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**Environmental Justice in Relationship with Sustainable Development:
Evolution and Beyond²**

Abstract

Environmental justice (EJ) has emerged as a central discourse of environmental and social movements over recent decades. The complexity of EJ today has expanded significantly, evolving beyond traditional concerns of EJ to encompass the climate justice issue. Understanding the relationship between EJ and sustainable development (SD) has become increasingly important for achieving equitable economic growth, social inclusion and environmental protection. Despite growing scholarly attention to EJ and SD, existing research frequently examines these concepts as separate fields. By using a qualitative analysis, this paper seeks to provide valuable insight into the linkage between EJ and SD. The study contributes to the growing discourse on SD by demonstrating that EJ is not merely a complementary objective but a prerequisite for achieving SD.

Keywords: Environmental justice, sustainable development, evolution, distributive justice, recognitional justice.

Absztrakt

A környezeti igazságosság (EJ) az elmúlt évtizedekben a környezetvédelmi és társadalmi mozgalmak központi diskurzusává vált. Az EJ összetettsége napjainkban jelentősen kibővült, túllépve az EJ hagyományos kérdéskörén, és magában foglalja a klímaigazságosság kérdését is. Az EJ és a fenntartható fejlődés (FF) közötti kapcsolat megértése egyre fontosabbá vált a méltányos gazdasági növekedés, a társadalmi befogadás és a környezetvédelem elérése érdekében. Annak ellenére, hogy az EJ és a FF egyre nagyobb tudományos figyelmet kap, a meglévő kutatások gyakran különálló területként vizsgálják ezeket a fogalmakat. Kvalitatív elemzés segítségével ez a tanulmány értékes betekintést kíván nyújtani az EJ és a FF közötti kapcsolatba. A tanulmány hozzájárul a FF-ről szóló egyre növekvő diskurzushoz azáltal, hogy bemutatja, hogy az EJ nem csupán kiegészítő célkitűzés, hanem a FF elérésének előfeltétele.

Kulcsszavak: környezeti igazságosság, fenntartható fejlődés, evolúció, elosztási igazságosság, elismerési igazságosság.

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² DOI: 10.59558/jesz.2026.2.86

I. Introduction

Justice and sustainability are simultaneously expressed ambitions and deeply contested ideas, which arouses much academic and public debate.³ Environmental justice (EJ) is a multidimensional concept. This concept was originated with the unequal compensation and unjust working conditions experienced by black garbage workers in the late 1960s regarding the implementation of environmental policies.⁴

EJ has its origins in “environmental racism” (ER),⁵ the concept that communities of color in the United States have been: (i) deliberately targeted in the placement of toxic waste facilities; (ii) discriminated against in both environmental policy-making and regulatory enforcement; and (iii) excluded from assuming leadership roles in the environmental movement.⁶ Although the term EJ has been a prominent part of environmental debate for the last two decades, it did not emerge in legal contexts until the 1990s.⁷

Originally, EJ referred primarily to the unequal distribution of exposure to toxic waste and environmental harms. EJ then has expanded its purview to include several elements that are necessary for the attainment of justice: distribution, recognition, procedure and capabilities.⁸ EJ has been a central organizing discourse of environmental and social movements for the past decades. Recently, EJ has been spreading throughout the world. Plurality has enabled the complex concept of EJ to gain growing support and engagement across both academic and activist sectors over the past three decades.⁹

The justice and sustainability are thought to be interconnected.¹⁰ Nevertheless, the extent to which the EJ relates to the sustainable development (SD) remains vague. The reason behind this issue is that the EJ is not explicitly referenced in either the SDGs themselves or any of the foundational documents that inspired the Global Goals.¹¹ It is crucial to review the theoretical framework of EJ in order to better understand its dimensions within the existing body of knowledge and to broaden its horizons,¹² including the sphere of SD.

³ Avelino, Flor – Wijsman, Katinka – van Steenberg, Frank – Jhagroe, Shivan – Wittmayer, Julia – Akerboom, Sanne – Bogner, Kristina – Jansen, Esther F. – Frantzeskaki, Niki – Kalfagianni, Agni: Just sustainability transitions: Politics, power, and prefiguration in transformative change toward justice and sustainability, p. 521. In *Annual Review of Environment and Resources*, Vol. 49, 2024, pp. 519–547.

⁴ Schlosberg, David: Theorising environmental justice: The expanding sphere of a discourse. In *Environmental Politics*, Vol. 22, No. 1, 2013, pp. 37–55.

⁵ Taylor, Dorceta E.: The Rise of the Environmental Justice Paradigm: Injustice Framing and the Social Construction of Environmental Discourses, pp. 534–536. In *American Behavioral Scientist*, Vol. 43, No. 4, 2000, pp. 508–580.

⁶ Bullard, Robert Doyle: *Unequal Protection: Environmental Justice and Communities of Color*, 1994.

⁷ Lazarus, Richard J.: Pursuing “Environmental Justice”: The Distributional Effects of Environmental Protection. In *Northwestern University Law Review*, Vol. 87, No. 3, 1993, pp. 787–857.

⁸ Gellers, Joshua Chad – Cheatham, Trevor: Sustainable Development Goals and Environmental Justice: Realization through Disaggregation?, p. 286. In *Wisconsin International Law Journal*, Vol. 36, No. 2, 2019, pp. 276–297.

⁹ Schlosberg, David – Rickards, Lauren – Pearse, Rebecca – Bosca, Hannah Della – Moraes, Oli: Critical environmental justice in contemporary scholarship and movements: consensus and plurality of the discourse, p. 415. In *Environmental Politics*, Vol. 34, No. 3, 2024, pp. 399–420.

¹⁰ Avelino, Flor – Wijsman, Katinka – van Steenberg, Frank – Jhagroe, Shivan – Wittmayer, Julia – Akerboom, Sanne – Bogner, Kristina – Jansen, Esther F. – Frantzeskaki, Niki – Kalfagianni, Agni: Just sustainability transitions: Politics, power, and prefiguration in transformative change toward justice and sustainability, p. 524. In *Annual Review of Environment and Resources*, Vol. 49, 2024, pp. 519–547.

¹¹ Gellers, Joshua Chad – Cheatham, Trevor: Sustainable Development Goals and Environmental Justice: Realization through Disaggregation?, p. 287. In *Wisconsin International Law Journal*, Vol. 36, No. 2, 2019, pp. 276–297.

¹² Boone, Christopher G.: Environmental Justice as Process and New Avenues for Research. In *Environmental Justice*, Vol. 1, No. 3, 2008, pp. 149–154.

The aim of this paper is to explore the relationship between EJ and SD. This paper is structured as follows. Following the introduction, the second section analyzes the theoretical legal framework of EJ and SD. This section initially provides an overview of the history and traces the evolution of EJ before conceptualizing EJ and SD. After that, the relationship between EJ and SD is explored in the third section. The final section concludes with striking points.

II. Theoretical Legal Framework

II.1. Environmental Justice

II.1.1. History and Evolution of the Concept of Environmental Justice

Environmental justice (EJ) has its origins in “environmental racism” (ER).¹³ Although this concept emerged as a public concern as early as 1820, the notion of “environmental justice” was emerged in the United States during the end of the 1970s and early 1980s in the context of racial progress and civic activism.¹⁴ The underprivileged people and racial and ethnic minorities mobilized to combat the siting of polluting facilities and hazardous waste disposal sites in their communities.¹⁵ By the late 1980s, ER gave way to “environmental equity”, a term that folded gender and social class into discussions regarding environmental inequality.¹⁶ At the start of the 1990s, activists replaced “equity” with “justice” because the latter was “more inclusive”, which incorporate both equality and equity.¹⁷

Initially, the interpretation of EJ in academic literature was narrower than that within the EJ movement. The early understanding of EJ was connected to the fair treatment and meaningful involvement of all people, regardless of their diverse backgrounds, which concerns environmental-related policy formulation and implementation.¹⁸ However, EJ scholarship has since advanced considerably by embracing its complexity. EJ is now a diverse multi-disciplinary field addressing some of the most difficult structural challenges for social movements today, engaging with work on climate justice, energy justice, food justice, and just transition and adaptation, to name a few.¹⁹

The concept of EJ has undergone various changes over the years and evolved differently in a range of disciplines.²⁰ During the past three decades, EJ terminology has expanded spatially and evolved temporally, embracing new political meanings, aspirations, and dimensions across

¹³ Taylor, Dorceta E.: The Rise of the Environmental Justice Paradigm: Injustice Framing and the Social Construction of Environmental Discourses, pp. 534–536. In *American Behavioral Scientist*, Vol. 43, No. 4, 2000, pp. 508–580.

¹⁴ Gebeyehu, B. – Adugna, B. – Gammie, T. – Simane, B. – Mekuriaw, A.: Chapter. Environmental Justice and Sustainable Development. In: *Encyclopedia of Sustainability in Higher Education*, Springer Nature, 2019, pp. 601–609.

¹⁵ Gonzalez, Carmen G.: Environmental Racism, American Exceptionalism, and Cold War Human Rights, pp. 282–283. In *Transnational Law and Contemporary Problems*, Vol. 26, Probs. 281, 2017, pp. 281–315.

¹⁶ Taylor, Dorceta E.: The Rise of the Environmental Justice Paradigm: Injustice Framing and the Social Construction of Environmental Discourses, pp. 536–537. In *American Behavioral Scientist*, Vol. 43, No. 4, 2000, pp. 508–580.

¹⁷ Id. at 537.

¹⁸ United States Environmental Protection Agency, Environmental Justice. Available online: <https://www.congress.gov/crs-product/R47920>.

¹⁹ Schlosberg, David – Rickards, Lauren – Pearce, Rebecca – Bosca, Hannah Della – Moraes, Oli: Critical environmental justice in contemporary scholarship and movements: consensus and plurality of the discourse, p. 401. In *Environmental Politics*, Vol. 34, No. 3, 2024, pp. 399–420.

²⁰ Schlosberg, David: Theorising environmental justice: The expanding sphere of a discourse. In *Environmental Politics*, Vol. 22, No. 1, 2013, pp. 37–55.

various contexts.²¹ The EJ is increasingly served as a crucial rallying ground for social activism and political resistance beyond the US in parts of Latin America, Asia and South Africa.²² In EU, the concerns of EJ was integrated into social policy of Scotland and then England in the early 2000s.²³

EJ has evolved into a diverse multi-disciplinary field which addresses some of the most complex structural challenges for social movements today. It engages with fields such as climate justice, energy justice, food justice, and just transition and adaptation.²⁴

The earliest approaches involving EJ focused on the inequity in the distribution of environmental risks and burdens.²⁵ In this sense, EJ was about social injustice being manifest in a host of environmental risks and burdens.²⁶ Meanwhile, EJ was assumed as the core commitment that all people and communities have a right to equal protection of environmental and public health laws and regulations.²⁷ Due to the continent's historical-cultural and legal-institutional peculiarities, it is strikingly to note that environmental justice in Europe has different connotations.²⁸

Strikingly, there has been an expansion of the scope of EJ frame. More specifically, the EJ is expanded to cover the climate justice today. It has been argued that the global ecological and climate emergency has made climate justice a central focus of EJ.²⁹ As EJ movements increasingly addressed the environmental and social conditions, the scope of EJ has expanded to encompass climate justice.³⁰ Schlosberg emphasized that the environmental and social conditions provide for individual and community needs, and justice depends on environmental conditions.³¹ Climate change has pushed EJ toward broader considerations of both environmental issues and justice.³² In other words, climate justice has become one of the main concepts of EJ.

Although EJ initially focused on anthropogenic pollution, its scope has broadened considerably in recent years. Contemporary EJ now addresses a wider range of issues, including access to healthy food and climate change, particularly in relation to their disparate negative impacts on specific social groups.³³

²¹ Holifield, Ryan – Chakraborty, Jayajit – Walker, Gordon: *The Routledge Handbook of Environmental Justice*, Routledge, 2018.

²² Sikor, Thomas – Newell, Peter: *Globalizing environmental justice?*, p. 151. In *Geoforum*, Vol. 54, 2014, pp. 151–157.

²³ Laurent, Éloi: *Issues in environmental justice within the European Union*, p. 1848. In *Ecological Economics*, Vol. 70, 2011, pp. 1846–1853.

²⁴ Schlosberg, David – Rickards, Lauren – Pearse, Rebecca – Bosca, Hannah Della – Moraes, Oli: *Critical environmental justice in contemporary scholarship and movements: consensus and plurality of the discourse*, p. 401. In *Environmental Politics*, Vol. 34, No. 3, 2024, pp. 399–420.

²⁵ Bryant, Bunyan – Mohai, Paul: *Race and incidence of environmental hazards: A time for discourse*, Westview Press, 1992.

²⁶ Schlosberg, David: *Theorising environmental justice: The expanding sphere of a discourse*, p. 47. In *Environmental Politics*, Vol. 22, No. 1, 2013, pp. 37–55.

²⁷ Bullard, Robert D. – Johnson, Glenn S.: *Environmentalism and Public Policy: Environmental Justice: Grassroots activism and its Impact on Public Policy Decision Making*. *Journal of Social Issues*, Vol. 56, 2000, pp. 555–578.

²⁸ Petrić, Davor: *Environmental justice in the European Union: A critical reassessment*, p. 218. In *Croatian Yearbook of European Law & Policy*, Vol. 15, 2019, pp. 215–267.

²⁹ Antal, Attila: *Environmental Justice in Europe*. In *The Palgrave Handbook of Global Sustainability*, Springer Nature, 2022, pp. 1–13.

³⁰ Ibid.

³¹ Schlosberg, David: *Theorising environmental justice: The expanding sphere of a discourse*. In *Environmental Politics*, Vol. 22, No. 1, 2013, pp. 37–55.

³² Ibid.

³³ Gebeyehu, B. – Adugna, B. – Gammie, T. – Simane, B. – Mekuriaw, A.: *Environmental Justice and Sustainable Development*. In: *Encyclopedia of Sustainability in Higher Education*, Springer Nature, 2019, pp. 601–609.

EJ discourse has rapidly expanded its influence, extending to a growing variety of issues and increasingly operating on a global level.³⁴ The discourse of EJ has broadened horizontally, and been engaged by both activists and academics worldwide across diverse contexts and concerns.³⁵ In both theory and practice, EJ has continued to evolve by moving into new spaces, and across many boundaries.³⁶

II.1.2. Definitions and Perspectives on Environmental Justice

The idea of EJ became a central issue of the environmental discourse.³⁷ As a plural concept, EJ can be approached from various perspectives. Initially, EJ focused on social movements concerning unequal payment, waste disposal, and the risks faced by black racial communities given the unfair burden of deleterious environmental consequences. This concept pertains to the effort of achieving environmental equity for all groups within society through fair treatment and substantial involvement of people, regardless of their racial and socioeconomic background in the development, implementation, and enforcement of environmental laws, regulations, and policies.³⁸ Since its earliest emergence as a social movement in United States, the concept of EJ has always been dealt with its definitional paradox.³⁹ Theory and practice for EJ is at something of an epistemic and political crossroads.⁴⁰

Scholar Lee canvassed the concept “environmental justice movement” is “a national and international movement of all peoples of color to fight the destruction and taking of our lands and communities.”⁴¹ Meanwhile, the concept of “environmental justice” gained prominence in the United States with the publication of studies by the General Accounting Office in 1983 and the United Church of Christ in 1987, suggesting that predominantly minority and low-income communities were being exposed to disproportionately higher levels of environmental hazards.⁴² Meanwhile, Washington and other scholar argue that EJ is “justice for humans in regard to environmental issues”.⁴³

EJ is based on the conviction that minority and low-income individuals, communities, and populations should not be disproportionately exposed to environmental and public health hazards. They should also be included in decisions that impact their environment.⁴⁴ From a Third World Approaches to International Law (TWAIL) perspective, environmental justice is understood as “both a social movement and a framework through which to evaluate domestic

³⁴ Schlosberg, David: Theorising environmental justice: The expanding sphere of a discourse. In *Environmental Politics*, Vol. 22, No. 1, 2013, pp. 37–55.

³⁵ Ibid.

³⁶ Ibid.

³⁷ Taylor, Dorceta E.: The Rise of the Environmental Justice Paradigm: Injustice Framing and the Social Construction of Environmental Discourses. In *American Behavioral Scientist*, Vo. 43, No. 4, 2000, pp. 508–580.

³⁸ Newton, David E.: *Environmental Justice: A Reference Handbook* (Contemporary World Issues), ABC-CLIO, 2nd edition, 2009.

³⁹ Nayeen, Sekander Zulker – Islam, Akramul: *Environmental Justice: Emergence to Implementation and Its Relation with SDGs*, Springer Nature, 2021, pp. 242–252.

⁴⁰ Schlosberg, David – Rickards, Lauren – Pearse, Rebecca – Bosca, Hannah Della – Moraes, Oli: Critical environmental justice in contemporary scholarship and movements: consensus and plurality of the discourse, p. 400. In *Environmental Politics*, Vol. 34, No. 3, 2024, pp. 399–420.

⁴¹ Lee, Charles: Developing the vision of environmental justice: A paradigm for achieving healthy and sustainable communities. In *Virginia Environmental Law Journal*, Vol. 14, No. 4, 1995, pp. 571–578.

⁴² Shadbegian, Ronald J. – Gray, Wayne B.: *Spatial Patterns in Regulatory Enforcement: Local Tests of Environmental Justice*, U.S. Environmental Protection Agency, 2009.

⁴³ Washington, Haydn – Chapron, Guillaume – Kopnina, Helen – Curry, Patrick – Gray, Joe – Piccolo, John J.: Foregrounding ecojustice in conservation. In *Biological Conservation*, Vol. 228, 2018, pp. 367–374.

⁴⁴ Gebeyehu, B. – Adugna, B. – Gammie, T. – Simane, B. – Mekuriaw, A.: Environmental Justice and Sustainable Development. In: *Encyclopedia of Sustainability in Higher Education*, Springer Nature, 2019, pp. 601–609.

and international laws, policies, and practices that have a disparate impact on vulnerable communities”.⁴⁵

EJ has evolved into a broadly global discourse which is critical, intersectional and deconstructive.⁴⁶ The 1998 Convention on access to information, public participation in decision-making and access to justice in environmental matters, known as the Aarhus Convention, is the EU’s main legal reference in the environmental field.⁴⁷ This is also an international investment treaty that regulates, *inter alia*, environmental justice.⁴⁸ As a new kind of environmental agreement, this Convention links environmental rights and human rights, and connects government accountability and environmental protection.⁴⁹ The Aarhus Convention marked the first international treaty to affirm the environmental rights of both present and future generations.⁵⁰

The right of access to justice, *inter alia*, is one of three aspects of procedural human rights.⁵¹ Article 9 of the Aarhus Convention guarantees the right of access to justice,⁵² which allows the public to have access to domestic review procedures (a court of law or other independent and impartial body established by law) regarding all matters of environmental law.⁵³ In the European context, the broad range of EJ evolved in the framework of Aarhus Convention which institutionalized the framework of environmental democracy.⁵⁴ The regime of environmental democracy of the Convention has shaped understandings of EJ in a way that it has essentially confined to procedural and corrective dimensions of EJ.⁵⁵ There exist a fundamental imbalance between procedural and environmental rights within the Aarhus Convention, resulting in normative mismatch.⁵⁶ European institutions have officially acknowledged the EJ debate only in recent decades, particularly following the adoption of the 1998 Aarhus Convention on access to environmental information, public participation in decision-making and access to justice in environmental matters.⁵⁷

⁴⁵ Gonzalez, Carmen – Atapattu, Sumudu: International Environmental Law, Environmental Justice, and the Global South, p. 234. In Transnational Law & Contemporary Problems, Vol. 26, Probs. 229, 2017, pp. 229–242.

⁴⁶ Schlosberg, David – Rickards, Lauren – Pearse, Rebecca – Bosca, Hannah Della – Moraes, Oli: Critical environmental justice in contemporary scholarship and movements: consensus and plurality of the discourse, p. 415. In Environmental Politics, Vol. 34, No. 3, 2024, pp. 399–420.

⁴⁷ The Aarhus Convention and the EU. Available online: https://environment.ec.europa.eu/law-and-governance/aarhus_en.

⁴⁸ Ibid.

⁴⁹ UNECE: Introduction. Available online: <https://unece.org/environment-policy/public-participation/aarhus-convention/introduction>.

⁵⁰ UNECE: After 25 years of the Aarhus Convention, States’ compliance with environmental rights obligations matters more than ever. Available online: <https://unece.org/environment/press/after-25-years-aarhus-convention-states-compliance-environmental-rights>.

⁵¹ Samvel, Gor: Non-Judicial, Advisory, Yet Impactful? The Aarhus Convention Compliance Committee as a Gateway to Environmental Justice, pp. 213–214. In Transnational Environmental Law, Vol. 9, No. 2. 2020, pp. 211–238.

⁵² Aarhus Convention, art. 9.

⁵³ UNECE: The Aarhus Convention: Implementation Guide, UNECE, 2nd edn, 2014.

⁵⁴ Antal, Attila: Environmental Justice in Europe. In The Palgrave Handbook of Global Sustainability, Springer Nature, 2022, pp. 1–13.

⁵⁵ Ibid.

⁵⁶ Ibid.

⁵⁷ European Commission, 2007.

II.1.3. Dimensions of Environmental Justice

It shows that environmental justice (EJ) is characterized by the four dimensions: (i) Distributive justice, (ii) recognitional justice, (iii) procedural justice and (iv) capabilities approach.⁵⁸

(i) Distributive justice

Distributive justice focuses on the fair distribution of environmental costs and benefits, the allocation of material goods, such as resources, income, and wealth, or on the distribution of social standing.⁵⁹ Meanwhile, the existence of inequity in the distribution of environmental bads is a focus of the earliest academic reflections on EJ.⁶⁰

(ii) Recognitional justice

As a key dimension of justice,⁶¹ recognitional justice refers not only to the individual right to self-recognition but to the recognition of collective identities and their particular concerns, needs, and livelihoods in relation to nature and the environment.⁶² Recognitional justice is often associated with racialised minorities and indigenous peoples, but it is a broader concept that cautions against the systemic and excessive generalisation of groups and communities.⁶³

(iii) Procedural justice

Procedural justice calls for transparent, informed, and inclusive environmental decision-making processes.⁶⁴ The gross inequalities of political authority, power and influence remain the norm in environmental decision-making, leading to procedural environmental injustice.⁶⁵

Crucially, the fairness with which decision-making processes are conducted and the extent of participation permitted in such processes contribute to the overall sense of procedural justice obtained.⁶⁶

The procedural justice has informed seven typologies of stakeholder participations. These include manipulative participation, passive participation, participation by consultation, participation for material incentives, functional participation, interactive participation, and self-mobilization.⁶⁷ Procedural justice can be regarded both as a means to address inequitable distribution and a goal in itself for achieving EJ.⁶⁸

⁵⁸ Schlosberg, David: *Defining environmental justice: theories, movements, and nature*, Oxford University Press, 2007.

⁵⁹ Menton, Mary – Larrea, Carlos – Latorre, Sara – Martinez-Alier, Joan – Peck, Mika – Temper, Leah – Walter, Mariana: *Environmental justice and the SDGs: from synergies to gaps and contradictions*, p. 1624. In *Sustainability Science*, Vol. 15, 2020, pp. 1621–1636.

⁶⁰ Schlosberg, David: *Theorising environmental justice: The expanding sphere of a discourse*, p. 38. In *Environmental Politics*, Vol. 22, No. 1, 2013, pp. 37–55.

⁶¹ Ryan, Holifeld – Jayajit, Chakraborty – Gordon, Walker: *The Routledge handbook of environmental justice*, Routledge, 2018.

⁶² Menton, Mary – Larrea, Carlos – Latorre, Sara – Martinez-Alier, Joan – Peck, Mika – Temper, Leah – Walter, Mariana: *Environmental justice and the SDGs: from synergies to gaps and contradictions*, p. 1624. In *Sustainability Science*, Vol. 15, 2020, pp. 1621–1636.

⁶³ Whyte, Kyle: Chapter. *The recognition paradigm of environmental injustice*. In *The Routledge Handbook of Environmental Justice*, Routledge, 1st Edition, 2017.

⁶⁴ Kuehn, Robert R.: *A Taxonomy of Environmental Justice*, p. 10688. In *Environmental Law Reporter*, Vol. 30, 2000, pp. 10681–10703.

⁶⁵ Bell, Derek – Carrick, Jayne: Chapter. *Procedural environmental justice*. In *The Routledge Handbook of Environmental Justice*, Routledge, 1st Edition, 2017.

⁶⁶ Kuehn, Robert R.: *A Taxonomy of Environmental Justice*, p. 10681, 10688. In *Environmental Law Reporter*, Vol. 30, 2000, pp. 10681–10703.

⁶⁷ Pretty, Jules N.: *Participatory learning for sustainable agriculture*. In *World Development*, Vol. 23, No. 8, 1995, pp. 1247–1263.

⁶⁸ Bell, Derek – Carrick, Jayne: Chapter. *Procedural environmental justice*. In *The Routledge Handbook of Environmental Justice*, Routledge, 1st Edition, 2017.

(iv) Capabilities approach

The capability approach is described as “capacities necessary for people to function fully in the lives they choose for themselves.”⁶⁹ The capabilities approach to EJ owes an intellectual debt to Amartya Sen and Martha Nussbaum,⁷⁰ who sought to propose an alternative to Rawls’ fairness-oriented theory of justice. This approach injects into EJ a pluralistic understanding of justice,⁷¹ as the desired ends of human behavior, such as well-being, are rendered person and context-specific. More directly, some scholars have argued that capabilities depend on the enabling conditions provided by the natural environment, thus elevating the environment to the level of a “meta-capability”.⁷² Capabilities have a reflexive relationship with distribution, recognition and procedure.

The capabilities approach to justice provides an important framework for resolving the relationship between environment, human needs, and, potentially, the functioning of ecosystems themselves.⁷³ By bringing recognition to the functioning of these systems, a capabilities approach could broaden conceptions of environmental and climate justice, in addition to those who live within and depend on them.⁷⁴

In overall assessing dimensions of EJ, there was also general disagreement of the idea that the four aforementioned dimensions of EJ do not need to be expanded to achieve intersectional, decolonial or multispecies outcomes.⁷⁵ Distributive justice refers to the principle that a decision is just or fair when all parties receive what they deserve.⁷⁶ It is commonly contrasted with procedural justice, which focuses on ensuring equal access to forums and procedures where important decisions are made about people’s lives. While procedural justice emphasizes the just processes, distributive justice concentrates on fair outcomes.⁷⁷ In environmental context, such as climate change, issues of distributive and procedural justice play a significant role.⁷⁸ The distributional and procedural justice both are used mainly as policy instruments during empirical studies of social impacts of development projects.⁷⁹

⁶⁹ Schlosberg, David – Carruthers, David: Indigenous Struggles, Environmental Justice, and Community Capabilities. In *Global Environmental Politics*, Vol. 10, No. 4, 2010, pp. 12–35.

⁷⁰ Nussbaum, Martha – Sen, Amartya: *The Quality of Life*, Oxford, 1993.

⁷¹ Walker, Gordon: Environmental Justice and Normative Thinking. In *Antipode*, Vol. 41, 2009, pp. 203–205.

⁷² Holland, Breena: Justice and the Environment in Nussbaum’s “Capabilities Approach”: Why Sustainable Ecological Capacity Is a Meta-Capability, pp. 319–320. In *Political Research Quarterly*, Vol. 61, No. 2, 2008, pp. 319–332.

⁷³ Schlosberg, David: Climate Justice and Capabilities: A Framework for Adaptation Policy. In *Ethics & International Affairs*, Vol. 26, No. 4, 2012, pp. 445–461.

⁷⁴ Schlosberg, David: Theorising environmental justice: The expanding sphere of a discourse, p. 44. In *Environmental Politics*, Vol. 22, No. 1, 2013, pp. 37–55.

⁷⁵ Menton, Mary – Larrea, Carlos – Latorre, Sara – Martinez-Alier, Joan – Peck, Mika – Temper, Leah – Walter, Mariana: Environmental justice and the SDGs: from synergies to gaps and contradictions. In *Sustainability Science*, Vol. 15, 2020, pp. 1621–1636.

⁷⁶ CEU Center for Environmental Policy and Law (CEPL), The Health and Environment Alliance (HEAL), The Coalition for Environmental Justice, *Making the case for environmental justice in Central & Eastern Europe*, Budapest, Hungary, 2007, p. 10.

⁷⁷ Ibid.

⁷⁸ Sprain, Leah: Paradoxes of Public Participation in Climate Change Governance, p. 67. In *The Good Society*, Vol. 25, No. 1, 2016, pp. 62–80; Perlaviciute, Goda – Squintani, Lorenzo: Public Participation in Climate Policy Making: Toward Reconciling Public Preferences and Legal Frameworks, p. 344. In *One Earth*, Vol. 2, 2020, pp. 341–348.

⁷⁹ Gebeyehu, B. – Adugna, B. – Gammie, T. – Simane, B. – Mekuriaw, A.: Chapter. Environmental Justice and Sustainable Development. In: *Encyclopedia of Sustainability in Higher Education*, Springer, 2019, p. 4.

II.1.4. Transnational Environmental Justice

In recent years, many countries have started to address a phenomenon of environmental injustice. In Europe, EJ conveys various connotations due to the continent's historical-cultural and legal-institutional peculiarities.⁸⁰ Although the European Union has introduced several additional directives on environmental information and public participation in environmental decision-making, EJ issues remain no more than a marginal issue within European environmental politics.⁸¹

The EJ has drawn attention in Central and Eastern Europe. The socio-spatial dimensions of environmental (in)justice are remarkable in Western and Central and European (CEE) scales.⁸² An example of environmental injustice is the case of Hungary. More specifically, the situation of the Roma communities, whose circumstances reflect environmental injustice due to their social disadvantage and spatial segregation.⁸³ The distinct justice claims are supposed to be emerged through specific ecological, institutional, and socio-cultural conditions that morph and transform.⁸⁴

II.2. Sustainable Development

The sustainable development (SD) remains a fundamentally contested concept.⁸⁵ Initially, the SD required the balancing of two pillars: Economic development and environmental protection.⁸⁶ Currently, the SD is based on three fundamental pillars: The economic, environmental and social pillars.⁸⁷ In other words, SD represents the practical means of reconciling conflicts among three sectors: The economy, environment, and society.⁸⁸

The definition of SD derives from the 1987 Report of the World Commission on Environment and Development, which is construed as “development that meets the needs of the present without compromising the ability of future generations to meet their own needs”.⁸⁹ Importantly, this definition is accompanied by two related ideas: (1) priority should be placed on the needs of the world's poor; and (2) technology and social organization impose limits on

⁸⁰ Petric, Davor: Environmental Justice in the European Union: A Critical Reassessment, p. 218. In *Croatian Yearbook of European Law and Policy*, Vol. 15, 2019, pp. 215–267.

⁸¹ Babourkova, Rosalina: The environmental justice implications of utility privatisation: the case of the electricity supply in Bulgaria's Roma settlements, p. 25. In *International Journal of Urban Sustainable Development*, Vol. 2, Nos. 1–2, 2010, pp. 24–44.

⁸² Antal, Attila: Environmental Justice in Europe. In *The Palgrave Handbook of Global Sustainability*, Springer Nature, 2022, pp. 1–13.

⁸³ Antal, Attila: Chapter. Environmental justice and autocracy in Eastern Europe – The Case of Hungary, pp. 40–50. In: *Environmental Justice in the Anthropocene*, Routledge, 1st Edition, 2021.

⁸⁴ Schlosberg, David – Rickards, Lauren – Pearse, Rebecca – Bosca, Hannah Della – Moraes, Oli: Critical environmental justice in contemporary scholarship and movements: consensus and plurality of the discourse, p. 415. In *Environmental Politics*, Vol. 34, No. 3, 2024, pp. 399–420.

⁸⁵ Jacobs, Michael: Sustainable development as a contested concept, in *Fairness and Futurity: Essays on environmental sustainability and social justice* 21, Andrew Dobson ed., 1999; Hopwood, Bill – Mellor, Mary – O'Brien, Geoff: Sustainable Development: Mapping Different Approaches, p. 38. In *Sustainable Development*, Vol. 13, 2005, pp. 38–52.

⁸⁶ UN World Commission on Environment and Development, *Our Common Future*. In *Report of the World Commission on Environment and Development*, Oxford University Press, 1987.

⁸⁷ The information is available at https://policy.trade.ec.europa.eu/development-and-sustainability/sustainable-development_en.

⁸⁸ Giddings, Bob – Hopwood, Bill – O'Brien, Geoff: Environment, Economy and Society: Fitting them Together into Sustainable Development. In *Sustainable Development*, Vol. 10, No. 4, 2002, pp. 187–196.

⁸⁹ The 1987 Report of the World Commission on Environment and Development (WCED), UN Doc. A/RES/42/187, para 2.

the ability of the environment to meet the needs of people at the present and in the future.⁹⁰ The SD came of age with the adoption of the 2030 Agenda for Sustainable Development, with a set of 17 goals and 169 constituent targets that succeed the Millennium Development Goals.⁹¹

III. The Relationship between Environmental Justice and Sustainable Development

The relationship between EJ and SD has long been unquestionable to many observers.⁹² This could be understandable in the sense that the terms justice and sustainability are complex and ambiguous concepts. Furthermore, the precise meaning and application of EJ vary across different time, societies and cultures.

While EJ is closely linked to SD, it further emphasizes that people of color and low-income communities should neither disproportionately shoulder environmental harms nor be unfairly excluded from environmental benefits.

The Copenhagen Declaration went on to link SD with the principles of EJ, stating that equitable social development that recognizes empowering the poor to utilize environmental resources sustainably is a necessary foundation for SD. The declaration further emphasized that broad-based and sustained economic development in the context of SD is essential for maintaining social development and social justice.⁹³

Although the relationship of EJ with SD remains vague,⁹⁴ its connection is increasingly recognized as central to achieving equitable and lasting environmental, social, and economic outcomes. Moreover, evaluating the status of justice is a cornerstone for understanding the status of (in)justice, thereby maintaining, *inter alia*, the environmental security, which is an essential aspect of SD.⁹⁵ The SDGs are supposed to be highly relevant to environmental justice and vice versa.⁹⁶ The SD cannot be genuinely sustainable without environmental justice. However, as with earlier definitions of SD, the SDG document Transforming Our World (TOW) and the SDG targets and indicators⁹⁷ do not address justice directly in most of the goals. Although one of the SDGs focuses on Justice (SDG 16: Promote peaceful and inclusive societies for SD, provide access to justice for all and build effective, accountable, and inclusive institutions at all levels), it does not address EJ and lacks a definition of the term justice.

The terms SD and EJ are not assumed as synonyms given that they are concepts that arise from different schools of thought with priorities that are not always consistent.⁹⁸ A thicker conceptualization of justice in relation to sustainability challenges comes from scholarship on

⁹⁰ Id.

⁹¹ Atapattu, Sumudu: From “Our Common Future” to Sustainable Development Goals: Evolution of Sustainable Development under International Law. In *Wisconsin International Law Journal*, Vol. 36, 2019, pp. 215–246.

⁹² Newton, David E.: *Environmental justice: A reference handbook*, ABC-CLIO, 2nd ed, 2009.

⁹³ The Copenhagen Declaration, World Summit for Social Development, 2008.

⁹⁴ Gellers, Joshua Chad – Cheatham, Trevor: Sustainable Development Goals and Environmental Justice: Realization through Disaggregation?, p. 287. In *Wisconsin International Law Journal*, Vol. 36, No. 2, 2019, pp. 276–297.

⁹⁵ Pandey, Hari Prasad – Maraseni, Tek Narayan – Apan, Armando: Assessing the Theoretical Scope of Environmental Justice in Contemporary Literature and Developing a Pragmatic Monitoring Framework, p. 2. In *Sustainability*, Vol. 16, No. 24: 10799, 2024, pp. 1–16.

⁹⁶ Menton, Mary – Larrea, Carlos – Latorre, Sara – Martinez-Alier, Joan – Peck, Mika – Temper, Leah – Walter, Mariana: Environmental justice and the SDGs: from synergies to gaps and contradictions, p. 1626. In *Sustainability Science*, Vol. 15, 2020, pp. 1621–1636.

⁹⁷ UN, *Transforming our World: the 2030 Agenda for Sustainable Development*, 2015.

⁹⁸ Menton, Mary – Larrea, Carlos – Latorre, Sara – Martinez-Alier, Joan – Peck, Mika – Temper, Leah – Walter, Mariana: Environmental justice and the SDGs: from synergies to gaps and contradictions, p. 1622. In *Sustainability Science*, Vol. 15, 2020, pp. 1621–1636.

environmental justice.⁹⁹ In relationship with the economic pillar of SD, one of the biggest worldwide issues of our day is balancing environmental sustainability with economic growth.¹⁰⁰ Meanwhile, the social pillar of SD and its linkage with EJ is under-theorized.¹⁰¹

In relationship with SD, distributive justice has provided three principles that guide the environmental concerns.¹⁰² As regards the procedural justice, it refers to a normative judgment of how fair the decision-making process is. In environmental contexts, this is often captured by questions surrounding “participation”.¹⁰³

Neither environmental justice nor SD can be truly meaningful unless local communities develop the skills for analyzing and addressing the environmental and social challenges they encounter.¹⁰⁴ SD can further strengthen and expand the quest for EJ by ensuring that economic and social development provides better opportunities for the poor, people of color, and other disadvantaged people.¹⁰⁵ Capabilities approach, one dimension of EJ, could serve as a bridge between conceptions of social justice and a wide range of environmental concerns.

Rather than development at the expense of the environment and adversely affected people, SD seeks to protect and restore the environment while avoiding disadvantage to other people. In this regards, the ultimate objectives of SD are closely similar to those of EJ. At the global scale, SD policies must also address issues of distributive and retributive justice to ensure that the burdens and benefits of such policies will be fairly allocated among those who are responsible for environmental problems and those who will benefit from sustainable policy implementation.¹⁰⁶

IV. Conclusion

The study presents the nexus between EJ and SD, which remains ambiguous. EJ emphasizes the right of all people, regardless of their diverse backgrounds. This term is supported by the four main pillars of distribution, recognition, procedure and capabilities approach. EJ is an evolving concept and could be understandable in multiple ways. This concept encompasses an expansive set of ideas around justice involving distribution, recognition, procedure and capabilities. Recently, EJ is evolving to encompass the climate justice.

The SD aims to balance economic growth, social well-being and environmental protection for present and future generations. The three pillars of SD (economy, environment and society) are inextricably linked. Even though the SDGs do not include any explicit mentions of EJ, it still present on the development agenda. However, the nexus between EJ and SD is a dilemma. Promoting a harmonious relationship between EJ and SD is important. Addressing EJ strengthens the sustainability, while SD provides long-term solutions to environmental challenges. By aligning these two concepts, societies can move toward a more inclusive,

⁹⁹ Avelino, Flor – Wijsman, Katinka – van Steenberg, Frank – Jhagroe, Shivan – Wittmayer, Julia – Akerboom, Sanne – Bogner, Kristina – Jansen, Esther F. – Frantzeskaki, Niki – Kalfagianni, Agni: Just sustainability transitions: Politics, power, and prefiguration in transformative change toward justice and sustainability, p. 525. In *Annual Review of Environment and Resources*, Vol. 49, 2024, pp. 519–547.

¹⁰⁰ Mohamed, Hazik: Harmonizing Economic Growth with Environmental Justice: Circular Manufacturing Pathway. In *Journal of Economics, Law & Society*, Vol. 1, No. 2, 2024, pp. 77–93.

¹⁰¹ Atapattu, Sumudu A. – Gonzalez, Carmen – Seck, Sara L.: Intersections of Environmental Justice and Sustainable Development: Framing the Issues. In: *The Cambridge Handbook of Environmental Justice and Sustainable Development*, Cambridge University Press, 2021, p. 10.

¹⁰² Gebeyehu, B. – Adugna, B. – Gammie, T. – Simane, B. – Mekuriaw, A.: Chapter. Environmental Justice and Sustainable Development. In: *Encyclopedia of Sustainability in Higher Education*, Springer, 2019, pp. 3–4.

¹⁰³ *Ibid*, p. 4.

¹⁰⁴ *Ibid*, p. 6.

¹⁰⁵ *Ibid*, p. 7.

¹⁰⁶ *Ibid*, p. 6.

resilient, and equitable future without compromising environmental integrity. It is crucial to acknowledge that the present level of emphasis that states place on certain aspects of EJ within the SDGs could change in the near future.

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