Chapter 5[1]. The role of diverse values of nature in visioning and transforming towards just and sustainable futures

Supplementary material

Annex 5.1. Defining and using 'justice' in the values assessment... 1

[1] This is the final text version of the supplementary material of Chapter 5 of the IPBES methodological assessment of the diverse values and valuation of nature (https://doi.org/10.5281/zenodo.6493134).

Annex 5.1. Defining and using ‘justice’ in the values assessment

This document is a concept note that aims to define the term “justice” for its use across the Values Assessment. It discusses the following points in turn:

- Is justice a value? Justice statements are identified by the universality of their claims. This contrasts with value claims which are relative.
- Justice is conceived as multi-dimensional, going beyond concerns about distribution of environmental benefits and harms, to also include concerns about procedure, access, and social recognition.
- Justice is conceived in an interdependent relationship with sustainability.
- Whilst closely related, we still need separate terms for “justice” and “sustainability” to clearly articulate their relationship.

Why ‘justice’?

Justice traditionally refers to the fair treatment of people, or *‘what we owe to each other’*, but its scope may also be extended to include duties to other units of nature such as animals, rivers or *pachamama*.

The values assessment is looking at diverse values of nature. It adopts a pluralist conception of values, stemming from the view that there is not a common, universal understanding of what “nature” is, how humans value their relations with it or how they should relate to it. Values of nature are intractably plural and potentially incommensurable. When an individual or a social group holds a specific value of nature - such as a specific preference for the aesthetic value of forests over pasture – this does not necessarily involve a claim that everyone in the world should value their forests over pastures in the same way. Whilst a person might well concede that such a specific preference cannot be imposed on everyone, they may nonetheless expect that this preference is respected. This claim has a different status. It can be considered to have a universal intent - i.e., that everyone’s values should be recognised and respected, and not be subject to discrimination based on arbitrary conditions of birth such as gender, location or colour. This is a key distinction in the values assessment. Justice claims are characterised by the *intent* to be universal (even if in practice there is considerable diversity).

The values assessment acknowledges that there are competing ideas about justice related to nature. For example, many environmental conflicts arise between different groups who hold different views about what constitutes the *just* thing to do. By contrast with the treatment of values, however, the assessment does not consider justice *claims* as relativist. When a person, group or society claims something to be just or unjust, this often refers to a more generalisable claim supported by arguments that aim to convince others about the general validity. There are plural claims about what is just, but they have in common that they are *justified* through some supporting argument or principles that are presented as applying widely rather than being local or contextual. This is the basis for global norm-making in e.g., United Nations forum such as the SDGs - constructing, arguing and seeking universal commitment to norms about what constitutes a generally valid entitlement and therefore what we owe to others. For example, the SDGs are primarily about what constitutes the minimum standards of wellbeing that all people are entitled to, whilst the Paris Agreement is an attempt to agree maximum acceptable risk and damage for current and future people. The main difference between specific values and justice is therefore the latter’s claim to potential universality. A claim about what is just is always a claim about what should be public policy (Kenter et al., 2019). Some demands of others (e.g.,

to be heard and considered or not to be discriminated against) may be justified even for those who do not share their specific values and worldviews - that is how we distinguish "justice" from values in the Assessment.

Dimensions of justice?

The Assessment adopts a common framing of environmental justice that identifies three core categories or dimensions of justice: distribution, recognition and procedure (Schlosberg, 2004). These core categories are aligned with other important justice concepts, for example the idea of human *capabilities* (e.g., Sen, 1999) and human *wellbeing* straddle these three dimensions. Distribution refers to who enjoys access to nature's contributions and who bears the burdens of biodiversity loss and damage. Procedure refers to how decisions are made, who gets to participate and on what terms. Recognition refers to the status afforded to others, in particular the respect for different values, identities and knowledge, across social divisions such as gender, ethnicity or worldview. Epistemic or cognitive injustice is a particular form of mal-recognition involving the failure to ensure respect and equality of status for diverse forms of knowledge, worldviews and ways of knowing nature. It is a key example of recognition injustice and one that is central to emerging decolonial thinking about justice.

Different categories of injustice are intertwined. For example, unequal distribution of benefits and harms is not isolated from failures of recognition or procedure. Mal-distribution follows patterns that betray underlying cultures of discrimination such as racism, patriarchy, classism and coloniality (all associated with lack of respect for plural values) as well as decision-making and governance procedures that marginalise some groups and their values and identities.

The assessment also notes scalar dimensions to justice, for example spatial scales are associated with intra-generational justice and timescales with inter-generational justice. The latter is not only forward looking but has a backwards dimension in retributive or restorative justice. Finally, the assessment notes the multiple subjects of justice: not only current humans, but future humans, ancestors and other-than-human entities.

Applying these dimensions of environmental justice, we identify four main types of justice concerns for the IPBES values assessment:

> **(i) Distribution of impacts of biodiversity and nature's contributions to people loss.** Some groups are disproportionately vulnerable to losses of nature's contributions to people, for example smallholder farmers who suffer from increasing crop pests. As another example, future generations suffer from the loss of biodiversity's maintenance of options (NCP18, see Díaz et al., 2018).
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> **(ii) Distribution of impacts of societal responses to biodiversity and nature's contributions to people loss**. Some groups are disproportionately vulnerable to the policy responses to these losses. For example, local and indigenous peoples who have lost territories and/or opportunity for cultural reproduction as a result of protected area conservation. As another example, future generations may not be represented in policy development and so are vulnerable to policy responses.
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> **(iii) Procedural injustice due to inequalities of power and voice in decision-making processes.** For example where gender inequality marginalises women in environmental policy making. Or where the absence of rights of nature reduces the potential to represent the interests of other-than-human nature in earth governance.

(iv) Lack of recognition and respect for some ways of knowing and valuing nature. Failure to recognise some ways of valuing nature means that some losses are not even recognised as losses. For example, where relational values of indigenous people are ignored or where biodiversity option value for future generations is neglected. Such failure to recognise alternative *ways of knowing* the world is a matter of epistemic justice.

As a typology, Distribution, Procedure and Recognition is to be used heuristically rather than as a strict categorisation, because these dimensions are interlinked and not always separable.

- Example of interlinkage: the Environmental Justice movement's roots in the United States of America a) focused on unfair distribution of toxic waste, b) asked how government procedures systematically led to unfair decisions and c) found roots of discrimination in racism and classism (matters of recognition). Thus, Environmental Justice analysis has always acknowledged that these dimensions are connected.
- Example of indivisibility: when some people talk about justice in relation to land or territory (e.g., the Maasai fighting against "conservation" land grabs in Loliondo, Tanzania), it cannot really be isolated as distribution, procedure or recognition because - for them - livelihoods, participation and identities are expressed as inseparably bound together in a more holistic relationship with land.

On balance, however, the idea of multiple justice dimensions has been well tested in empirical studies and is found useful for analytical purposes. For example, it is useful to observe that the majority of responses to concerns about "biodiversity injustices" have involved *distributional* interventions: benefit sharing schemes, wildlife compensation schemes, relocation schemes, payment for ecosystem services schemes, provision of "alternative livelihoods". And yet we know that such financial distribution mechanisms rarely if ever can compensate for injustices of *recognition* (Martin, 2017), including failures to respect plural values or failures to respect territory. For example, compensation payments to a farmer who loses sheep to bears or other predators does not address identity-based harm arising from the farmer's relational values, tied to an identity as a carer for her flock. Conversely, efforts to incorporate ILK into existing decision-making processes, when not accompanied by meaningful political empowerment or territorial control for IPLCs, can promote a superficial kind of recognition that does little to advance procedural or distributive justice for IPLCs, or may even fuel "biopiracy" and exploitation of biocultural resources.

Sustainability and Justice conceive as interdependent

Broadly speaking we identify two alternative ways of framing the sustainability-justice nexus.

- **Justice and sustainability as interdependent.** This framing is most aligned with IPBES and the Values Assessment. It follows the post-1992 United Nations tradition of sustainable development thinking, in which *sustainability is an inherently justice-oriented concept* and in which justice and sustainability are positively related. This positive relationship implies bi-directional dependence. *Firstly, societal progress is only sustainable if it is just*, or put another way, if it isn't just, it won't be sustainable. The Brundtland report argued that intra-generational and inter-generational equity are both conditions of sustainability. More recently, the United Nations' conceptual framework for *'Leaving no one behind'* argues that "horizontal inequalities" between social groups and "vertical inequalities" such as inequitable distribution of wealth and power hinder progress towards sustainability because

they destabilise societies in ways that hinder environmental governance (United Nations, 2017). *Secondly, progress is only just if it is sustainable*, or if it isn't sustainable, it won't be just. This is more often argued in terms of inter-generational justice wherein the obligation to protect the opportunities available to future generations is considered to be a defining normative requirement of sustainable development (e.g., Norton, 2005; United Nations, 1987).

- **Justice and Sustainability as independent.** Within some areas of sustainability science we observe an alternative framing of this nexus in which justice and sustainability are viewed as mutually independent - meaning that it is considered possible to make progress in one whilst regressing in the other (e.g., it isn't just but it is sustainable). For example, some models of climate change mitigation assume that human welfare outcomes trade off against carbon emission reductions. Likewise, analyses of planetary boundaries tend to find that biophysical and social welfare boundaries have traded-off historically, with improving provision for human needs occurring alongside deteriorating environmental conditions (e.g., Bennett et al., 2016). O'Neill et al. (2018) find that there are no countries that meet all their selected thresholds of social justice whilst also sticking within planetary boundaries, and no countries that stay within planetary boundaries manage to meet social justice thresholds. These observed historical trade-offs may reflect the way in which the "boundaries" and "social welfare" are defined. For example, there is no clear "biodiversity" boundary, and any effective boundary that did capture global biodiversity (variety) would naturally also reflect social welfare in the sense of inter-generational justice.

Why does the values assessment treats "justice and sustainability as interdependent"? There are two main reasons for this, based on the way we conceive and use "justice". Firstly, adopting a multi-scalar view of justice produces stronger links with sustainability. Secondly, adoption of a multi-dimensional view of justice entails stronger links with sustainability:

- **Scales of justice determine connection with sustainability**. Emphasising the time dimension of justice – its inter-generational scale - brings stronger alignment with sustainability. For example, if we take a long-term view of the impacts of biodiversity loss (in the sense of loss of living variation), it cannot be conceived as independent of social justice because we recognise and value biodiversity as maintaining opportunities for future people (Faith, 2017). Equally, emphasising the spatial scales of justice also promotes stronger alignment with sustainability. For example, attention to off-site and telecoupled effects of commodity booms helps to understand that local (and short-term) trade-offs between welfare and environmental integrity give way to a more complex reality across scales (Boillat et al., 2018; Pascual et al., 2017). The selection of social scales/units is also pertinent, with trade-offs more visible across individuals than at higher collective levels. Combining temporal and spatial scales, for example, conversion of more biodiverse habitats to palm oil monocultures might be seen as trading positive human welfare gains against sustainability if the analysis is local and short-term. But where long-term and cross-scale outcomes are considered, human well-being and sustainability are more likely to be observed as interdependent (Rasmussen et al., 2018).

- **Dimensions of justice determine connection with sustainability.** The relationship with sustainability is also shaped by the kind of justice outcomes that are selected as indicators, for example whether one chooses subjective/individual (self-reported happiness) versus objective indicators (such as access to clean water) or capabilities (actual conditions for achieving a dignified life including also socio-cultural and

institutional conditions) as the "currency" of justice (Page, 2007). If we measure justice in terms of (short-term) social welfare indicators alone (income, life expectancy, education etc.) we are more likely to observe trade-offs with environmental sustainability (as happens in O'Neill et al., 2018). However, if the "currency" of justice is more plural, including identity-based outcomes such as recognition, we are more likely to observe interdependence between justice and sustainability. This is because loss of biodiversity can directly and quickly reduce opportunities for cultural reproduction through diet, farming, crafts, worship and other place-based and non-substitutable identity-linked practices.

Although closely connected, we still need to use the terms "justice" and "sustainability" separately

Whilst arguing that the concepts of justice and sustainability are strongly overlapping, the values assessment acknowledges that this raises the question of whether it is necessary to use both terms. Indeed, we are aware that use of the phrase "just *and* sustainable" (e.g., just and sustainable futures) could be interpreted as having one redundant term or even to contradict our view that the two are co-dependent and will move together in the long term. Yet, the reason to keep the two terms separate is to be able to clearly express that the pursuit of sustainability has to incorporate the pursuit of justice (as both a process and an outcome). The nexus between justice and sustainability is a key feature of transformative change – it would be hard to effectively communicate this without the term justice.

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