

Environment, Democracy and the Contemporary Global Order

A Concept Note on the Meaning and Significance of Ecological Democracy

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This note has two objectives: To explicate the negative relationship between the contemporary global order on the one hand and democracy and the environment on the other; and to argue that in the contemporary context what is required for restoration of ecological integrity is to a great extent congruent with what is required for preservation and consolidation of democracy, and that the notion of ecological democracy should be viewed as embodying this assertion of congruence. The note is divided into three sections. Section 1 discusses the role of the market-oriented institutions of the contemporary global order in bringing about environmental and ecological degradation and in the weakening of environmental values. Section 2 is concerned with analyzing the threats posed by the contemporary order to democratic institutions and values. The concluding section argues for interpreting the concept of ecological democracy as a simultaneous assertion of both environmental and democratic values.

1 Market-Oriented Institutions and the Environmental Values

One of the most natural ways of looking at institutions is to regard them as ensembles of rules within which the individuals in the society must act. While individuals are motivated to act in accordance with their values and preferences; their actual actions to a certain extent depend on the institutions which define the framework of rules. The actions of individuals determine the social outcomes which result. The social outcomes which result as a consequence of individual actions can be analyzed from various perspectives. One perspective is that of social values; one could ask which social values are satisfied by the outcomes and which are not. One could also look at the outcomes from the perspective

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of their responsiveness to individual values and preferences.

An institution could give rise to outcomes which are responsive without necessarily doing so invariably. That is to say, for some configurations of individual values and preferences and under certain conditions the institution in question could give rise to responsive outcomes; while for some other configurations or for the same configurations but under different conditions could give rise to non-responsive outcomes. The institution of market is highly responsive to individual values and preferences provided the preferences and values are backed by money. If a set of preferences and values are not backed by money they would have no impact whatsoever on the market outcome. Market, like any other institution, filters in only some kinds of preferences and values under certain circumstances and filters out the remainder. If left to market, few individuals bent upon destroying biodiversity, for whatever reasons, would have greater decisiveness on the eventual outcome than a large number of people interested in ensuring survival of species if resources at the command of the former are greater than the latter. Millions of people are deeply concerned about the threats to the few remaining areas of wilderness; but these concerns have been unable to make a dent in the situation.

In the context of the institution of the market not everyone counts equally. The importance that one has in the market is proportional to the amount of money that one has at one's command. Market is a peculiar kind of democracy where the number of votes one is allowed to cast is equal to the number of dollars that one has. When the domain of market expands, the importance of those with poor command of resources, no matter how numerous, declines. The victims of ecological and environmental devastation are not confined to nonhuman species only. Poor people the world over suffer the harmful effects of the environmental degradation. Expansion of the domain of market is thus resulting in the shrinking of the domain of ecological justice.

As mentioned earlier, although individuals motivated by their values and preferences can be expected to act in accordance with them, their actual actions would depend on the institutional framework within which they are constrained to act. If individuals are deciding on their actions within the framework of responsive institutions then the actions can be expected to be in consonance with their values and preferences. On the other hand, if the institutions are non-responsive it makes little difference as to what individuals do. In the context of non-responsive institutions it would not be a particularly good idea to

make inferences from the observed choices of individuals regarding the individuals' values and preferences. If the institutions in question are perverse, one could even expect behaviour contrary to the actual preferences and values.

From the above, two points seem clear. In general different institutions are required for proper articulation of different values and preferences. One institution might do an excellent job of articulating one kind of preferences and values; a second institution for another kind of preferences and values. Even for the same preferences and values different institutions might be optimal under different circumstances. Secondly, individual actions can differ widely depending on the institutional framework, even though the underlying motivational preferences and values remain constant. Market may or may not be the most appropriate institution for articulation of preferences and values of economic kind; but there can be no doubt that it is completely inappropriate for articulation of values and preferences relating to environment. An institutional framework which has been responsible for ecological and environmental degradation in the first place cannot be expected to articulate concerns relating to preservation of the environmental and ecological integrity. If an activity, destructive of habitat of a species, is more profitable than alternative avenues for investment, then the profit motive would result in the undertaking of the activity and the consequent destruction of the habitat of the species. The only way to stop the activity within the institutional framework of market is to persuade the person contemplating undertaking of the activity not to undertake it by compensating him for the profits forgone. But, given the fact that it is a fundamental characteristic of the modern economic system that almost all activities which are economic value-creating are also at the same time destructive of the environment, it follows that persuasion by compensation is a non-starter. The question of finding solutions to ecological and environmental problems within the institutional framework of the market does not arise. The possibilities for finding solutions can emerge only if the domain of the market is made to shrink.

So far we have been discussing institutions as sets of rules. The institutions can also be viewed as embodiments of values. After all institutions are created for some definite purposes. To identify the embodied values with the purposive considerations would, however, in general, be not correct. There could be many reasons for the divergence between the objectives for the fulfilment of which the institution in question is supposed to exist and the embodied values. From our point of view the most important reason has to do with possibly the most profound characteristic of institutions that the realized values under

them can never be invariant with respect to the values and preferences of individuals who interact within their framework. For instance, when individuals act according to their assigned roles the results are quite different from when they act solely in their self-interest. The values which would materialize if all judges gave judgments solely on the basis of law and evidence are bound to be different from those which would if they gave judgments to further their own self-interests. In this connection an interesting question arises namely: On what basis does an individual decide whether she or he would act in accordance with the assigned role or act in accordance with her or his self-regarding preferences and interests?

So far we have been taking individual preferences and values as given; and have only considered how they are mediated through the societal institutions. Needless to say, this is only an analytical simplification. Social institutions have a profound influence on individuals in relation to formation of preferences and values. If a social institution is of great importance in the social order, the values that the institution embodies are bound to have significance for individual values and preferences. The institution of market puts completely selfish behaviour on a high pedestal. In the market place only those who have imbibed the spirit of competitiveness and are capable of ruthlessness and predation of a high order are likely to succeed; not those with full of sympathy and compassion for their fellow human beings or for living things in general. It is of course perfectly possible for a person to be selfish in one domain; and altruistic in another. But if the society is so structured that its preeminent institutions encourage completely selfish behaviour, then it is quite likely that many individuals, if not all, would internalize the motto of completely selfish behaviour to such an extent that even in the context of institutions where they are supposed to act in accordance with their assigned roles, they may not be able to do so. Thus one possible answer to the question which was posed at the end of the last paragraph is that whether individuals by and large would act in accordance with their assigned roles or in accordance with their self-regarding preferences to a large extent depends on the nature of the dominant institutions of the society. If the dominant institutions of the society are such that they encourage self-regarding behaviour, then one can expect that individuals on the whole would not act according to the assigned roles. The dominance of the market in the contemporary context then has the implication that in the context of non-market institutions as well we should expect from most individuals self-regarding behaviour even though the design of these institutions might be such that their successful functioning depended on individuals performing their assigned roles, and

not acting in their narrow self-interests.

Thus we see that there is a symbiotic relationship between institutions on the one hand and individual values and preferences on the other. The nature of an institution is partly determined by individual preferences and values. The most important determinant of the character of an institution is whether individuals act in accordance with their assigned roles or whether they act in accordance with their self-interests. Institutions on the other hand impact individual preferences and values in two different ways. Institutions by filtering in some preferences and values and filtering out the others determine which preferences and values would be articulated and which would be not. The preferences and values which are filtered out and consequently do not find articulation are bound to become insignificant sooner or later, if not disappear altogether. Secondly, the formation of individual values and preferences themselves is profoundly affected by the values embodied in the institutions, particularly those which are dominant.

In the light of this way of looking at institutions we can see the several distinct ways in which the institution of market is contributing to the environmental and ecological crisis. These are: (i) market filters in values and preferences which are environmentally and ecologically destructive and filters out those conducive for preserving the environment and the ecological balance. (ii) The dominance of market tends to weaken the pro-environment values and preferences. (iii) The dominance of the market paradigm is also resulting in more and more individuals acting, in the context of non-market institutions, including those having relevance from the perspective of preservation of species and their habitats, in accordance with their narrow self-interests rather than in accordance with their assigned roles, even though acting in accordance with the assigned roles might be crucial for the proper functioning of these institutions.

What has been said here about the institution of the market holds also for those institutions which have been designed to facilitate the working of the market and for those which have been transformed because of the ascendancy of the market paradigm so as to mimic the market.

2 Democracy and the Contemporary Order

The idea of democracy at a conceptual level is quite complex. One way to think of democracy is to focus on its most visible feature of periodic elections. From this perspective the term democracy can be understood as meaning a system of governance in which the individuals who are going to govern are elected by the people for a fixed term. Periodic elections while necessary clearly are not sufficient for defining democracy. For elections to have appropriate meaning and significance certain freedoms and liberties for electors are also necessary. Consequently, if one tries to understand the idea of democracy from the perspective of periodic elections it must be characterized as a system of governance with periodic elections for choosing the rulers together with the associated rules and institutions required for its proper functioning.

Although not incorrect, this way of understanding democracy puts a procedural aspect of democracy as the core idea rather than putting the normative value justifying democracy at the core. In the context of democracy, like in any other system of governance, both procedural and consequentialist considerations are important; and some of these considerations can certainly be used for justificatory as well as for definitional purposes. But, there is an important reason why it would not be appropriate to do so. The democratic system of governance finds its ultimate justification in the normative principle that individuals as well as collectives have a fundamental and inalienable right to determine their own destinies. If certain things concern only a particular individual and no one else then the individual concerned must have the final say with respect to those things; and if certain things concern only a particular collective, whether the collective is the whole of the society or only a part of it, and no one else then the collective in question must have the ultimate decision-making power pertaining to those things. Once the normative principle justifying democracy is accepted all the fundamental elements of democratic governance including those of human rights, autonomy and periodic elections can be seen to be flowing from it in a straightforward manner. Another advantage of keeping the core normative principle in the forefront of discourse on democratic governance is that one is able to see all the elements of democratic governance as constituting an organic whole, rather than merely a collection of unconnected elements.

By the very nature of the normative principle from which the elements of democratic governance have been derived, it follows that these elements are not susceptible to the calculus of gains and losses. It is not difficult to construct plausible examples where viola-

tion of human rights of a particular individual would result in greater gain to the violators compared to the loss to the victim. Similarly, examples are possible where occupation of a country might result in greater gain to the occupiers compared to the loss to the occupied. If one adheres to the normative principle embodied in the ideal of democratic governance, such calculations are rendered irrelevant and cannot be invoked to justify violation of human rights or denial of the right to self-determination.

In the contemporary context the powerful economic processes which are going on have an important characteristic of imposing costs on individuals not at all connected with the processes themselves. Usually, though not exclusively, these costs are imposed through degradation of the environment. If undertaking of an activity confers benefits on the persons undertaking the activity but costs on others not connected with the activity, and if the benefits accruing to the persons undertaking the activity exceed the costs imposed on others then undertaking of the activity would result in net social gain. The question of justice hinges on whether those on whom costs are being imposed are compensated or not. It is possible to argue, and in fact is often so argued, that from the perspective of total wealth the society is better-off regardless of whether the individuals on whom costs are involuntarily imposed are compensated or not. In fact, insistence on justice, that is to say, on compensation for the inflicted costs, can easily result in net gains from the activity being wiped out or drastically reduced as determination and payment of compensation in general would not be costless. For social prosperity it seems that some injustices of the kind under discussion would have to be tolerated.

Whether the above argument is valid or not and whether the position taken on the basis of the argument is accepted or not the following must still be contended with: Even if one is in general willing to tolerate imposition of costs on individuals completely unconnected with activities resulting in the costs for the sake of wealth creation, the question still arises whether one would be willing to do so invariably. Suppose some of the individuals on whom the costs are being imposed are living a precarious subsistence existence. If they are left to themselves their survival would not be threatened. However, if costs are imposed on them from outside, in view of the fact that they are living a subsistence existence, it follows that in the absence of any compensatory mechanism their survival is bound to come under threat. This of course would constitute a violation of human rights of those whose survival becomes endangered.

Regardless of how narrowly the conception of human rights is defined, almost everyone would agree that if undertaking of an activity results in endangering the survival of some individuals on whom external costs are imposed as a consequence of the activity, the state's failure to prevent the undertaking of the activity and inaction in not compelling those undertaking the activity to at least compensate those living a subsistence existence would constitute a flagrant violation of human rights.

There is of course a simple way by which the state can ensure that economic processes do not result in violation of human rights, namely by instituting welfare schemes directed at least towards those living a subsistence existence. In today's world economic processes are such that their negative effects tend to be massive, multifarious and diffused over large numbers of people as well as over large geographical areas. The only way that one can be sure that violations of human rights would not take place as side-effects of these processes is to have an institutionalized mechanism by which it is ensured that those whose continued survival requires intervention in the form of provision of food, medical care or other basic necessities of life are so provided with. In short the nature of the modern economic processes is such that the only practical way to ensure that violations of human rights do not take place as a consequence of these processes is to erect a welfare state.

But, the ideology underlying the contemporary order is antithetical to the idea of welfare state. The processes currently going on are in fact resulting in the dismantling of welfare state wherever it existed earlier. Free and global markets together with a state which would not intervene even to nullify negative effects of economic processes on those whose very survival becomes endangered as a consequence of these effects are intrinsically inconsistent with the continued observance of human rights in any meaningful sense.

Free and global markets together with a state which would not intervene in the functioning of the markets even for the protection of human rights and which has withdrawn from most of its traditional functions have another very important implication, which surprisingly has not received the kind of attention that it deserves. In a democratic setup if a government is not able to deliver one can reasonably expect it to be voted out of power and replaced by a government which is more responsive to what the people want. But, if the state follows a policy of non-intervention in the economic domain and if what the people want requires some action in the economic domain then regardless of how they vote a change in the situation cannot be brought about. Inability of elected governments

to bring about any meaningful and significant change can only undermine the people's belief in the efficacy of the democratic system. If the state of affairs cannot be changed regardless of how the electors vote, can one expect them to go on participating in elections?

The situation becomes much worse if the states, in addition to their commitment to non-intervention in markets, have also bound themselves in myriad ways through multilateral treaties to act or not to act in certain ways.

There is one aspect of becoming a party to a multilateral treaty which requires careful consideration from the perspective of democratic governance. When people elect their representatives, they authorize them to take decisions on their behalf for a specified period and in certain specified domains. The restriction to specified domains is crucial for democratic governance. It would for instance be completely illegitimate for the elected representatives to claim that they have the mandate to curtail human rights or to indefinitely prolong the duration of the elected assembly. Through elections people transfer only some well-defined powers to their representatives, keeping the residual with themselves. All claims of elected representatives contrary to this position must be construed as illegitimate. It is one thing to bind a nation through a peace treaty; but quite another through a treaty affecting livelihoods and rights of millions of people, and that too for an indefinite period. In the new system of governance that is emerging, governments elected for a period of five or so years are transferring the decision-making powers of the people to organizations which the people have not elected and would not be able to elect in the future. By no stretch of imagination the mandate of the elected representatives can include the mandate to transfer the decision-making power bestowed upon them by the people for a certain number of years and in certain specified domains to others for an indefinite period and including powers which the people never transferred to the representatives in the first place. The system of governance which is resulting from the emerging global order is inconsistent with any conception of democratic governance.

So far this note has been concerned only with spelling out the reasons because of which the emerging global order is bound to conflict with human rights and weaken institutions of democratic governance. It is important to note that both violation of human rights and weakening of democratic institutions which have been discussed result from the passivity of the state. It is the failure to act and the incapacity of the state which give rise to negative developments from the perspective of democratic governance. In what follows an

argument is presented as to why one can expect the state under the system of governance that is emerging to also actively work against the institutions of democratic governance.

Given the fact that the contemporary global processes are affecting a vast majority of the poor and the marginalized adversely, and would affect these sections in the future even more adversely, it is reasonable to suppose that the affected in spite of their weakness and adverse circumstances would put up resistance. Large scale resistance on the part of the affected can seriously hamper the processes underway. The existence of civil and political rights, civil liberties in short, enables people to organize themselves; and consequently makes taking of preemptive steps by the state for the purpose of thwarting resistance difficult. Also in a globalized world, the costs of resistance are bound to be much greater compared to what they would have been otherwise. Because of interlinkages, disruption in one place can have consequences in many places. Thus for the smooth functioning of the contemporary order and associated processes curtailment of civil liberties is required both for taking preemptive actions so that the disaffected are not able to offer resistance and for minimizing the loss due to resistance in case the preemptive steps to thwart resistance are not successful. The recent dilution of laws relating to individual and collective rights, particularly those relating to right to privacy, safeguards against arbitrary arrest, right to due process of law in case of arrest, right not to be tortured and right to strike, can consequently be understood and explained as necessitated by the requirements of the contemporary global order.

3 Ecological Democracy

The above analysis has shown that the market in its contemporary form and the associated institutions are inimical to democratic and ecological values. The expanding domain of the market implies not only greater environmental and ecological devastation and weakening of democratic institutions; but also weakening of democratic and ecological values. Thus those who believe in the ideal of democracy have to contend with the same hostile forces as those who believe in the ideal of ecological integrity. The congruence is not confined to negative aspects only. We saw earlier that the best way to understand the idea of democracy is through the normative principle which asserts that individuals as well as collectives have a fundamental and inalienable right to determine their own destinies in spheres which are their exclusive preserves. It is of some interest to note that in the statement of the principle no utilitarian idea is invoked. There is no presumption that

individuals or collectives left to themselves would invariably, or even mostly, be able to take the correct decisions, correctness judged in terms of some utilitarian or rationalistic principle. The principle appeals to our intuitive sense of natural justice because the principle accords space to individuals and collectives which is rightfully theirs. The ideal of ecological integrity also seems to be flowing from the same intuitive idea of natural justice which does not deny space to nonhuman life-forms altogether as the modernity, extreme form of which is manifested through the contemporary global order, does invariably and deliberately.

There are two distinct viewpoints from which one can discuss the concepts of democracy and ecological integrity. The first perspective is that of viewing them as instruments for some other, presumably higher, objectives like human welfare and human progress. The other viewpoint is that of considering them of value in themselves. Viewing democracy and ecological integrity of value in themselves of course does not preclude their being instruments as well for other objectives. But it does matter whether one is wedded to the ideals of democracy and ecological integrity on account of their being useful for some other objectives in which one believes or because one finds them of value in themselves. If one is committed to democracy and ecological integrity because of instrumental reasons only then one's commitment to them necessarily becomes of a contingent nature. If the objectives for which democracy and ecological integrity are instruments can be achieved through some other instrument also then there is no guarantee that one would remain committed to them regardless of the circumstances. A secure foundation for the ideals of democracy and ecological integrity requires their being viewed as of value in themselves. Both democracy and ecological integrity may be beneficial for humanity; but invoking of these benefits cannot provide a firm basis for the struggle against forces inimical to them. Rather, only the recognition of them as of value in themselves can provide a solid foundation for the highly unequal struggle which has become necessary if these ideas are to have a chance to succeed. It is high time that the invoking of arguments which link the desirability of saving species of flora and fauna with their yet undiscovered medical and industrial uses is altogether given up; and instead the desirability is proclaimed as flowing directly from the intrinsic value of their existence. Similarly, regardless of whether democratic institutions are or are not conducive to economic development; the desirability of having democratic institutions must not be linked with the objective of economic development; they must be viewed as desirable in themselves. In the light of the above discussion it seems appropriate and desirable to interpret the concept of ecological demo-

cracy as a recognition of the considerable overlap that the two ideas of democracy and ecological integrity have in the contemporary context; and a simultaneous affirmation of the democratic and ecological values.