous sovereignty on Earth*: capacity to defend commons without depreciating their shared use
- *Inequitable resilience and capacity to face to climate change* : because gender or ethnic minorities do not have the same possibilities to participate into decisions regarding envt change or to insure against natural hazards

- **Participation: means :**

- *Exchanging on perception and representation* of environmental changes and their human incidences and causes
- *Giving to minorities a voice* of expressing their cultural resilience based on social links and connection with envt
- *Ecological citizenship*: Encouraging dialogues between municipalities, associations and citizens on environmental injustices in order to envisage initiatives of climate adaptation based on “empowered” and citizen actions

- **Distribution:**

- Local authorities have to be aware of ways by which environmental injustices are generated and generate social incidences → in order to build environmental policies that do not discriminate disadvantaged people
- Jointly preoccupation: introduce social and life situations into deliberative environmental justice policies
- They have to work on the recognition of initiatives that reinforce social links and relations with environment: ways of agriculture, food, mobility, urban development, economic activities (not only greening economy)

→ **NGOs have embraced these different topics of injustices and bring them into climate negotiations & local actions**

Challenges for distributive policies taking into account environmental injustices

- **To adapt distribution to the constraints of life avoiding to increase social discrimination via environmental policies** (ex: carbon tax for people using their car in urban sprawl areas)
- **To improve environment and ecosystem functioning in low income areas by linking experimentations in socio-ecological transition and environmental policies** (local urban agriculture-food in schools...)
- **To convey the voice of people through social dialogue and to encourage empowered actions: toward contributive justice ?**
- **To let citizen capabilities creating transformative public policies**
- **The capacity of the governance system to support capacity building of actors that play a role into the change of economic trajectories and patterns (See Notre Dame des Landes airport and solidarity economy in France)**
- **The capacity of the governance system to build fiscal conditions to tax those who deteriorate envt in order to support those whose develop human-nature relations increasing social solidarity**

Climate justice

- A notion of “climate justice” emerges but its meaning is not stabilized.
- There are **different ways of defining climate justice**:
 - which needs to be locally grounded by crossing social and environmental issues, mobilization and participation,
 - which embraces the multilevel and spatial dimension of climate change in addition its environmental ethical dimension and political issues,
 - which needs also to be globally reexamined by taking into account unequal ecological exchange due to economic globalization and differentiated human activity pressures.
- In that extent, climate justice refers to **democratic issues** in society and international negotiations.

Conclusion

Challenges: To solve contradictions between the 3 approaches

- Socio economic distribution and development.
- Recognition of human and non human subjects
- Scales of democratic participation

Think about capabilities and mobilization which create transformative public policies

More details in our book:

Laigle, Moreau, 2018, Justice et environnement, les citoyens interpellent le politique, INFOLIO

<https://livre.fnac.com/a12538573/Lydie-Laigle-Justice-et-environnement>