

Environment-Friendly Development: Need of the Globalizing world

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It is undoubted that globalization has social costs. Of the many social costs, damage to the environment has been the most serious externality associated with globalization. Given that social costs do not prevent globalization from intensifying, the question arises that how can development be balanced with protection of environment. This paper argues that 'planetary consciousness' - acknowledging the fact that there is interconnectedness between humanity and Earth - can check the madness of globalization by making human beings recognize and feel that our longevity depends on how well we preserve the planet.

Part I of the paper shall point out the need for replacing anthropocentric model which believes that human beings are the central species on the planet with the ecocentric model of development[1], where there is interrelationship between all elements of nature, as provided by our ancient Vedas. Part II shall discuss the significance of 'Earth jurisprudence' in law making and policy decision making[2]. It shall emphasize that environmental laws should not be implemented as a social obligation, rather its fundamental objective should be based on the fact that survival of humankind is dependent on how much we respect and protect nature's integrity. Part III shall draw attention towards some measures taken so far by certain countries towards conserving environment's integrity, for example, the case of Ecuador which is the first country to codify 'Rights of nature' in its constitution; followed by a conclusion.

Keywords : *Nature, Planetary consciousness, earth jurisprudence, economic development*

Introduction

*God give new life
To this planet
To the Earth Community
To all children of the future
Send your spirit
In its fullness
That we may awaken As one planetary body[3]*

Economic Development is vital for social welfare. But what exactly is social welfare? Does it mean Nike manufacturing sweat shirts in Indonesia, polluting the environment and paying low wages to employees for Wayne Rooney fans who wear them to support him at the football match in London. Globalization has various merits, from bringing people from different cultures together to diminishing trade barriers across continents. It has improved economic interdependence quite efficiently. However, the process has not been as magnificent as it seems. Out of its repercussions, the harm on the environment has been the most severe one.

Studies suggest that nations are losing more from pollution than they are gaining from industrialization. Several years of uncontrolled economic development have created serious chronic air and water pollution all over the world. As a result, there is increase in health problems and annual losses to farmers of crops worth billions of dollars. Thus it can be inferred that uncontrolled growth is not only detrimental to the environment, but it also makes no economic sense.

The paper argues that the money grubbing arrogance and global competitiveness has led to a contradiction between unceasing rapid industrialization and a happy society where people live in a healthy environment. Human Beings have forgotten that they are in a relationship with the universe and all other species. Along with it, they have also forgotten that they share a sense of consciousness with the planet and its species[4]. This consciousness, also known as planetary consciousness, stimulates our ability as human beings to reflect over the damage caused to the environment by human actions. This consciousness is the feeling of oneness of humankind with its environment. Ultimately, homo sapiens cannot ignore the fact that human existence is interconnected with healthy environment's subsistence. Hence, for a peaceful co-existence of both nature and man, the evolution of this spirit of oneness is vital. Thus achieving a parallel mission of preserving the environment, together with human's socio-economic needs.

The Ecocentric Approach for development

The end goal of all commercial activities is economic development, which is indispensable. However, this development causing immense environmental harm is futile and unacceptable. Man's actions in today's arena are not encouraging. The fault lies in the approach of planning such actions. All these activities aim at producing more and more gains for mankind to satisfy their greed. This materialistic approach has made man anthropocentric, where man feels that he is superior above all, bereft of environmental ethics. In this approach, nature only plays an instrumental role. Scholars have carved out two outcomes of this concept: first, that nature is viewed primarily as an economic resource and, secondly, its importance relates to satisfying infinite human interests[5]. Thus, the basic aim for preserving nature by mankind is to 'safeguard the existence and quality of human life'[6].

Due to this anthropocentric approach, various destructive global outcomes have emerged over the last century. This needs to be changed, and the alternative to this is Ecocentrism. Ecocentrism recognizes a system of values which is nature centred and covers all living beings and their inherent worth, irrespective of their usefulness to humans[7]. The Ecocentric approach which works on environmental ethics was devised by Aldo Leopold[8] and it recognizes that all species on the planet are interlinked[9].

Humans are the most consuming species on planet, therefore they ought to be responsible to whole biological life. Thus they must plan development with clear ends and goals[10]. While planning development, primacy must be given to nature, rather than being completely commerce oriented. Following ecocentric approach does not mean that people would stop earning money or making profits, but it shall strike out a balance between the two.

Ecocentrism and anthropocentrism have been commonly identified as ecological moral dilemmas[11]. However morality alone cannot run the society. Governance mechanism and legal jurisprudence should be such that emanates laws and regulations which are based on ecocentric approach.

Earth Jurisprudence

It is a very sad state of affairs, that the governments all over the globe spend trillions of money on arms and military but only a small fraction of it they spend on preserving the environment. Problem lies in the biased nature of our legal system, as it is highly based on human jurisprudence[12], which are more concerned with aiding the interest of mankind. Even our legal systems are based on anthropocentric approach, providing lesser

protection to planetary concerns. Using current legal framework for environmental preservation is like expecting a wolf to guard the sheep.

The concept of Earth Jurisprudence was proposed by Thomas Berry in 2001[13]. Berry was a critic of anthropocentric paradigm. In one of his essays, he contends that the current legal system ‘is supporting exploitation rather than protecting the natural world from destruction by a relentless industrial economy’[14]. Earth jurisprudence is a philosophy of law and human governance that is based on the idea that humans are only one part of a wider community of beings and that the welfare of each member of that community is dependent on the welfare of the Earth as a whole. It asserts that if humans regulate themselves as part of this wider Earth community, only then human societies will prosper.

All activities leading to Earth’s exploitation are currently governed by environmental laws, in most countries. As moral trends are changing with time, so should our legislation. In particular, both short term and long term impact of environmental harm should be assessed and should build from Earth Jurisprudence. The current legal framework on conserving environment and other species does not acknowledge the fact that there is no line of separation between man and nature. While humans toil under their ‘delusion of difference and separation’[15] they have created legal frameworks that encourage ecologically unsound policies and decision-making and support environmentally myopic institutions[16]. Thus there is need in bringing a paradigm shift in the law making strategy. The present strategy is more obligatory in nature, rather than based on the feeling of oneness with the nature.

Changing Scenario

Environmental degradation has not only drastically altered the ecosystem, but has also endangered human survival. Researchers and scientists are well aware of the ecological mess that globally has been created. All they can control is the rate at which the human’s extinction shall take place. To control the same, some slow steps are being taken in creating awareness. Every country today has their own set of environmental laws. As Lorenzetti, Chief Justice of Argentina, who states environmental law as a transformative force and describes it as : “*Environmental law is a party to which all other branches of law are invited, but those branches are now told to wear new clothes.*”[17]

Some steps are also being taken at the grass root level. For instance, schools and colleges all over the world have included environmental sciences as a part of the curriculum, in order to bring a sense of connectivity in the children with their environment and make them realize what role they can play in saving the future of environment and the entire human race. Many countries such as Spain, France, Finland, etc have recognized ‘right to healthy environment’ as a human right. However considering the rate at which global warming is increasing and ecosystems are crumbling, ‘right to healthy environment’ cannot be achieved unless the right of the nature is not secured itself[18]. In many countries judicial activism plays a key role in environmental protection. In India, Public Interest Litigation have been a great effective tool for bringing up environmental matters to the courts.

However a magnificent example for securing rights of nature is Ecuador’s constitution. Ecuador has been recognised as the first country in the world to codify the “Rights of Nature” in their Constitution[19] as a part of restructuring of the legal framework in 2008. The story behind the success of rights of nature is that the supporters of nature’s rights were able to establish their influence in a time of political change, and to “combine radical Western ecological perspectives, politicized indigenous beliefs, and legal rights discourse to construct a hybrid concept that imagined and codified nature as a subject of constitutional rights”[20]. Article 71 found in chapter 7 of the Constitution states as follows :

“Nature or ‘Pachamama’, where life is reproduced and exists, has the right to exist, persist, maintain and regenerate its vital cycles, structure, functions and evolutionary processes.”

As a result of this article every person, community, or nationality can require that public authorities comply with nature rights. The significant impact of this is that now nature itself has a remedy and courts can order compensation and rectification of unlawful damage to the environment from human activity. It also implies

that people who are not particularly owners of the land can bring proceedings for the restoration of damaged nature[21]. The first cases have now been litigated in Ecuador, where the courts upheld and affirmed the constitutional rights of ecosystems. This is one of its kind.

Conclusion

Human Beings are blessed with the ability to think. Thus they can analyze that with their greediness increasing, they are getting closer to their dark future. The past cannot be undone, however, failing to work for the betterment of environment from now on, will surely lead to extinction of species, including humans. Relinquishing anthropocentric approach is not possible instantly, but the development activities need stringent environmental assessment, in order to realize what is essential for the survival of human beings. The emerging trend of earth rights is growing at a very slow pace, but has a long way to go. It has a great potential in becoming a key factor in making humans realize their responsibility towards nature and also in protecting the rights of environment and other species. Albeit, till date, only a few significant steps have been taken for implementation of earth jurisprudence and ecocentrism, but it has a long way to go.

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