



# The Indian Journal for Research in Law and Management

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Editor-in-Chief – Dr. Muktai Deb Chavan; Publisher – Alden Vas; ISSN: 2583-9896

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## BURNING INEQUITY: CLIMATE CHANGE AND SOCIAL JUSTICE

*(Sonakshi Sharma)*

### ABSTRACT

While climate change was in the past considered primarily a natural phenomenon, it has become a human-driven crisis that contributes to the exacerbation of social injustices and inequalities. This article investigates the relationship between climate change and social justice, focusing on how marginalised communities—such as people of colour, low-income countries, and Indigenous populations—bear the brunt of environmental harm despite contributing the least to it. It investigates environmental racism, socioeconomic disparities, and the disproportionate impact on disadvantaged populations. The topic includes legal perspectives on the right to a healthy environment, particularly in India, and emphasises the need for equitable climate action. The paper promotes inclusive policies and legal frameworks by using case studies, community-based adaptation, climate litigation, and sustainable development goals. It finishes by urging global cooperation and justice-centred climate policies to promote resilience, environmental protection, and a sustainable future for all.

### INTRODUCTION

“The phenomenon of changes in the temperature level and weather patterns of the globe is known as climate change.” Earlier, it was caused mainly due to variations in the activity of the sun or due to large-scale volcanic eruptions. But, after the 1800s, the main cause that emerged was human activity. Social justice ensured the fair distribution of costs and benefits of climate change action, protecting marginalised groups. “Climate change is more of a moral issue. It is an issue of human rights, social justice, and social fairness.”<sup>1</sup> This concept emphasizes that persons who include women, people of color, low-income nations, and Indigenous people are more vulnerable to the devastating effects of climatic disasters. They have contributed the least

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<sup>1</sup> United Nations Secretary-General Ban Ki-moon

to climate change but are often the most affected by its consequences. The article investigates the link between social justice and climate change, with a special emphasis on environmental racism and inequality. It also highlights the significance of integrating equity into climate action, which is a strategy that policymakers must consider. The study focuses on community-based adaptation techniques and delves deeper into the legal frameworks and laws intended to safeguard the environment. Lastly, the essay emphasizes how important it is for each country to take adequate action in addressing shared risks by implementing climate justice.

### **UNDERSTANDING ENVIRONMENTAL RACISM**

Environmental racism is the systematic location of toxic facilities and other polluters in communities where the majority of residents are people of colour. The act is not new; it has its roots in historic and socio-economic acts of discrimination. With the hazards, society faces various problems due to injustice. The real problems faced due to environmental injustice include health disparities, exposing people of colour to pollutants causing respiratory attacks, heart disease, and cancer, economic inequality, and degraded quality of life.

The U.S. has a long and documented history of environmental racism. An example is "Cancer Alley" in Louisiana—an area along a stretch of the Mississippi River lined with multiple petrochemical plants, which has some of the highest cancer rates in the country.

Many African countries struggle with environmental racism on their lands. Dumping of toxic waste by transnational corporations, for example, is strikingly evident, with companies such as Trafigura—an international oil trading company—illegally dumping toxic waste in Abidjan, Côte d'Ivoire, in 2006, thereby causing a public health crisis affecting over 100,000 people. Moreover, the dumping of oil in the Niger Delta of Nigeria has left the area ecologically destroyed, with local ecosystems and communities, primarily comprised of ethnic minorities, being seriously affected.

### **IMPACT ON MARGINALIZED COMMUNITIES**

The growing repercussions of climate change have had the greatest impact on marginalized and minority groups. This includes people of colour, those from low-income countries, and future and younger generations. Because many of these vulnerable people have limited ability to adapt to environmental changes, the negative repercussions will be magnified.

The various types of disparities involved in the consequences of climate change: -

❖ Economic disparity

The disadvantaged group has a relatively low ability to adapt to climate change; the majority lack the financial resources to adjust to the changes in lifestyle and living conditions brought about by climate change.

❖ Global disparity

Global inequality is an issue as well, with significant differences in emissions and the effects of climate change between nations. For example, we can see a clear contrast, on one hand, there is Africa which gives housing to 16% of the global population and accounts for only 4% of global CO<sub>2</sub> emissions while, North America on the other hand, accounts for 18% CO<sub>2</sub> emissions globally having just 5% of the world's population.<sup>2</sup> Furthermore, the richest half of all nations produce 86% of the world's CO<sub>2</sub> emissions in terms of aggregate income, whereas the lowest half only emits 14%. As a result, the nations most affected by climate change also happen to be the ones with the lowest proportional responsibility for it.

❖ Generational disparity

It is clear after changes in the climate recently that younger and future generations will suffer from what their elder generation has done. Numerous research has demonstrated links between markers of climate change and declining mental health.<sup>3</sup> For instance, there was a statistically significant correlation found between increased temperatures, humidity, and vapor pressure with an increase in mental discomfort and ER visits for mental health issues. In summary, young people not only face the burden of a changing environment and the heightened likelihood of experiencing stressors connected to climate change, but their innate psychological susceptibility may also result in an unbalanced psychological effect.

Sierra Leone, Guinea-Bissau, and Mali are examples of low-income nations with rapid population growth that mostly rely on agriculture and have large proportions of youth. Climate shocks including droughts, floods, fires, rising sea levels, storms, and pests will happen more frequently as climate change quickens. There will be significant negative effects on agriculture as a result, including decreased crop yields, animal deaths, and shrinking forest coverings. In a

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<sup>2</sup> (No date) *Blogs*. Available at: <https://www.ifad.org/web/latest/blogs?mode=search&catRegions=39130776> (Accessed: 03 June 2025).

<sup>3</sup> (2025) *PLOS One*. Available at: <https://journals.plos.org/plosone/> (Accessed: 03 June 2025).

nutshell, agricultural nations with a high proportion of young will be most severely impacted by climate change.

## **CASE STUDY**

### **Bangladesh**

The effects of frequent floods and storms were recounted by members of marginalized and disadvantaged coastal populations, including Dalits and Indigenous Munda people who reside in coastal villages in southwest Bangladesh.<sup>4</sup> These groups are susceptible to climatic shocks because they are impoverished and because some of them experience widespread and institutionalized prejudice. The interviewees described how their homes have been repeatedly rebuilt due to floods, which destroyed the sanitation system, leaving them with unusable toilets and salty drinking water.

## **SOCIO-ECONOMIC INEQUALITY**

### ❖ Housing Inequality

Uncertain housing and homelessness are important factors to take into account when analyzing how climate change is affecting human populations. The health of homeless populations is impacted by climate and weather, and a scoping analysis conducted recently revealed that vulnerabilities, including physical exposure, chronic diseases, and stigmatization, are made worse by weather extremes.<sup>5</sup> Climate change-related homelessness is characterized by a lack of resources and poor income, making it more difficult for persons living in insecure housing to respond to natural disasters and restore their lives after being injured. Furthermore, it is anticipated that environmental shifts will drive people to migrate from rural to urban regions. Many of these "environmental refugees" may reside in unofficial settlements, increasing their exposure to natural disasters. Thus, a growing number of people who are from minority communities or are marginalized may be in danger of homelessness as a result of climate change.

### ❖ Barriers to Access to clean energy

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<sup>4</sup> HK, E. (2024). *Why marginalised groups are disproportionately affected by climate change*, *Earth.Org*. Available at: <https://earth.org/marginalised-groups-are-disproportionately-affected-by-climate-change/> (Accessed: 03 June 2025).

<sup>5</sup> Kidd, S.A., Greco, S. and McKenzie, K. (2020) 'Global climate implications for homelessness: A scoping review', *Journal of Urban Health*, 98(3), pp. 385-393. doi: 10.1007/s11524-020-00483-1.

Social injustice and prejudice can limit marginalized groups' access to sustainable energy sources. For example, in some societies, women have a lower level of involvement in decisions related to do with home energy use than men. Marginalized people's lack of participation in the policymaking process means that more often than not, policies fail to address their special needs and concerns. For instance, in the case of accessing natural resources for sustainable energy projects, a lack of political representation or poor socioeconomic status might expose some Indigenous communities to legal and political challenges. Moreover, misunderstandings and information gaps concerning sustainable energy technology solutions may impede their wide adoption.

❖ Impact on Quality and Quantity of Water

Climate change directly impacts water resources the most, resulting in a shortage, pollution, or plenty in certain locations. Water-intensive agriculture may contribute to water scarcity. People in Serbia are experiencing a substantial shift in weather patterns. Forecasts predict that temperatures will continue to rise, there will be more precipitation generally, and there will be more extreme weather events<sup>6</sup>. A greater proportion of children gets affected than adults since their bodies are in a developing stage.

## **THE RIGHT TO A HEALTHY ENVIRONMENT: A GLOBAL AND INDIAN PERSPECTIVE**

The right to develop in a healthy environment is a human right and is strongly underlined at the 1992 UN Conference on Environment and Development, also known as the Rio Declaration. For enforcement purposes, environmental laws only succeed when they meet the public's concerns and fulfill a need for a healthy environment. Effective environmental legislation should balance the scope of public administrative power and the opportunities for citizen participation. Many of the environmental laws, however, are all about pollution and how it adversely affects human health, as opposed to protecting a clean environment. With this, policymakers should understand that for humanity to survive and have life, there is a need for the maintenance of an ecological balance, including plants and animals.

In India, environmental protection as well as protection over the right to a clean environment came into effect and received enforcement after the 1972 Stockholm Conference. Before then, the Constitution of India (COI) of 1950 did not mention the values or principles of

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<sup>6</sup> *Impact of Climate Change on Water Availability and Quality. UNICEF Serbia.* Available at: <https://www.unicef.org/serbia/en/impact-of-climate-change-on-water-availability-and-quality> (Accessed: June 2025)

environmental protection or justice. In 1976, the 42nd Amendment, however, marked an inclusive progress by incorporating an express constitutional commitment to environmental protection. The Directive Principles of State Policy were adapted to make obligations on the state for the protection and improvement of the environment, while citizens had the responsibility of ensuring the protection of natural resources. This showed the environmental concerns were more of an interest at that time, and judicial attention was drawn to the formation of environmental jurisprudence, which meant an approach towards environment protection was going to be 'judge-induced'.

In *A.P. Pollution Control Board v. Prof. M.V. Nayu*<sup>7</sup>, Justice Jagannath Rao observed that the government should protect the environment and ecology to sustain human life, and bestow on the citizens the right to a pollution-free environment, without causing any harm to the approach of sustainable development. Still, despite some judicial interventions, the Indian Position is silent on the constitutional right of an individual towards a healthy and pollution-free environment. It is Article 21 of the Constitution - right to life and personal liberty- that the Courts frequently try to read the right to a healthy environment into. The apex Court, in several cases, emphasized this right to life as described under Article 21. In *Subhash Kumar v. State of Bihar*<sup>8</sup>, the Supreme Court opined that the right to live in a pollution-free environment is an integral part of the right to life.

But, in *Charan Lal Sahu v. Union of India*<sup>9</sup>, Justice K.N. Singh observed that the right to life makes way for the right to a pollution-free atmosphere or drinking water. And, such a right includes in it the duty of the State under Articles 21, 48A, and 51A(g) of the Constitution.

Environmental rights as 'third generation rights': Their derivation from the broad right to life includes the right to grow in a healthy environment. For instance, in the *Re Noise Pollution* judgment, noise pollution was held to affect the right to life since it creates discomfort and is a nuisance to public peace.

The construction of large dams, such as the Sardar Sarovar Dam, has also brought up huge environmental and human rights issues. It was against this backdrop that the Supreme Court declared that until the submergence underwater, the ousters have to be properly rehabilitated, thus enforcing the fundamental right to a wholesome environment. These were pathbreaking

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<sup>7</sup> AIR 1999 SC 812, 1999 (2) SCC 718, 1999 AIR SCW 434

<sup>8</sup> 1991 AIR 420, 1991 SCR (1) 5, AIR 1991 SC420, 1991 (1) SCC 598, 1991 AIR SCW 121, (1991) 1 SCR 5 (SC).

<sup>9</sup> 1990 AIR 1480, 1989 SCR SUPL. (2) 597, AIR 1990 SC 1480, 1990 (1) SCC 613

communications to the world representing the convergence of international human rights standards with environmental justice, and underlining the call for balanced development that should in no way hamper the rise of the environment and human rights.

## RECOMMENDATIONS

### ❖ Climate Change Litigation

The emergence of climate change litigation as a potent tool for holding governments and corporations accountable for environmental harm underscores the intersection of law, justice, and climate action. Notable case law—and the slate of judicial and tribunal decisions emerging under the groundbreaking Urgenda campaign—provides ripe examples of how litigation can be the catalyst to affording such an opportunity, while simultaneously compelling state actors to adopt more ambitious strategies for the mitigation of climate change. The accessibility and effectiveness of climate litigation as a mechanism for social justice depends on legal representation, judicial independence, and systemic barriers to justice.

### ❖ Transition to sustainable development

In sharp contrast to these attitudes, the empirical facts on the ground naturally suggest that the poor are often in closer contact with nature's ecosystems and have a more immediate interest in ensuring environmental sustainability. Indeed, people with more financial backing can always move to an unpolluted area or region, while those economically and socially deprived are routinely the victims of pollution and environmental degradation that takes place because of the spatial displacement of pollution sources to sites away from the upper, higher-income classes. In recognition of these dynamics, the Sustainable Development Goals of the United Nations—a framework document ratified by global governments in 2015, and part and parcel of the 2030 Agenda for Sustainable Development—are composed of 17 objectives for human welfare and enforcing the principle "leave no one behind".

### ❖ Climate change mitigation

Mitigation of climate change through legal mandates on emissions, energy reforms, and international cooperation remains vital to long-term sustainability. To decrease and avoid emissions, we must transform every element of our lives, including how we generate energy, cultivate food, travel, live, and consume products.<sup>10</sup> Developed nations have established economy-wide limitations for their national emissions under the UNFCCC, most notably under the Kyoto Protocol, whereas poor nations have often concentrated on particular projects and

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<sup>10</sup>. Climate Change Mitigation: *Reducing Emissions*. *European Environment Agency's homepage*. Available at: [eea.europa.eu/en/topics/in-depth/climate-change-mitigation-reducing-emissions](https://eea.europa.eu/en/topics/in-depth/climate-change-mitigation-reducing-emissions). (Accessed: 4 June 2025)

programs. The Clean Development Mechanism (CDM) has provided developing nations with a vital means of implementing project activities aimed at enhancing sinks and reducing emissions.<sup>11</sup> However, to combat climate change and secure a sustainable future, international collaboration is required.

#### ❖ Community-based adaptation strategies

Building resilience necessitates a coordinated strategy that incorporates adaptation into ecosystem management, sustainable development, local and national development planning, catastrophe risk reduction and early warning systems, and stand-alone adaptation measures. It will be more effective to empower marginalized populations to take the lead in the planning and decision-making processes that impact their lives rather than imposing predetermined answers. By providing vulnerable communities, local governments, and service providers with the tools they need to analyze how the climate is and will continue to influence their lives, prioritize adaptation actions based on knowledge and foresight, and continuously modify their risk management and livelihood plans in response to changing and unpredictable conditions, CBA aims to empower these groups. The 2008 Iowa River floods caused considerable flooding along the riverbank in Iowa City, Iowa. Following the flood, the neighborhood worked with local, state, and federal authorities, including the EPA, to produce a master plan to restore the riverfront, encourage equitable development, and address climate change challenges. As part of its adaptation strategy, the city decided to extend service elsewhere and decommission a wastewater plant that was vulnerable to flooding in the future.

#### ❖ Environmental Education

Environmental education is the foundation of ecological literacy, which leads to environmental stewardship and civic engagement. Literacy on environmental issues achieved via environmental education in both official and informal educational institutions helps to democratise access to environmental knowledge and raises the voices of under-represented groups in environmental decision-making.

## CONCLUSION

The complex interaction of social justice with climate change highlights the need to approach problems of the environment from an angle of equity and fairness. Equity in climate action is not only imperative on ethical grounds but is also strategically wise. Climate action that is

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<sup>11</sup> *Unfccc.int*. Available at: <https://unfccc.int/topics/introduction-to-mitigation> (Accessed: June 2025)

expressly designed to uplift marginalized communities and reduce the disparate impacts of climate change sponsors resilience and social cohesion. It becomes part of the efforts that policymakers can put into play to ensure they instill resilience and social cohesion among communities and ensure that the policy and initiative do benefit disadvantaged communities, thus introducing means to counteract the disparate social impacts. Furthermore, environmental laws and legal frameworks play a crucial role in protecting environmental rights and holding those accountable for causing harm to the environment. All environmental policies and regulations should be strengthened, and their implementation enhanced to deter environmental exploitation and guarantee the just distribution of these burdens and benefits of any climate action. In this regard, climate justice calls for collective action at both local and global levels. Every country needs to proactively address shared risks and commit to reducing greenhouse gas emissions while meeting the needs of the most vulnerable populations. Societies should embrace a holistic approach that underpins social justice principles in climate policy and practice in the development of pathways to a more equitable and sustainable future for all.

