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JUST SUSTAINABILITIES AND SUSTAINABLE DEVELOPMENT GOALS IN THE
TIME OF COVID-19

Gitanjali Nain Gill

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1

INTRODUCTION

This article is written in the time of Covid-19. It is unusual for authors to identify their scholarship through time. It suggests a defined chronological lifespan thereby contradicting the anticipation of extended academic relevance. But these are exceptional times. The impact of the virus is global, multi-various, and multi-dimensional. Nevertheless, a common expectation is that when the virus is controlled there will be a return to what is increasingly described as the 'new normal'. For some, the expectation is a reset, a return of historic patterns, albeit over time. For others, there is no 'before'. It no longer exists for practical purposes. A common prognosis recognises a dynamic and fundamental change in our ways of seeing, experiencing, thinking, planning, organising, and living. It is already established that its negative effect upon the poor and the vulnerable is disproportionate.¹ We as individuals, communities, and, governments will rethink our previous norms and structures. This 'new normal' is uncertain but it is predicted that the terms 'equity' and 'justice' will attract significant attention during the reconstruction processes. Post-COVID-19 offers a progressive opportunity to question and change our thinking and relationships with each other and with our planet. Further, the established Sustainable Development Goals (SDGs) provide a widely-accepted framework for the creation and establishment of the 'new normal'.

No discipline can claim sole responsibility for addressing the crisis. Disciplines are subject to

intellectual boundaries that promote intense inward thinking but simultaneously hinder the contribution of external scholars and their specialised literature. We are in danger of becoming prisoners of our own discipline. A consequence of this is likely blindness and appreciation of the 'other'.

This article is based on 'joined-up thinking' that encourages scholars from geography, urban planning, public policy and development, social and ecological sciences, and law to recognise the relationship between Professor Julian Agyeman's Just Sustainabilities (JS) paradigm² and SDGs.³ This form of thinking and planning is essential for the understanding and effective implementation of the SDGs. In this broader context, sustainability and sustainable development are not simply about the environment. Social and economic dimensions must be recognised as equal partners alongside the environment to implement the SDGs. Thus, appreciating Agyeman's paradigm embedded within the SDGs framework helps re-orientate and clarify thinking, both during and in post-Covid-19 'new normal' times.

The article has five sections. Section 2 unpacks, explores, and characterises the radical JS paradigm developed by Agyeman in the early 2000s. The JS paradigm links and engages with environmental and sustainability discourses, focusing on issues of equity and (social) justice. Section 3 locates JS alongside SDGs through an 'embedded lens' approach. JS is a paradigm while SDGs offer an international, operational framework. Aspects of environmental sustainability within the 'embedded lens' are identified. Core elements and the relationship between JS and the SDGs are identified by common key terminology and implied meaning and mapped in tabular form for ease of appreciation. Section 4 illustrates the relationship

1 Helen Pidd, Caelainn Barr and Aamna Mohdin, 'Calls for Health Funding to be Prioritised as Poor Bear the Brunt of Covid-19' *The Guardian* (1 May 2020) <<https://www.theguardian.com/world/2020/may/01/covid-19-deaths-twice-as-high-in-poorest-areas-in-england-and-wales>>; Carolina Sánchez-Páramo, 'Covid-19 Will Hit the Poor Hardest. Here's What We Can Do About It' *World Bank Blogs* (23 April 2020) <<https://blogs.worldbank.org/voices/covid-19-will-hit-poor-hardest-heres-what-we-can-do-about-it>>.

2 Julian Agyeman (a), *Sustainable Communities and the Challenge of Environmental Justice* (New York University Press 2005); Julian Agyeman (b), *Introducing Just Sustainabilities: Policy Planning and Practice* (Zed Books 2013).

3 UN General Assembly Resolution 70/1, *Transforming our World: The 2030 Agenda for Sustainable Development*, UN Doc. A/RES/70/1 (2015).

between Covid-19 and the ‘embedded lens’ with an illustrative focus on environmental goals. Section 5 carries the conclusion.

2 JUST SUSTAINABILITIES PARADIGM

Just Sustainabilities (JS) provides a transformative paradigm for a more inclusive and fairer route, directing society radically into a more sustainable trajectory. Agyeman’s JS paradigm is a bridge, ‘joined-up’ thinking of environmental justice and sustainability discourses. JS operates alongside environmental justice discourse, a bottom-up communitarian discourse, that identifies and mobilises the disproportionately negatively affected groups to correct wrongs and address unjustly imposed burdens.⁴ However, for Agyeman, the theorisation resulted in environmental justice being ‘reactive-focused on stopping environmental bads as they threatened the [poor] community’⁵ rather than being ‘proactive in distribution and achievement of environmental goods by creating sustainable communities’.⁶

JS also resolves the ‘equity deficit’ in the sustainability discourse.⁷ Agyeman states that the components of equity and justice and their interlinkage with environmental, economic, and social issues are weak or non-existent in sustainability, leading to an ‘equity deficit’.⁸ Agyeman’s critique is based on a holistic conception of sustainability. To quote, ‘sustainability... cannot be simply a ‘green’ or ‘environmental’ concern, important though ‘environmental’ aspects of sustainability. A truly sustainable society is one where wider questions of social needs and welfare, and economic opportunity are integrally related to environmental limits imposed by supporting ecosystems’.⁹ This may be necessary to ‘proactively and properly address the structural imbalances, power differentials, race-based inequalities [equities], and other social justice challenges that could otherwise undermine sustainability initiatives in the

4 Agyeman (a) (n 2) 16, 80-81; see also Michael Walzer, *Spheres of Justice* (University of California Press 1983) 6; Harry Brighouse, *Justice* (Polity Press 2004) 2; Laura Pulido, *Environmentalism and Economic Justice* (University of Arizona Press 1996) xv-xvi.

5 Agyeman (a) (n2) 3.

6 *ibid* 26. For selective literature on environmental justice discourse see, Axel Honneth, ‘Integrity and Disrespect: Principles of a Conception of Morality Based on the Theory of Recognition’ (1992) 20(2) *Political Theory* 187–201; Kristin Shrader-Frechette, *Environmental Justice: Creating Equity, Reclaiming Democracy* (Oxford University Press 2002) 8-12; Ryan Holifield, Michael Porter and Gordon Walker, *Spaces of Environmental Justice* (John Wiley 2011) 6; Nancy Fraser, ‘Rethinking Recognition’ (2000) 3 *New Left Review* 107–120; Martha Nussbaum, *Women and Human Development: The Capabilities Approach* (Cambridge University Press 2001); David Schlosberg, *Defining Environmental Justice: Theories, Movements and Nature* (Oxford University Press 2007) 5. It is suggested by Schlosberg (pages 6-7 and chapter 8) that the environmental justice framework should include ecological justice. However, this article does not address the concept of ecological justice.

7 Agyeman (a) (n 2) 44; Sustainability is often considered symbolic due to the trade-off between the three pillars and its impact on the lives of marginalised communities. For example, intense agriculture in Amazon leads to negative reactions and affects forest conservation and protection. Fortunate Machingura and Steven Lally, *Case-Study Report: The Sustainable Development Goals and Their Trade-offs* (Overseas Development Institute 2017); International Council for Science, *A Guide to SDG Interactions: From Science to Implementation* (ICSU 2017) 227; Additionally, sustainability has been expropriated in land and resource grabbing cases due to power inequalities. Sally Jeanrenaud, *The Future of Sustainability: Have Your Say! Summary of the IUCN E-Discussion Forum 2006* (IUCN 2007) 7-8; For selective literature on sustainability/sustainable development discourse, see Melissa Leach and others, ‘Equity and Sustainability in the Anthropocene: A Social–ecological Systems Perspective on Their Intertwined Futures’ (2018) 1 (e13) *Global Sustainability* 1; Justice Mensah and Sandra Casadevall, ‘Sustainable Development: Meaning, History, Principles, Pillars, and Implications for Human Action: Literature Review’ (2019) 5 (1) *Cogent Social Sciences* 1, 5; Klaus Bosselmann, *The Principle of Sustainability* (Ashgate 2008); John Dernbach and Federico Cheever, ‘Sustainable Development and its Discontents’ (2015) 4(2) *Transnational Environmental Law* 247.

8 Agyeman (a) (n 2) 44.

9 Agyeman (b) (n 2) 4.

long run'.¹⁰ As a transformative paradigm, JS requires sustainability to adopt a redistributive function, thereby moving equity and justice to the centre-stage in the discourse.¹¹

The goal of JS is 'to ensure a better quality of life for all, now, and into the future, in a just and equitable manner, while living within the limits of supporting ecosystems'.¹² However, he uses JS in the plural, it 'acknowledges the relative, culturally and place-bound nature of the concept'.¹³

JS is an elaborate, alternative paradigm, 'not rigid, single, and, universal...but is both flexible and contingent'.¹⁴ It develops a common agenda to create just and sustainable communities for now and in the future: 'The sustainability transition, from where we are now to where we need to go, should be accompanied by both an increase in equity and justice and an increase in environmental quality'.¹⁵

Agyeman's central premise is the inter-dependence of social justice, economic well-being, and environmental stewardship to develop greater social equality and sustainable communities. He advances three reasons supporting his position.¹⁶ First, increased carbon footprints and negative environmental externalities are a consequence of high consumerism. Second, equal

societies enjoy strong social cohesion and trust levels, leading towards the common good. Third, developing sustainable communities needs higher levels of adaptability, innovation, and creativity.

The JS paradigm moves towards policy, planning, and practice and has 'an analysis and theory of change with strategies to transform the way in which we treat each other and the planet'.¹⁷ The main proposition is to develop sustainable communities through the adoption of tools, techniques, and strategies based on equity and justice. JS advocates a coherent 'new economics' involving 'sufficiency' both at the national and international levels.¹⁸ For Agyeman, sufficiency suggests 'an optimal level of consumption to meet material and non-material needs... but not damage other needs such as environmental quality, social equality, or individual health'¹⁹ and 'richest people (national level) and the richer countries (global level) bear a greater share of transitional costs'.²⁰

The JS paradigm involves four essential elements for a sustainable future.²¹

2.1 Improving the Quality of Life and Well-being

Greater justice and equality enhance the quality of life and well-being and stabilises economies. Employing Sen's capabilities approach, Agyeman states that justice implies people have the capability to flourish rather than merely survive. Flourishing encompasses the core concepts of 'functionings' and 'capability' to improve the quality of life and well-being.²² 'Functionings' includes multiple activities and forms of existence. 'Capability' refers to combinations of functions to

10 Nathan Bennett and others, 'Just Transformations to Sustainability' (2019) 11 (3881) *Sustainability* 1, 10.

11 Agyeman (a) (n 2) 6.

12 Agyeman (b) (n 2) 5; Julian Agyeman, Robert Bullard and Bob Evan (eds), *Just Sustainabilities: Development in an Unequal World* (Earthscan 2001) 5.

13 *ibid* 5.

14 Agyeman (a) (n 2) 6.

15 *ibid* 43. See also the recent literature on 'transformation towards sustainability' wherein the scholars are increasingly engaging with the themes of justice and equity - Bennett (n 10); Leah Temper and others, 'A Perspective on Radical Transformations To Sustainability: Resistances, Movements and Alternatives' (2018) 13 *Sustainability Science* 747; James J Patterson and others, 'Political Feasibility of 1.5 C Societal Transformations: The Role of Social Justice' 2018 (31) *Current Opinion in Environmental Sustainability* 31.

16 Agyeman (b) (n 2) 6.

17 *ibid* 7.

18 Agyeman (a) (n 2) 103.

19 Agyeman (b) (n 2) 32.

20 Agyeman (a) (n 2) 103.

21 Agyeman (b) (n 2) 7.

22 Amartya Sen, *The Idea of Justice* (Allen & Lane 2009).

which a person has effective access. This includes political freedoms, economic facilities, social opportunities, transparency guarantees, and protective security.²³ The central measure of justice is to ‘transform primary goods into functionings’.²⁴

Capability/ies provide an alternative way of understanding equity and justice. Equity and justice are not only about achieving an appropriate distribution of things but includes people being able to live at a level considered valuable and worthwhile. Thus, capabilities are crucial for growth and well-being. For Agyeman, conventional economic growth models are unreliable, perpetuate inequality, and are detrimental to well-being. Generational entitlement of a higher standard of living, increased consumption patterns, and environmental degradation (notably climate change) due to economic and development activities have resulted in unsustainable communities. Agyeman argues that these growth (development) models exacerbate income-inequality and decrease well-being not just of the poor and the disadvantaged but for the very existence of society.²⁵

Evidence shows that development leaves the poorest behind, thereby facing ‘intersecting inequalities’.²⁶ A 2020 UN Report states that,

inequality within countries is very high. While inequalities between average national incomes are large, considerable disparities are also found among people at the bottom and at the top of the income distribution across and within countries...high or growing inequality

not only harms people living in poverty and other disadvantaged groups, it affects the well-being of society at large.²⁷

Inequalities in poor and disadvantaged communities undermine the environmental aspects of sustainability. Lack or limited financial resources, education, skills, and decision-making structures impact the poor disproportionately.²⁸ Unsustainable ecological footprints are ‘destructive to the natural capital inheritance of future generations’.²⁹ Instances include ‘purchasing inefficient energy appliances or polluting vehicles, weakening of community cohesion bonds to protect the environment due to inferior access to information and opportunities, failure to invest in individual or community environmental education, non-respect for environmental law, and encouraging illegal behaviour such as littering, recycling, and hazardous waste disposal’.³⁰ Reducing dysfunctional inequalities due to ‘economic insecurity, lack of access to opportunity, unjust treatment, and impoverished well-being are basic challenges for [just] sustainability’.³¹

Agyeman advocates JS to improve the quality of life and well-being. Quality of life depends on improving conditions and capabilities regarding people’s health, environmental conditions, education, and participatory voices that reflect life satisfaction.³² Well-being entails

23 Amartya Sen, ‘Human Rights and Capabilities’ (2006) 6(2) *Journal of Human Development* 151, 154.

24 Schlosberg (n 6) 30-31.

25 Agyeman (a) (n 2) 58; Agyeman (b) (n 2) 8-13. See also Thomas Piketty, *Capital and Ideology*, (Belknap Press 2020).

26 Veronica P Arauco and others, ‘Strengthening Social Justice to Address Intersecting Inequalities Post-2015’ (ODI 2014) viii.

27 United Nations World Social Report, *Inequality in a Rapidly Changing World* (UN Department of Social and Economic Affairs 2020) 20.

28 Sharon Beder, ‘Costing the Earth: Equity, Sustainable Development and Environmental Economics’ (2000) 4 *New Zealand Journal of Environmental Law* 227, 228.

29 Joan Hoffman, ‘Sustainability and Inequality: Confronting the Debate’ (2017) 9(3) *International Journal of Urban Sustainable Development* 359, 361.

30 *ibid* 361-362; see also Elisabetta Magnani, ‘Public and Private Goods Environmental Innovation, Security vs Risk, Environmental Protection, Inequality, and Institutional Change’ (2011) 1219 *Annals of the New York Academy of Sciences* 197.

31 Hoffman (n 29) 363.

32 Agyeman (b) (n 2) 15.

adopting alternative models that ensure additional jobs and fulfilling employment in terms of income, personal, and social needs, redistribution of private and public capital ownership, change in the content of purchase and consumption such as green consumerism, promoting local food systems, corporate social responsibilities through their supply chains, and creating a vibrant local community that co-produces the goods and services they consume and protects the environment.³³ Such a society will have 'a healthy public sphere and healthy environment...'.³⁴

The JS paradigm provides a theoretically energetic basis for improving quality of life and well-being for sustainability. Accepting and following this path involves a substantial personal change in the routine and character of our lifestyles. Mobilising a diverse community is challenging, especially if there is no widespread commitment to equity as a goal, nor if there is any current readiness to reject rampant consumerism.³⁵

2.2 Meeting the Needs of Both Present and Future Generations

The second JS essential element focuses on inter-generational and intra-generational equity. Equity implies fairness, evenness, and justice and is found in international agreements.³⁶ Inter-generational equity

means the 'needs of the present generation are met equitably and without sacrificing the ability of future generations to meet their needs'.³⁷ Intra-generational equity is applied 'across communities and nations within one generation...each generation has the right to inherit the same diversity in natural and cultural resources enjoyed by previous generations and have equitable access to the use and benefits of these resources'.³⁸ Attaining equity implies achieving evenness and fairness for sustainable development and sustainability.³⁹

For Agyeman, justice as in fairness involves the distribution of both environmental benefits and burdens. The uneven distribution of environmental resources (renewable and non-renewable), scarcity, and over-exploitation perpetuate inequality, thereby damaging the capability to flourish and the ability to meet the needs of present and future generations.⁴⁰

In this context, JS recognises the importance of 'social identity' in terms of specific groups, race, ethnicity, locality including place and place attachment. This helps to better understand 'needs and resource scarcity' in terms of the 'spatial and cultural dimensions of environmental injustices for present and future generations... such attachment is a basic human need, a crucial element of well-being, or a capability; undermining it constitutes an injustice'.⁴¹

33 *ibid* 15-19.

34 *ibid* 18.

35 Oscar Gandy, 'Wedging Equity and Environmental Justice into the Discourse on Sustainability' (2013) *TripleC* 221, 232.

36 World Commission on Environment and Development, Report of the World Commission on Environment and Development: Our Common Future (United Nations General Assembly document A/42/4271987) Chapter 2(1); Rio Declaration on Environment and Development, 14 June 1992, UN Doc A/CONF.151/26/Rev. 1 (Vol. 1), Annex II (1992), principle 3.

37 Lisa M Smith and others, 'Relating Ecosystem Services to Domains of Human Well-Being: Foundation for a U.S. Index' (2013) 28 *Ecological Indicators* 79. Smith addressed the concept of 'needs' (basic, subjective, economic and environmental) through indicators of well-being.

38 Edith B Weiss, In *Fairness to Future Generations: International Law, Common Patrimony, and Intergenerational Equity* (Transnational Publishers 1989).

39 Brian Preston, 'What's Equity Got To Do With the Environment?' (2018) 92 *Australian Law Journal* 257; Otto Spijkers, 'Intergenerational Equity and the Sustainable Development Goals' (2018) 10 (3836) *Sustainability* 1, 8.

40 Agyeman (b) (n 2) 22, 35-37.

41 Julian Agyeman and others, 'Trends and Directions in Environmental Justice: From Inequity to Everyday Life, Community, and Just Sustainabilities' (2016) 41 *Annual Review of Environment and Resources* 321, 334.

Climate change and land grabbing are examples of injustices affecting poor, vulnerable communities due to natural resource extraction and its scarcity. The Global Resources Outlook Report identifies resource extraction as the principal cause for climate change and biodiversity loss, thereby causing increased displacement and migration within and among nations.⁴² For example, the controversial POSCO Indian project tells the story of a human rights and sustainability crisis induced by a mega-development project.⁴³

Thus, exploitation and displacement challenges are core issues that side-step equity and justice in the resource extraction and scarcity debate, thereby resulting in unsustainable communities. Agyeman, citing Walker, argues that to establish just, sustainable communities, the distribution of environmental goods or burdens must include the key distributive dimensions of vulnerability, need, and responsibility.⁴⁴ These distributive aspects must be supplemented by procedural justice and recognition. Development of assessment methodologies, governance mechanisms including indigenous peoples' rights over their lands, territories, and natural resources, and responsive institutions will help to protect the needs of both present and future generations.

2.3 Equity and Justice in Terms of Recognition, Process, Procedure and Outcomes

Agyeman adopts a multidimensional approach to explaining JS being underpinned by equity and justice. Acknowledging Sen and Nussbaum,⁴⁵ Agyeman accepts that notions of capabilities for flourishing are

central to the justice discourse.⁴⁶ The “capability” of functioning focuses on the qualities that enable individuals to have a fully functioning life...[includes] both the qualities and capabilities held by people and their ability to express and exercise those capabilities in a functioning life'.⁴⁷ Individuals will prosper in a just environment provided there are effective institutions and resource availability.

Equity and justice must include a fairer distribution of material income and consumption and involve social factors in the construction of a just society. For Agyeman, material outcomes and wealth are real capabilities to meet the needs for shelter and security.⁴⁸ Material maldistribution leads to inequality, thereby causing stress, insecurity, and impacts the quality of life. However, this distributional approach for achieving justice would cause more injustice unless it examines the underlying causes of maldistribution and identifies those excluded from the actual distribution.⁴⁹ Thus, 'lack of recognition is a harm - an injustice- as much as a lack of adequate distribution of goods'.⁵⁰

Accordingly, justice as recognition, is critically important to JS, particularly for diverse cultural societies with poor, vulnerable, indigenous people, and communities. Recognition is a 'vital human need'⁵¹ and a 'concern for distributive justice'.⁵² Damage to indigenous communities' traditional land and resources because of economic and development activities produces misrecognition and injustice. Recognition is manifested by insults, degradation, devaluation, oppression, disrespect, and threats to individual, community, cultural, and group

42 International Resource Panel, *Global Resources Outlook 2019: Natural Resources for the Future We Want* (UNEP 2019) 5.

43 International Human Rights Clinic ESCR-Net, *The Price of Steel: Human Rights and Forced Evictions in the POSCO-India Project* (NYU School of Law 2013) 1-3.

44 Agyeman (b) (n 2) 37.

45 Martha Nussbaum and Amartya Sen (eds), *The Quality of Life* (Clarendon 1993); Martha Nussbaum, *Frontiers of Justice: Disability, Nationality, Species Membership* (Harvard University Press 2003).

46 Agyeman (b) (n 2) 38.

47 Schlosberg (n 6) 30.

48 Agyeman (b) (n 2) 39.

49 *ibid* 38.

50 Schlosberg (n 6) 18.

51 Charles Taylor, 'The Politics of Recognition' in Amy Gutmann (ed), *Multiculturalism: Examining the Politics of Recognition* (Princeton University Press 1994) 25, 26.

52 Iris M Young, *Justice and the Politics of Difference* (Princeton University Press 1990).

identities.⁵³ Consequently, this leads to distributional inequity, exclusion, and devastated communities. Recognitional approach advances the ‘functioning’ and ‘flourishing’ of people, culture, identity, and communities in terms of their capabilities and control. Thus, access to land, resources, and technologies are basic capabilities for development and poverty alleviation.⁵⁴ It is crucial in recognitional justice to identify the ‘why’ of injustice and inequality, to both understand and remedy it.

Food security, indigenous communities and their cultural identities attract the attention of the JS paradigm with respect to recognitional (in)justice. These communities are increasingly unsustainable due to growing inequality, vulnerability, and limited or no access to land or resource rights. For instance, Vandana Shiva criticised the links between globalisation of food supply and cultural threats that not only destroy local production and market services but also impact cultural identities.⁵⁵ Examples of recognitional and cultural injustices include the ban of various base cooking oils from different local Indian regions and the importation of soya bean oil, destruction of the local farming process by highly engineered technology and the introduction of genetically modified BT cotton, seed monopolisation by Monsanto multinational corporation, and suicide by Indian farmers.⁵⁶ Recognition of traditional food practices, secure access to land rights, and cultural diversity are basic human needs, and undermining them constitutes injustice.

The recognition of the environment as a human right is a prospective tool for JS. Interlinkage between the right to life and a healthy environment ensures conditions for a fully functioning life. The relationship

between human rights and the environment has gained prominence at international and national levels.⁵⁷ By 2020, 337 States recognised the right to a healthy environment through constitutional protection (110 States), environmental legislation (more than 101 States), and regional human rights treaties and environmental treaties (ratified by more than 126 States).⁵⁸

In 2018, John Knox recognised that the ‘greening’ of human rights contributes to improvements in health and well-being.⁵⁹ Knox called for global recognition of the right to a safe and healthy environment and recommended the Framework Principles on Human Rights and the Environment. In 2020, David Boyd highlighted good practices (substantive and procedural elements) in the recognition and implementation of the human right to a safe, clean, healthy, and sustainable environment.⁶⁰

The ‘recognition of a right’ does not necessarily guarantee its enforceability and execution. According to Knox, there are country-specific challenges and

53 Schlosberg (n 6) 14.

54 Agyeman (b) (n 2) 42.

55 Michael Specter, ‘Seeds of Doubt’ *The New Yorker* (18 August 2014) <<https://www.newyorker.com/magazine/2014/08/25/seeds-of-doubt>>.

56 Schlosberg (n 6) 87; Ian Lowe and Jouni Paavola, *Environmental Values in a Globalizing World: Nature, Justice and Governance* (Routledge 2007) 108.

57 See generally, Alan Boyle, ‘Human Rights and the Environment: Where Next?’ (2012) 23 (3) *European Journal of International Law* 613; Donald Anton and Dinah Shelton, *Environmental Protection and Human Rights* (Cambridge University Press 2011); Francesco Francioni, ‘International Human Rights in an Environmental Horizon’ (2010) 21 *European Journal of International Law* 41; Stephen Turner, *A Substantive Environmental Right- An Examination of the Legal Obligations of Decision-makers Towards the Environment* (Kluwer 2009); Daniel Bodansky, Jutta Brunnée and Ellen Hey (eds), *The Oxford Handbook of International Environmental Law* (Oxford University Press 2007) Chapters 28 and 29.

58 David Boyd, *Right to a Healthy Environment: Good Practices Report* (UN Doc. HRC/43/53, 2020) 4.

59 John Knox, *Framework Principles Report* (UN Doc. HRC/37/59, 2018) 18.

60 Boyd (n 58) 128. The substantive elements include - clean air, safe climate, safe water and sanitation, healthy and sustainably produced food, non-toxic environments, and healthy biodiversity and ecosystems. The procedural elements are access to information, public participation, and access to justice and effective remedies (4-18).

obstacles regarding the effective implementation of the right to an environment.⁶¹ For example, according to the State of India's Environment Report 2019,⁶² air pollution accounts for 12.5 per cent of annual deaths in India. More than 100,000 children, under five, die due to bad air. Both the surface and the groundwater are under stress. Between 2010 and 2014 India experienced a 22 per cent increase in greenhouse gas (GHG) emissions of which the energy sector was the major contributor. These figures illustrate disturbing shortcomings and continuing challenges. They reflect 'a flawed regulatory regime, poor management of resources, inadequate use of technology, and absence of a credible, effective enforcement machinery'.⁶³

For Agyeman, there are two critical elements in the JS paradigm: democracy and accountability. Democracy is a minimum requirement and a necessary capability for a just sustainable community. For people to prosper they must participate as competent citizens in processes and decisions that affect their lives. The 'process of deliberative, democratic, and enhanced engagement is essential to the process of developing sustainable communities'.⁶⁴

A broad understanding of JS involves meaningful participation in environmental sustainability debates to help ameliorate 'issues of inequality, recognition and the larger question of capabilities and functioning of individuals and communities'.⁶⁵ International treaties and agreements, including Principle 10 of the Rio Declaration⁶⁶ and UNEP Guidelines for the

Development of National Legislation on Access to Information, Public Participation and Access to Justice in Environmental Matters,⁶⁷ recognise meaningful participation through procedural rights.

Although 'individuals have the right to participate in decisions affecting their world, there exists a distance between the procedural right to participate and to be consulted and the extent to which individual rationalities and values can shape public decisions'.⁶⁸ For example, Victoria Tauli-Corpuz, Special Rapporteur on the Rights of Indigenous Peoples, stressed the failure of States, especially in Asia and Africa, to recognise the voices of indigenous people regarding encroachment by extractive industries and infrastructure megaprojects.⁶⁹

Accountability is the second and related critical element of a just sustainable community. Agyeman argues that in the context of JS, the role of the state and non-state actors, such as companies, raises the question of accountability. It involves 'respect for human rights, environmental and social impacts of corporate activities. Without controls over the activities of corporations, justice is unachievable and inequality will continue to grow'.⁷⁰ He supports the need for regulatory frameworks for governance and investment to provide accountability. The OECD Guidelines for Multinational Enterprises for Responsible Business⁷¹ and the United Nations Guiding Principles on

61 Knox (n 59) 3-4.

62 Sunita Narian and others, *State of India's Environment 2019* (Centre for Science and Environment 2019).

63 Ministry of Environment, Forest and Climate Change, High Level Committee on Forest and Environment Related Laws Report (Government of India 2014) 8,22.

64 Agyeman (a) (n 2) 67-68.

65 Schlosberg (n 6) 8.

66 Rio Declaration on Environment and Development, 14 June 1992, UN Doc A/CONF.151/26/Rev. 1 (Vol. I), Annex II (1992).

67 UNEP, *Guidelines for the Development of National Legislation on Access to Information, Public Participation and Access to Justice in Environmental Matters* (UNEP, 2011).

68 Chiara Armeni, 'Participation in Environmental Decision-making: Reflecting on Planning and Community Benefits for Major Wind Farms' (2016) 28(3) *Journal of Environmental Law* 415.

69 Victoria Tauli-Corpuz, *Rights of Indigenous Peoples* (UN Doc. A/72/186, 2017) 6-7, 11, 20-21.

70 Agyeman (b) (n 2) 45.

71 OECD, *Guidelines for Multinational Enterprises* (OECD Publishing 2011); OECD, *Due Diligence Guidance for Responsible Business Conduct* (OECD Publishing 2018).

Business and Human Rights⁷² offer progressive guidelines.

The growing reach and impact of multinational enterprises (MNCs) in developing countries have raised questions about the role and accountability of state and non-state actors including multilateral trade organisations. For example, the anti-WTO movements in the late 1990s questioned the credibility of the WTO. According to People Global Action, the WTO served the interest of MNCs and promoted corporate globalisation leading to exacerbated inequality in developing countries. It resulted in the marginalisation of traditional producers, creation of markets to cater to their elite-few, unfair distribution of resources, destruction of rural societies, increased bonded labour, environmental destruction, and cultural neglect.⁷³

In India, economic globalisation has created opportunities for investment that result in unsustainable development and more negatively affected communities. For ‘ease of doing business’ and to create a conducive environment for investors, regulatory frameworks are either ignored or short-circuited to speed economic returns and corporate interests. It manipulates and subverts laws that safeguard and protect human rights including access to ownership and control over land, environmental and social aspects of the poor and the marginalised.⁷⁴ For example, the controversial mining extraction by Vedanta Resources in India produced injustice, inequity, and discrimination against the poor and the marginalised, particularly the tribal people.⁷⁵

Agyeman generates a valuable resource for claims of equity and justice through a comprehensive appreciation of the terms. Accordingly, JS creates an inclusive process wherein distribution, recognition, capabilities, and participation are inter-related and inter-dependent at individual, group, and community levels.

2.4 Living within Ecosystem Limits

The concept of living within ecosystem limits builds on long-standing debates that address ‘limits on planet Earth’.⁷⁶ An ecosystem limit is a boundary beyond which exploitation of nature will have significant deleterious effects. The term ‘planetary boundaries’ was introduced by Johan Rockström.⁷⁷ The planetary boundaries concept presents ‘a set of nine planetary boundaries within which humanity can continue to develop and thrive for future generations and if crossed, would be hostile to human prosperity’.⁷⁸

According to Agyeman, in distributional terms, the inequalities and consumption patterns of the developed world leads to environmental degradation and pollution. There is a need to distribute environmental resources in a fair and equitable manner. Though the poor cause less environmental damage, paradoxically they remain the worst affected and most vulnerable to environmental ill-effects, for example, climate change. A fundamental shift of values would ensure a transition from a growth-centered society to one acknowledging the biophysical limits and safe operating space for humanity to thrive.⁷⁹ Tools like

72 United Nations Human Rights Council Resolution 17/4, Human Rights and Transnational Corporations and other Business Enterprises (UN Doc. A/HRC/RES/17/4, 2011).

73 World History Archives, ‘People’s Global Action against ‘Free’ Trade and the World Trade Organisation’ (Chapter 95 1997) Hartford Web Publishing <<http://www.hartford-hwp.com/archives/25a/024.html>>; Schlosberg (n 6) 86.

74 Gitanjali N Gill, *Environmental Justice in India: The National Green Tribunal* (Routledge 2017) 4.

75 *Orissa Mining Corporation v MoEF* (2013) 6 SCC 476; *Vedanta Resources v Lungow* [2019] UK SC 20.

76 Dennis Meadows, *The Limits to Growth: A Report for the Club of Rome’s Project on the Predicament of Mankind* (Universe Books 1972); Katrina Brown, ‘Global Environmental Change II: Planetary Boundaries—A Safe Operating Space for Human Geographers?’ (2016) 41(1) *Progress in Human Geography* 118.

77 Johan Rockström and others, ‘Planetary Boundaries: Exploring the Safe Operating Space For Humanity’ (2009) 14 (2) *Ecology and Society* 32.

78 *ibid.* The planetary boundaries include climate change, biodiversity loss, the nitrogen cycle, the phosphorus cycle, stratospheric ozone depletion, ocean acidification, global freshwater use, land use change, atmospheric aerosol loading, and chemical pollution.

79 Agyeman (a) (n 2) 95-96; Agyeman (b) (n 2) 46-55.

environmental space,⁸⁰ ecological footprints,⁸¹ and ecological debt⁸² are insightful in understanding and promoting JS. The use of these tools operationalises the concept of equity and justice by imposing general limits to produce a fair share of environmental resources on which the quality of life and well-being depend and support the sustainable growth of economies. They demonstrate that the consumption of environmental resources has the 'minimum dignity floor and maximum sustainability ceiling'.⁸³ The aims are to eliminate inequalities between the nations and provide foundations for resource consumption and 'sufficiency' measures thereby making living and lifestyles sustainable.⁸⁴

In summary, JS can be understood as 'an overarching societal value'⁸⁵ with an equity-based agenda. It seeks to influence policy at the global level. For example, the Earth Charter presents an inclusive, integrated value-based framework of global interdependence and universal responsibility for the present and future generations.⁸⁶ It includes respect and care for the community of life (Principle 1), ecological integrity (Principle 2), social and economic justice (Principle 3), and democracy, non-violence, and peace (Principle 4).

Agyeman selects examples to bind JS scholarship and praxis. These include food, energy, climate, land use,

urban planning, transportation, solid waste, and displacement. They highlight the crucial relationship between the environment, social needs, and well-being by placing equity and justice under a prioritising spotlight to achieve sustainable communities at the national and global levels.

3 JUST SUSTAINABILITIES AND SUSTAINABLE DEVELOPMENT GOALS

Section 2 identifies the centrality of Agyeman's paradigm. This section addresses JS and its embedded association with the SDGs.⁸⁷ It addresses this relationship by identifying and mapping in tabular form the core concepts and common terminology employed by JS, UN Resolution 2015, and the resultant SDGs and targets. A comprehensive account of the 17 SDGs is beyond the scope of this article.

The SDGs dominate the sustainability agenda to 'heal and secure our planet and shift the world on a sustainable and resilient path'.⁸⁸ The SDGs contain 17 goals and 169 targets with a focus on equity, inclusion and leave no one behind. All SDGs, a set of global priorities and objectives, are by design inter-related and inter-dependent, though trade-offs are inevitable. The SDGs are bold, integrated, and transformative steps that balance the three dimensions of sustainable development: the economic, social, and environmental. They are structured around the five pillars of Agenda 30: People (Goals 1-5), Planet (Goals 6, 7, 12-15), Prosperity (Goals 8-11), Peace (Goal 16), and Partnership (Goal 17). The SDGs Report 2019 recognises the limited progress made in some areas

80 Duncan McLaren, 'Environmental Space, Equity and the Ecological Debt' in Julian Agyeman, Robert Bullard and Bob Evan (eds), *Just Sustainabilities: Development in an Unequal World* (Earthscan 2001) 19.

81 Mathis Wickernagel and William Rees, *Our Ecological Footprint: Reducing Human Impact on the Earth* (New Society Publishers 1996).

82 Acción Ecológica, 'No More Plunder, They Owe Us the Ecological Debt!' (1999) *Bulletin of Acción Ecológica* 78.

83 Agyeman (b) (n 2) 48.

84 McLaren (n 80) 22; Janez Potocnik and others, *Sufficiency: Moving Beyond the Gospel of Eco-efficiency* (Friends of the Earth Europe 2018) 4-6.

85 Julian Agyeman and Bob Evans, 'Sustainability and Democracy: Community Participation in Local Agenda 21' (1995) 22(2) *Local Government Policy Making* 35, 36.

86 The Earth Charter <https://earthcharter.org/wp-content/uploads/2020/03/echarter_english.pdf?x28510>.

87 UN General Assembly Resolution 70/1, *Transforming our World: The 2030 Agenda for Sustainable Development*, UN Doc. A/RES/70/1 (2015).

88 *ibid* 1.

including 'reducing poverty, immunisation, and access to electricity... however challenges include environmental deterioration, climate change, and increased inequalities within and between nations'.⁸⁹

3.1 An 'Embedded Lens'

The key question is 'are the SDGs and JS integrated?' The answer is yes. JS is 'embedded' in the SDGs as an 'institutional agenda'.⁹⁰ The 'embedded lens' envisions a fairer and inclusive society and provides a plural and comprehensive understanding of sustainability trajectories. The basic message and resolve for 'a just, equitable, tolerant, open, and socially inclusive world'⁹¹ evidence SDGs and JS are integrated to drive a sustainable future.

In the context of environmental sustainability, the JS and SDGs are synergetic and complementary. Goals 6, 7, 12, 13, 14, and 15 specifically and directly focus on environmental sustainability. The 'embedded lens' places equity and justice on the centre-stage to improve environmental quality for a sustainable future. For example, Goal 6 ensures the availability of clean water for 'all' and 'equitable' sanitation and hygiene for 'all'. Distributional equity is reflected by addressing water scarcity and ensuring its availability to meet the needs of the present generation. The element of procedural justice is evidenced by strengthening the participation of local communities in water and sanitation management.

Goal 7 ensures access to affordable, accessible, sustainable energy for 'all' including the developing

and the least developed countries. The 'materiality of everyday life and redistributing'⁹² ensures that the basic needs are met through energy production and its availability. It also reflects the elements of recognitional and distributive justice emphasising the issue of energy poverty and improving opportunities for a sustainable life. For example, an uninterrupted supply of clean cooking fuel and reduced dependency on biomass, especially in poor countries, would support equitable justice.

Goal 12 aims to ensure sustainable consumption and production patterns. The 'food movement: local food, sustainable agriculture, food supply chains, anti-hunger, and others'⁹³ is a narrative wherein equity and justice are framed to address 'food insecurity, inequality, and insensitivity to cultural difference'.⁹⁴ The 'sufficiency' norm of optimal consumption promoting green consumerism increases well-being and also acts as a 'multiplier with 'efficiency' measures that reduce the environmental impact of each unit of production'.⁹⁵ Resource management and efficiency curb over-exploitation of critical materials, thereby promoting inter and intragenerational equity. The concept of environmental space allows equitable resource allocation and consumption within the planet's carrying capacity. This facilitates understanding and an action towards a fairer distribution and availability of resources. Fossil fuel extraction for developmental purposes contributes towards energy needs and securities that help the capabilities of nations, particularly developing countries, to meet their basic needs and flourish. The extraction process should be equitable by preventing environmental degradation,

89 United Nations, *The Sustainable Development Goals Report 2019* (United Nations 2019). For a critique on SDGs see, Mary Menton and others, 'Environmental Justice and the SDGs: From Synergies to Gaps and Contradictions' (2020) *Sustainability Science* 1; C Allen and others, 'Initial Progress in Implementing the Sustainable Development Goals (SDGs): A Review of Evidence from Countries' (2018) *Sustainability Science* 13; Helen Kopnina, 'The Victims of Unsustainability: A Challenge to Sustainable Development Goals.' (2015) 23 (2) *International Journal of Sustainable Development & World Ecology* 113.

90 Agyeman (n 41) 335.

91 United Nations (n 87) para 8.

92 Agyeman (n 41) 332.

93 Agyeman (b) (n 2) 59.

94 *ibid* 62.

95 *ibid* 32.

protecting the poor and marginalised by ensuring their human rights regarding their land, livelihood, identity, and culture.⁹⁶ The adoption of sustainable practices by MNCs would promote distributive, equity and spatial justice and ensure a better future for the present and generations. Accountability, as in fairness, mandates MNCs to declare their sustainability practices. Sustainable tourism encourages ‘culturally inclusive spaces and practices’⁹⁷ and embodies the elements of equity and justice. It contributes towards recognising the local culture and products through identity recognition, meaning, and values and provides a platform for inclusiveness and integration.

Goal 13 focuses on urgent action to combat climate change and its impact, particularly on the developing (small island) and the least developed countries. Notions of equity and justice are acknowledged in the Paris agreement, 2015.⁹⁸ Climate equity includes building global regimes that take into consideration ‘distributional justice (e.g. equal pollution/emission rights for all citizens), recognitional justice (e.g. recognition of historical legacies, critiquing the role of capitalism as a structural cause of climate change), and intergenerational justice (e.g. ecological debt of the global North to the global South for contributions to climate change over the last century)’.⁹⁹ Climate change equity focuses on procedural fairness for advancing inclusive, effective, and equitable development. This includes meaningful participation and access to information to hear the voices of the poor and the marginalised communities in decision-making. The equity lens can be used in climate change by providing access to land ownership and securing livelihoods for the marginalised communities that support forest

conservation that also act as carbon sinks. Another emerging strand of equity and justice considers ‘deontic (moral) aspects of climate action... provide a way of connecting (seemingly distant) future impacts to present-day decision-making and moral responsibilities in societies’.¹⁰⁰

Goal 14 relates to sea life. Enhancing the conservation and sustainable use of oceans, seas, and marine resources promote global good. The equity discourse advocates ‘strategy that prevents over-extraction and pollution, protects biodiversity, and the climate, ensures employment for coastal communities, and supports global food security’.¹⁰¹ The UNFAO Blue Growth Initiative aims to better manage the living aquatic resources and foster equitable benefits for communities through distributive and participatory mechanisms in decision-making.¹⁰² Equity, as in fairness, for small-scale artisanal fishers encompasses place-based recognition that includes ‘uniqueness of places—in terms of local resources, assets, people’s capacities, knowledge, and preferences’.¹⁰³ It contributes to SDGs through the promotion of equitable and inclusive practices that sustainably manage and protect marine and coastal ecosystems.

Goal 15 protects life on land by ensuring the conservation, restoration, and sustainable use of terrestrial and inland freshwater ecosystems and their services, with a focus on forests, wetlands, mountains, and drylands. An equity-justice discourse places people and collective identities (indigenous and marginalised) on the centre-stage to manage land systems. The place of sense, values, and cultural diversity recognises the involvement of the local communities to pursue

96 Sivan Kartha, Michael Lazarus and Kevin Tempest, ‘Fossil Fuel Production in a 2°C World: The Equity Implications of a Diminishing Carbon Budget’ (Discussion Brief 2016) Stockholm Environment Institute.

97 *ibid* 154-156.

98 Paris Agreement, Paris, 12 December 2015, in Report of the Conference of the Parties on its Twenty-First Session, UN Doc FCCC/CP/2015/10/Add.1.

99 Patterson (n 15) 4.

100 *ibid* 5.

101 World Resources Institute, ‘Sustainable Development Goal 14’ <<https://www.wri.org/sdg-14>>.

102 Food and Agriculture Organisation of the United Nations, ‘Blue Growth’ (Policy and Governance Getaway) <<http://www.fao.org/policy-support/policy-themes/blue-growth/en/>>.

103 Sara Grenni, Katriina Soini and Lummina Geertruida Horlings, ‘The Inner Dimension of Sustainability Transformation: How Sense of Place and Values Can Support Sustainable Place Shaping’ (2020) 15 Sustainability Science 411.

sustainable livelihood opportunities. Nearly 1.6 billion people are dependent on forests for their livelihood.¹⁰⁴ This interdependence is indicative of an emotional, intellectual, sentient bond. A multi-stakeholder orientation and participatory approach is productive to better protect and manage forests and improve the livelihoods of forest-dependent people. In this context, people's control over forest resources includes the right of ownership, access to collect, use, and dispose of forest produce, community rights, and habitat rights for indigenous groups and communities.¹⁰⁵ Local knowledge and skills in exercising forests management allow the forest-dependent people to make decisions that promote conservation activities and rehabilitate degraded lands. Simply put, they know what works and what does not within their local environment. As repositories of traditional knowledge and related skills, an equity-based approach promotes fair and equitable sharing of the benefits arising from the utilization of genetic resources. This further creates employment opportunities and income generation for the local communities, thereby improving their well-being or capabilities. In natural resource management, the equity-justice based agenda provides 'benefits which people have legitimate, effective command and which are instrumental in achieving well-being. These benefits may include direct uses in the form of commodities, such as food, water, or fuel; the market value of such resources or of rights to them; and the benefits derived from environmental services, such as pollution sinks, or the properties of the hydrological cycle'.¹⁰⁶

However, sustainability is 'simply not about green or environmental concern'.¹⁰⁷ Environmental sustainability is inextricably linked with elements of social development and economic progress. The integration, indivisibility, and balance of three elements (economic, social, and environmental) provide the foundation for a human development agenda. There are strong synergistic effects among the 17 goals. For example, lack of access to safe water and sanitation (environmental, social) due to poverty (economic) increases health risks and severely affects the lives of people (social), thereby making SDGs ever more distant. The importance of embedding 'equity and justice' into human development improves societies and strengthens social cohesions, thereby promoting a sustainable society.

3.2 Mapping the 'Embedded Lens'

The author has in a tabular form mapped the 'embedded lens' i.e. Agyeman's essential elements (equity, meeting the needs of present and future generation, justice in terms of recognition, and living within ecosystem limits) alongside those of the UN SDGs (2015 resolution and the targets). This formulation is achieved by identifying keywords with equivalent meanings. The commonality of these essential elements that bind JS and SDGs are recognised as the key integrants. They promote the movement from theory to action. Addressing the wider formulations and interlinkages of these integrants helps explore the equity and justice aspects in a holistic manner. It moves beyond the 'singular' environmental element of sustainability and includes other vital elements, being economic and social. The integrated dimensions 'offer a "just", rounded, and equity-focused definition of sustainability and sustainable development, while not negating the very real environmental threats'.¹⁰⁸

104 United Nations Environment Programme, 'Goal 15: Life on Land' <<https://www.unenvironment.org/explore-topics/sustainable-development-goals/why-do-sustainable-development-goals-matter/goal-15>>.

105 Gitanjali N Gill, 'Feminization of Poverty: Indian Rural Women and the Environment' (2012) 63(2) Northern Ireland Legal Quarterly 291.

106 Melissa Leach, Robin Mearns and Ian Scoones, 'Environmental Entitlements: Dynamics and Institutions in Community-Based Natural Resource Management' (1999) 27(2) World Development 233.

107 Agyeman (b) (n 2) 4.

108 *ibid* 4.

3.2.1. *Equity*

Agyeman's 'equity deficit' is recognised and replaced by 'equity sufficiency' in the Agenda 2030. Acknowledging and reconstructing the work of Leach,¹⁰⁹ the following table presents the elements of equity and justice.

JS (Equity, Equality, Fair, Just, For All)	UN Resolution 2015	SDGs and Targets
Poverty	<i>People-</i> End poverty in all their forms and dimensions; ensure all human beings can fulfil their potential in dignity and equality (paras 3 and 24)	Ensure equal rights to economic resources to all (men, women, and the poor and vulnerable (Goal 1-Target 1.4)
Food and hunger	<i>People-</i> end hunger and achieve food security as a matter of priority for all; end all forms of malnutrition (para 24)	Double the agricultural productivity; secure and equal access to land; promote access to and fair and equitable sharing of benefits arising from the utilization of genetic resources and associated traditional knowledge (Goal 2-Targets 2.3 and 2.5)
Health	<i>People-</i> equitable health care where physical, mental, and social well-being are assured (para 7); achieve and access universal health coverage and quality health care (para 26)	
Education	<i>People-</i> inclusive, equitable, and universal access to quality education at all levels (paras 7, 20 and 25)	Ensure free, equitable, and quality primary and secondary education to all; ensure affordable, equitable, and quality technical, vocational and tertiary education for all (Goal 4-Targets 4.1,4.3 and 4.5)
Water and Sanitation	<i>Planet-</i> the human right to safe drinking water for all, sanitation, and improved hygiene (para 7)	Achieve universal and equitable access to safe and affordable drinking water, sanitation, and hygiene for all (Goal 6-Targets 6.1 and 6.2)
Energy	<i>Planet-</i> Universal access for all to affordable, reliable, and sustainable energy (para 7)	
Decent work	<i>Prosperity-</i> Decent work for all (para 9); equal opportunities for employment (para 20)	Achieve equal pay for work of equal value (Goal 8- Target 8.5)
Infrastructure	<i>Prosperity-</i> Sustainable urban development and management are crucial to the quality of life of our [all] people (para 34)	Develop quality, reliable, affordable, sustainable, and resilient infrastructure and equitable access for all (Goal 9-Target 9.1)
Land	<i>Planet-</i> Resources [land] to developing rural areas and sustainable agriculture supporting smallholder and women farmers (para 24)	Promote fair and equitable sharing of the benefits arising from the utilization of genetic resources (Goal 15- Target 15.6)
Peace	<i>Peace-</i> Build peaceful, just, and inclusive societies that provide equal access to justice, respect for human rights, effective rule of law and good governance, and transparent and accountable institutions (para 35)	Promote the rule of law ... and ensure equal access to justice for all (Goal 16- Target 16.3)
Means of Implementation	<i>Partnership-</i> Lives of all will be profoundly improved and our world will be transformed for the better (para 53)	Promote a universal, rules-based, open, non-discriminatory, and equitable multilateral trading system (Goal 17- Target 17.10)

¹⁰⁹ Leach and others (n 7) 6.

3.2.2 Improving Quality of Life and Well-being: JS paradigm to improve the quality of life and well-being in the society and its reflection in the SDGs.

JS (Quality of life and well-being)	UN Resolution 2015	SDGs and Targets
Capability/ies	<p><i>People-</i> All human beings can fulfil their potential in dignity and equality (People, para 4); equal opportunity permitting the full realization of human potential and contributing to shared prosperity (para 8); <i>Planet-</i> nurturing environment for the full realization of their rights and capabilities (para 25); <i>Prosperity-</i> build a better future for all people, including the millions who have been denied the chance to lead decent, dignified and rewarding lives and to achieve their full human potential (para 50)</p>	<p><i>People-</i> Create pro-poor and development policies/strategies at national/regional/international levels (Goal 1-Target 1.4); full, effective and equal participation/opportunities for leadership at all levels of decision-making (Goal 5-Target 5.5); <i>Prosperity-</i> empower and promote the social, economic and political inclusion of all (Goal 10-Target 10.3); adopt fiscal, wage and social protection policies, and achieve greater equality (Goal 10-Target 10.4)</p>
Quality of life	<p><i>People-</i> Ensure that all human beings can enjoy prosperous and fulfilling lives; eradicating poverty, hunger, disease, and want, where all life can thrive (Preamble, paras 2, 3 and 7); equitable and universal access to quality education at all levels; equitable health care and social protection (paras 7, 24 and 26); <i>Prosperity-</i> sustainable urban development and management are crucial to the quality of life of our people (para 34)</p>	<p><i>People-</i> End hunger and all forms of malnutrition; access to safe, nutritious and sufficient food all especially the poor/vulnerable (Goal 2-Target 2.1 and 2.2); healthy lives and promote well-being for all (Goal 3); inclusive and equitable quality education and lifelong learning opportunities for all (Goal 4); <i>Planet-</i> availability of water and sanitation for all (Goal 6)</p>
Well-being	<p><i>Prosperity-</i> Inclusive and sustainable economic growth and decent work for all by addressing income inequality (para 9); a healthy and well-educated workforce with the knowledge and skills needed for productive and fulfilling work and full participation in society (para 27); <i>Planet-</i> promoting sustainable consumption and production patterns, and financial and technical assistance to strengthen developing countries' scientific, technological and innovative capacities towards sustainable societies (para 28)</p>	<p><i>People-</i> sustainable food production systems and resilient agricultural practices that increase productivity. production, and maintain ecosystems (Goal 2-Target 2.4); <i>Prosperity-</i> promote sustained, inclusive and sustainable economic growth; full and productive employment and decent work for all (Goal 8); build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation (Goal 9); make cities and human settlements inclusive, safe, resilient and sustainable including public spaces (Goal 11-Targets 11.1,11.2 and 11.7); <i>Planet-</i> sustainable consumption and production patterns that include use of natural resources, reduce food losses along production and supply chain, substantially reduce waste generation through prevention, reduction, recycling, and reuse, and encourage companies, especially large and transnational companies, to adopt sustainable practices (Goal 12);</p>

3.2.3 Meeting the Needs of Both the Present and Future Generations

The following Table represents the elements from the JS paradigm and the SDGs framework.

JS (meeting the needs of present and future generations)	UN Resolution 2015	SDGs and Targets
Inter-generational equity	<i>Planet</i> - Protect the planet and taking urgent action on climate change, to support the needs of all- the present and future generations (Planet, paras 18 and 53)	No direct reference in the goals and targets
Intra-generational equity	<i>People</i> - Realise the human rights of all (Preamble); no one will be left behind and Goals and targets met for all (nations and peoples) (paras 4 and 5); a world with equitable and universal access to quality education (paras 7 and 25); a just, equitable, tolerant, socially inclusive world, universal respect for human rights/dignity (para 8); <i>Planet</i> - the principle of common but differentiated responsibilities (para 12); Climate change is one of the greatest challenges of our time (para 14); build a better future for all people, dignified and rewarding lives and to achieve their full human potential (para 50);	<i>People</i> -Equal rights to economic resources and access to basic services (Goal 1- Target 1.4); resiliency building of the poor and vulnerable; reduce their exposure/vulnerability to climate-related extreme events (Target 1.5); ensure access nutritious and sufficient food for all (Goal 2- Target 2.1); healthy lives/well-being for all (Goal 3); inclusive/equitable education for all (Goal 4); <i>Prosperity</i> -decent work for all (Goal 8- Target 8.5); reduce inequality within/among countries (Goal 10); access to housing, transportation and public spaces (Goal 11- Targets 11.1,11.2 and 11.7); <i>Planet</i> - universal and equitable access to safe and affordable drinking water, sanitation and hygiene for all (Goal 6- Target 6.1 and 6.2); universal access to affordable, reliable and modern energy services (Goal 7- Target 7.1); combat climate change and its impact in all countries (Goal 13); Promote fair and equitable sharing of the benefits (Goal 15- Target 15.6)

3.2.4 Equity and Justice in Terms of Recognition, Process, Procedure and Outcomes

The elements of equity and justice and corresponding SDGs are identified in the following Table.

JS (Equity and justice in terms of recognition, process, procedure, and outcomes)	UN Resolution 2015	SDGs and Targets
Recognition	<i>People-</i> Respect for race, ethnicity, cultural diversity, indigenous people, disabled, refugees/migrants (Paras 8, 23 and 36); right of self-determination (Para 35)	<i>People-</i> poor, vulnerable, women, indigenous, family farmers, pastoralists, and fishers have equal rights to economic resources, as well as access to basic services (Goals 1- Targets 1.4 and 2.3); <i>Prosperity-</i> protect and safeguard the world's cultural and natural heritage (Goal11- Target 11.4)
Distributive	<i>Prosperity-</i> access to economic resources (Para 20)	<i>People-</i> poor, vulnerable, and women have equal rights to economic resources, access to basic services, ownership and control over land and other forms of property, inheritance, natural resources (Goal 1-Target 1.3 and Goal 5- Target 5.a); <i>Planet-</i> promote access to and fair and equitable sharing of benefits arising from the utilization of genetic resources (Goal 15-Target 15.6); provide access for small-scale artisanal fishers to marine resources and markets (Goal 14- Target 14.b).
Capabilities (Human rights as a prospective tool for JS)	<i>People-</i> human rights of all (Preamble); build peaceful, just and inclusive societies (Para 3); <i>Planet-</i> the human right to safe drinking water and sanitation and improved hygiene; food security including sufficiency, safe, affordable and nutritious food Paras 7 and 24); universal access to affordable, reliable and sustainable energy (Para 7)	<i>People-</i> Access to food, food security, improved nutrition (Goal 2); <i>Planet-</i> universal and equitable access to safe and affordable drinking water and sanitation and hygiene for all (Goal 6- Targets 6.1, 6.2 and 6.3); ensure universal access to affordable, reliable and modern energy services (Goal 7- Target 7.1); <i>Prosperity-</i> access to adequate, safe and affordable housing, basic services and sustainable transport systems for all (Goal 11- Targets 11.11.2)
Democracy	<i>Planet-</i> Democracy and the rule of law, and an enabling environment (Para 9); affirm international conventions, specifically, the Rio Declaration (Paras 11 and 12)	<i>People-</i> equal opportunities for inclusive, participatory, and representative decision-making at all levels (Goal 5-Target 5.5, and Goal 16- Target 16.7); <i>Planet-</i> ensure that people have the relevant information and awareness for sustainable development and lifestyles in harmony with nature (Target 12. 8); <i>Peace-</i> broaden and strengthen the participation of developing countries in the institutions of global governance (Goal 16.8)
Accountability	<i>Peace-</i> Role of governments/ international organizations/business sector/non-State actors/ individuals (Para 28); States strongly urged to refrain from promulgating and applying any unilateral economic, financial or trade measures, not in accordance with international law and the Charter of the United Nations (Para 30)	<i>Peace-</i> Develop effective, accountable and transparent institutions (Goal 16- Target 16.6); <i>Partnership-</i> promote a universal, rules-based, open, non-discriminatory and equitable multilateral trading system under the WTO (Goal 17- Target 17.10)

3.2.5 *Living within Ecosystem Limits*

The following Table represents the JS element of living within ecosystem limits and the respective SDGs.

JS (living within ecosystem limits)	UN Resolution 2015	SDGs and Targets
Planetary boundaries (limits)	<i>Planet-</i> Protect the planet, its planetary boundaries from degradation, and sustainable management of its natural resources (paras 3, 33 and Our world today); combating inequality within/among countries and preserving the planet (para 13)	
Equal resource sharing and consumption	<i>Prosperity-</i> inclusive and sustainable economic growth is essential for prosperity... equal wealth sharing and addressing income inequality (para 27)	<i>Prosperity-</i> Equal rights to economic resources (Goal 1-Target 1.4); <i>Planet-</i> implementing policies/plans towards inclusion/resource efficiency/mitigation/ adaptation to climate change; resilience to disasters (Goal 11-Target 11.b); promote fair and equitable sharing of the benefits arising from the utilization of genetic resources
Sustainable use of resources and consumption	<i>Planet-</i> sustainable consumption, production, and management of its natural resources; urgent action on climate change to support the needs of the present and future generations (Planet and para 9); common but differentiated responsibilities (para 28)	<i>Planet-</i> Global resource efficiency in consumption/production; endeavour to decouple economic growth from environmental degradation (Goal 8-Target 8.4); sustainable management and efficient use of natural resources; encourage multinational companies to adopt sustainable practices and to integrate sustainability information into their reporting cycle; rationalize inefficient fossil-fuel subsidies that encourage wasteful consumption by removing market distortions (Goal 12-Targets 12.2,12.6 and 12.c); conserve and sustainably use the oceans, seas, and marine resources for sustainable development (Goal14)

These tables identify the essential common terms, being equity and justice, and their appearance and usage within JS and SDGs. The fusion of the paradigm and the framework produces a working vocabulary reflecting the importance of universalism, collectivism, and the commitment to ‘leave no one behind’. It offers the basis for data targets that address the current lacuna that makes groups, communities, and individuals ‘invisible’ and vulnerable. Without such focus identification, effective policy and decision-making are more difficult.

4 COVID-19 AND THE ‘EMBEDDED LENS’

The Covid-19 pandemic makes the ‘embedded lens’ of JS in the SDGs relevant and important in these unprecedented, challenging times. From an environmental sustainability point of view, Covid-19 impacts all dimensions of our lives and highlights

how growing inequities and injustices affect the most vulnerable. For example, access to water and sanitation (Goal 6) has been severely affected. Limited access to clean water and handwashing with soap facilities has further exposed the poor and the marginalised to Covid-19. According to the UNICEF factsheet, basic handwashing facilities are unavailable to 40 percent (3 billion people) of the world's population.¹¹⁰ Inadequate or disruption to water supplies and contaminated surfaces of communal taps have been identified as the ill-effects of Covid-19 affecting the poorest.¹¹¹

Covid-19 calls attention to conserve ecosystems and wildlife (Goal 15). The outbreak of Covid-19 identified because of illegal wet markets trading in wildlife, including pangolins, has introduced a man-made disaster. Nature has its own way of responding to humanity. The transmission of pathogens (virus) to humans has a disastrous effect on people's lives and livelihoods (particularly the poor and indigenous communities), resulting in an uncertain future and a degraded ecosystem. Research suggests humanity's destruction of biodiversity has led to the outbreak of animal-borne diseases including Ebola, SARS, bird-flu, and Covid-19.¹¹² The 2019 first Global

Assessment of the State of Biodiversity and Ecosystem Services report highlights that the ability to achieve SDGs is dependent on transformative changes between humans and nature.¹¹³

Food security (Goals 2 and 12), in times of Covid-19, has serious implications for the world's poorest people and nations as documented in the World Food Programme Report.¹¹⁴ The reasons include restrictions on the movement of food transportation, health inspections, staff unavailability, and panic buying. Efforts must be made to ensure that 'tens of millions of people [from poor countries] already on the verge of starvation do not succumb to this virus or [its] economic consequences'.¹¹⁵

For climate change (Goal 13), Covid-19 offers temporary respite. The initial studies predict a fall in emission levels, clearer skies, and reduced noise levels.¹¹⁶ However, to maintain low carbon societies and ensure transformational sustainability, the adoption of 'green recovery measures' is important. These include a carbon tax, developing road spaces for pedestrians and cyclists, and improving public

110 UNICEF, 'Fact-Sheet, Handwashing with Soap Critical in the Fight Against Coronavirus, is Out-of-Reach for Millions' <<https://www.unicef.org/press-releases/fact-sheet-handwashing-soap-critical-fight-against-coronavirus-out-reach-billions>>.

111 Martin Keulertz and others, 'The Impact of COVID-19 on Water and Food Systems: Flattening the Much Bigger Curve Ahead' (2020) 45 (5) *Water International* 430; Water Aid, 'Four Things That Help Water Services to Combat the COVID-19 Pandemic' <<https://washmatters.wateraid.org/blog/four-things-that-help-water-services-to-combat-the-covid-19-pandemic>>.

112 Ruchi Tiwari and others, 'COVID-19: Animals, Veterinary and Zoonotic Links' (2020) 40(11) *Veterinary Quarterly* 69; John Vidal, 'Tip of the Iceberg: Is Our Destruction of Nature Responsible for Covid-19?' *The Guardian* (UK, 18 March 2020) <<https://www.theguardian.com/environment/2020/mar/18/tip-of-the-iceberg-is-our-destruction-of-nature-responsible-for-covid-19-aoe>>.

113 IPBES, *Global Assessment Report on Biodiversity and Ecosystem Services of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services* (IPBES Secretariat 2019) 44.

114 World Food Programme, *Covid-19: Potential Impacts on the World's Poorest* (World Food Programme 2020).

115 *ibid* 5; Serafim Bakalis and others, 'Perspectives from CORE: How COVID-19 Changed Our Food Systems and Food Security Paradigm' (2020) 3 *Current Research in Food Sciences* 166.

116 Corinne Le Quéré and others, 'Temporary Reduction in Daily Global CO₂ Emissions During the COVID-19 Forced Confinement' (2020) 10 *Nature Climate Change* 647; World Economic Forum, 'Why a 17 per cent Emissions Drop Does Not Mean We Are Addressing Climate Change' <<https://www.weforum.org/agenda/2020/05/why-a-17-emissions-drop-does-not-mean-we-are-addressing-climate-change>>.

transport.¹¹⁷ A global solidarity narrative will promote international cooperation including financial and technological assistance.

Affordable and clean energy (Goal 7) particularly for the developing and the least-developed worlds are crucial in controlling the pandemic. According to Damilola Ogunbiyi, Special Representative of the UN Secretary General for Sustainable Energy, '840 million people mostly in sub-Saharan Africa are living without electricity...reliable, affordable electricity is needed to keep people connected at home and to run life-saving equipment in hospitals'.¹¹⁸ The global pandemic reveals an uncertain future for environmental sustainability and the SDGs unless a transformative approach is adopted encompassing the mandate of 'leaving no one behind'.

Covid-19 has exposed the vulnerability of our fractured societies, being ill-equipped under-prepared nations. The situation is exacerbated by existing and ever-increasing inequities and injustices. The poor and marginalised people within and between countries face an increased risk from Covid-19. It is time to re-think our lifestyles and our current production and consumption patterns. The 'virus' is changing the way societies function and lessons must be learnt as to how sustainability can be achieved. The 'new norm' calls for innovative models that move 'toward rebuilding communities, restarting [sustainable] services and local economies, and creating resilient, engaged, and cohesive communities capable of withstanding and thriving despite the upcoming challenges'.¹¹⁹

117 Jochen Markard and Daniel Rosenbloom, 'A Tale of Two Crises: COVID-19 and Climate' (2020) 16 (1) *Sustainability: Science, Practice and Policy* 53; Gaia Vince, 'After the Covid-19 Crisis, Will We Get a Greener World?' *The Guardian* (UK, 17 May 2020) <<https://www.theguardian.com/environment/2020/may/17/after-the-covid-19-crisis-will-we-get-a-greener-world>>.

118 Damilola Ogunbiyi, 'Power in a Pandemic - Why Energy Access Matters During Coronavirus' Thomson Reuters Foundation News (UK, 31 March 2020) <<https://news.trust.org/item/20200331134807-w6a0h>>.

119 Public Health England, *Beyond the Data: Understanding the Impact of Covid-19 on BAME Groups* (PHE Publications 2020) 10.

5 CONCLUSION

Any suggestion that Covid-19 is a 'black swan' event¹²⁰ or the manifestation of 'future shock'¹²¹ that has taken us by surprise is incorrect. The explanation is we have made the wrong choices and politicians have undervalued our environmental priorities and health care systems, misunderstood strategic sustainable production, and underused our normative social structures. Basic errors of judgment promoted this pandemic which in turn is disproportionately affecting the underprivileged people and the developing nations. For some, the future has never been less certain. Conversely, the seismic virus challenges provide multiple open-ended opportunities to respond constructively. We are experiencing major shifts in functions and actions associated with state governance, work, global availability of food and industrial supply chains, long term unemployment, and environmental degradation, all occurring within a growing global economic and fiscal recession. Domestically, house building, space allocation, public and private transport, roads, high street shopping, education, leisure, entertainment, isolation, mental and physical well-being, valuation of work, and the overall quality of life are being scrutinised. We are experiencing a vibrant local spirit as neighbours help neighbours and communities recognise, value, and support healthcare workers and other low-waged workers who underpin our daily lives. People are reviewing their established patterns of behaviour and their expectations of needs and consumption. An RSA survey shows that only 9 per cent wish to return to the 'old normal'. 85 per cent have experienced personal and social change, 51 per cent have experienced cleaner air, 40 per cent have a stronger sense of local community, 42 per cent value

120 Nassim Nicholas Taleb, *The Black Swan: The Impact of Highly Improbable* (Penguin 2007).

121 Alvin Toffler, *Future Shock* (Bantam 1970).

food more, 38 per cent are cooking more from scratch, and 33 per cent are throwing away less food.¹²² Former values are being reconsidered and for many, they are found wanting. A discussion is occurring about an economy-based upon need rather than a consumption-based approach. There is growing interest in the implementation of a green agenda within a circular economy. Questions are being asked about what matters and what does not.

A changing society, not by choice but by necessity, simultaneously creates the space to broadcast a fresh message that allows 'equity and justice' to be moved to centre-stage. The combination of JS and SDGs constitutes an opportunity for a framework built on equity and justice. This framework has already received world-wide state recognition. Its realisation would reduce disparities of opportunity, health, and power differentials within and among countries. It offers a pathway to sustained, inclusive, and sustainable economic growth within a transformed world. When we release ourselves from the pandemic crisis the challenge will be to apply this framework with ever greater commitment.

122 RSA FFCC, YouGov Survey (RSA 17 April 2020) <https://drive.google.com/file/d/1d60r6cdZ8-YXDjyAeVK_rLb82bg2r8yT2/view>; RSA, 'Brits See Cleaner Air, Stronger Social Bonds and Changing Food Habits Amid Lockdown', (YouGov 2020) <<https://www.thersa.org/about-us/media/2019/brits-see-cleaner-air-stronger-social-bonds-and-changing-food-habits-amid-lockdown>>.

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