

3. Environment, Civil Society and Policy: A Review on the Latest Developments in India

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Abstract:

There is an increasing focus on governance as a crucial component of environmental preservation. A long list of challenges looms including the execution of environmental policies and the integration of socio-environmental concerns into a framework for sustainable development. The problems specific to environmental concerns are highly variable and it needs to be region specific so as to have minimum negative impact. India has come a long way since then in terms of building the appropriate legislation and functional institutions to aid in the attainment of a more balanced and environmentally friendly growth. This chapter contributes to a better understanding of the multi-layered linkages that exist in India between the environment, civil society and related social movements. The role of civil society in enhancing environmental governance and contributing to public awareness, spreading environmental information, and maintaining ecosystems in India is found to be more important than ever.

Keywords: Governance; Civil Society; Ecology; Sustainability; Environmental Policy; Democratic.

3.1 Introduction:

Climate change, industrialization, biodiversity loss and resource overexploitation impact not just those who are directly dependent on natural ecosystems, but it eventually affects everyone. However, this aspect is frequently overlooked in the way environmental policy is planned and implemented (Flynn, 2009). Therefore, the policy framing process and subsequent implementation should be such that it provides scope for greater public participation. In this context, it is critical to examine the role of greater participation of civil society as part of the complete environmental policy process. In the design and implementation of its policies, the state can no longer be considered as the sole stakeholder especially because of its far reaching impact (Andryeyeva, et al., 2021). Conversely, the policy making process has to be transformed to accommodate the emerging participatory forums between the state and civil society.

Over the last few decades, public engagement in environmental decision-making has become an integral component of many environment protection systems throughout the world (Ward, et al., 2020).

Individuals and organizations impacted by development approvals and regulatory processes are increasingly demanding more consultation, as well as more transparent and responsible decision-making. Public participation can take many different forms. Training, mass communication, consulting or advisory boards or public outreach can all be used to achieve this goal (Jolley, 2007).

By using these methods, governments may be able to better comprehend and recognize public concerns while developing environmental regulations. Increased civic engagement may promote environmental justice and aid in the integration of ecological and social factors into policy choices (Smith & Pangsapa, 2008). Furthermore, participation may increase the accountability of environmental policy decisions and hence their wide acceptance.

3.1.1 Conceptual Framework:

Civil society engagement has garnered political traction as a way of addressing the lack of government and public participation, simultaneous to inclusive government emerging as the preferred solution (Newell, 2008). Public participation has been viewed through a variety of perspectives in the academic world. In the developing world, participation has come to be seen as critical in terms of enhancing citizens' capacities and interests, as well as increasing representation of individuals who have traditionally been left out of policy-making processes (Scholte, 2002).

However, there is a considerable gap in the research on civil society approach to exploring avenues for diverse political interaction and participation strategies. India has a longstanding history of public activism whether it's environmental or social movements with significant impact on national politics (Pargal & Mani, 2000).

Few, however, have achieved the magnitude and influence necessary to have an impact in the policy-making or decision-making process. The movements organized by farmers in the 1980s and the Right to Information campaign during the 1990s are two such instances.

The expanding idea of civil society participation in environmental policy decisions is a relatively new phenomenon. Despite the fact that India has traditionally followed a system in which state employees dictate policy decisions, there is a growing need for more inclusive forms of governance (Amirante, 2011). Alternative discourses such as the role of civil society and social movements, resource conflicts and lobbying appear to be gaining popularity in India. Civil society comprises of non-governmental organizations, researchers and scholars, experts and lobby groups working towards a more democratic process ensuring increased public engagement (Scholte, 2002).

A large portion of the world's population resides in areas that are in desperate need of culturally and socially acceptable democratic institutions, especially given the exclusion that these groups face in getting their voices and interests considered during policy-making (Brinkerhoff, 1999). If policy-making is viewed as a more democratic process involving civil society rather than a single centralized body, then only the final policy will be seen as not that of the central authority but also strategic participation of civil society and would be more universally acceptable and beneficial ensuring efficient implementation as well.

3.2 Role of Civil Society in Environmental Policy Formulation in India:

Large-scale engagement in environmental institutions has historically been limited. India's environmental policy has emerged gradually since independence in 1947. After independence, India embraced a five-year plan system based on the Soviet model of long term centralized planning (Clarkson, 2017). For decades, the goal of central planning remained consistent; yet, there were transitions from industrialized to agrarian economy, reflecting the nation's shifting priorities and aspirations.

As the country's economy gradually recovered, problems of full and equitable resource distribution began to surface on the political agenda (Das & Barua, 1996). The popularity of the Green Revolution in 1965 underlined this point even further. As a result of this, the government has been pressed to allocate resources in line with wider social objectives.

The national objectives, on the other hand, left limited space for the environmental considerations, despite the fact that major environmental problems had already emerged by the 1950s. For the first time, the problem of ecological sustainability was officially expressed in the Fourth Five-Year Plan (1969-1974). The ecological focus was severely hampered by the development policies until the Fourth Five-Year Plan (Chopra, 2017).

However, environmental concerns gradually gained traction in subsequent plans. Since, the implementation of National Environment Policy (2006), the following Eleventh Five-Year Plan (2007-2012) adopted an integrated view considering environmental risks for the first time, with the premise that measures for environmental preservation and sustainability should be well-integrated with development strategies, though the prime focus continued to be on liberalization (Gupta, 2014).

The National Biodiversity Strategy Action Plan and the Forest Rights Act were the first instance of that involved broader civil society participation in environmental conservation initiatives. For the first time, the plan emphasized the need of people working collectively to improve environmental quality and ensuring more civil society engagement in environmental management.

The legislative framework for environmental issues in India is a blend of American and British concepts that hasn't been properly altered to meet the regional context for efficient implementation (Abraham & Abraham, 1991). India's policy emphasizes the adoption of uniform standards and a centralized approach with a largely unaccountable bureaucracy. As a result, there have been events of unofficial movements to raise concerns, in which societal factors, such as negative press coverage or public protests are deployed as enforcement tools to make local concerns known (Singh, 2007).

These approaches are beneficial at a local or regional level because they enable indirect civil society participation. However, they are not a suitable substitute for inclusive environmental governance. Such indirect modes of regulation are frequently significantly more effective, particularly when it comes to establishing stakeholder consensus and enhancing community regulation. As a result, intellectuals and an increasing number of Indian citizens advocate for greater transparency and public participation (Parikh, 1997).

The policy statement for Abatement of Pollution in 1992 was an important step that enshrined public participation in environmental governance.

The policy is significant because it stated the goal of incorporating environmental factors into all levels of policy-making process (Chakraborty & Mukhopadhyay, 2014).

This is one of the earliest manifestations of the institutionalizing civic participation. Its main focus, however, was on using the media to inform individuals about environmental concerns. It also defined the roles of the public and non-governmental sectors in environmental monitoring in order to form strategic obligation on groups to support the regulatory initiatives.

Participation in policy and lawmaking has gradually gained traction in India, with the judiciary playing a key role (Shrotria, 2012). Environmental law remained mainly indistinguishable from other sorts of legislation in the 1970s until the Bhopal gas tragedy in 1984 (Nair, 2005). After 1984, not only did legislation become more stringent but it also targeted formerly unregulated subjects and making way for more regulatory mechanisms being enforced by the courts. For instance, Environmental Impact Assessment Regulations (1994) was amended to make public hearings mandatory (Banham & Brew, 1996). The objective was to provide a space for the civil society to voice their stands and concerns through the legal channels. Furthermore, the Right to Information Act (2005) aimed to “guarantee access to information under the control of public authorities with the purpose to promote transparency and accountability in the working of every public authority”. The Act allowed for better public participation than ever which had an impact on the environmental movements (Kumar, 2021). As a result, citizens in post-liberalization India experienced relative softening of institutional frameworks, paving way for more civil society engagement in policy-making. Citizens were inspired to participate with the government on issues that concerned them, and efforts were made to make the government more accountable to them.

3.3 The Link between Civil Society and Policies:

Recent studies on increased civil society participation propose that, “Co-governance, which involves asking social actors to participate in the state's essential tasks, is the finest approach to tap into society's potential” (Ackerman, 2004). Instead than depending on traditional displays of political citizenship like voting, participatory democracy takes civil society engagement a step further by incorporating citizens in cooperative arrangements. The transition reflects an increasing trend in governance away from authoritative forms and toward more communicative, consensual arrangements including a broad base of civil society members who lend credence to the decision-making process.

Civil society participation facilitates the citizens to be a part of policy-making through consultation and advocacy. It also ensures that the local conditions are appropriately conveyed and environmental policies are directed in such a manner that it doesn't affect the local socio-economic structure. Civil society's stands on problems of public policy in conjunction with the government are equally represented therein, which is a necessity for a holistic approach to governance (Hanberger, 2001).

The underlying strength of this approach is that it gives civil society a platform to connect and advocate on the dynamics and objectives of policies that have direct influence on their socio-economic setup of a region while also ensuring that their voices are heard at the highest levels of governance. These platforms must be complemented by forums at the state or local level, such as public consultations that supplement to formal deliberation processes (Steffek & Nanz, 2008).

Such platforms ensure that all voices are heard during the formulation process, allowing public sentiment to be transformed into more formal conceptions ensuring a balanced approach to natural resource management which is sustainable in all aspects. In addition, it would also promote greater civic participation that would enable faster implementation of policy initiatives. They can also enable local citizens with information through awareness programmes that enumerate prospects and constraints at the different levels of policy making and implementation (Lambin & Thorlakson, 2018).

It supports the notion that civil society engagement in policy formulation and governance improves the democratic process. It promotes the public participation to include civil society that represents varied sectors of society, allowing them to state and discuss a range of viewpoints on public issues that impact them, making the process more engaging, effective and efficient.

3.4 Civil Society Engagement:

In this discourse, civil society, which establishes a synergy between government and general public, plays a very crucial role. Much of this chapter focuses on the need and importance for civil society engagement specifically in the context of environmental policy, allowing for a diversity of opinions and enabling citizen representation in venues that were previously restricted to them. The civil society participation process includes important awareness raising and consensus building, as well as improved advocacy skills to engage and coordinate policy efforts (Thorpe & Gaventa, 2020).

In this context, civil society has a role in helping participatory programs, such as providing information and material assistance to marginalized groups. It also aids the development of direct communication which connects the ground level issues and concerns to national policy level initiatives (Kohler-Koch, 2013).). Ultimately, the goal of civil society participation in policy-making is not just to establish platforms for alternative perspectives to be heard, but also to keep such platforms open and transparent throughout the policy-making process. Without public involvement and robust ground level mobilization capacities, institutional policy making based on empirical evidences are ineffective. Mediated platforms need to be established enabling increased participation of civil society in policy making where civil society actors highlight concerns from the public to the policy makers.

3.5 Conclusion:

Through a focus on public understanding and engagement in the governing framework, civil society contributes to establish efficiency, transparency and accountability.

The government faces a challenge where it needs to enforce effective environmental policies while incorporating socio-economic considerations into policy frameworks for long-term growth. Civil society functions as a powerful synergy that aids in the formulation of policies that address socio-economic concerns at the grassroots level. India has a long history of under-representation of civil society.

Climate change and environmental degradation brought on by unchecked urbanization and industrialization have depleted the scarce natural resources. Simultaneously, it has to maintain economic growth while also restricting exploitation of resources to prevent any further environmental damage. The interconnected nature of the problem makes it more challenging. In such a scenario, civil society participation becomes crucial so as to ensure that the policy takes into consideration the grass root realities. Civil society is instrumental in ensuring that policy making process is based on principles of participation, accountability and equity and ensuring that the broader socio-economic consideration and concerns of especially the marginalized sections are heard.

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