

# **VOICES FROM THE GRASSROOTS**



**Redressing the Balance:  
working towards environmental  
justice in Scotland**



**Friends of  
the Earth  
Scotland**

## **VOICES FROM THE GRASSROOTS**

### **Redressing the Balance: working towards environmental justice in Scotland. Handbook 4**

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# 1. Introduction

## 1.1 What is environmental justice?

In December 1999, Friends of the Earth launched a campaign for environmental justice in Scotland. In the four years since, Environmental justice has become a widely used term by policy makers and activists alike. One of the breakthroughs in this period was the accreditation of the UK's first Certificate in Environmental Justice (by Queen Margaret University College), designed to validate and add value to the work of the many local activists for environmental justice in Scotland. Environmental justice in Scotland arises from the work of such activists. This handbook comprises the stories of those activists who participated in the certificated course – Friends of the Earth's 'agents for environmental justice'.

*Agents for Environmental Justice* is a project funded by the Community Fund, which has supported a number of activists (known as 'agents') through the Higher Education Certificate in Environmental Justice validated by Queen Margaret University College; provided training and advice for communities facing environmental injustices; and produced resource materials such as this handbook.

The origins of the concept of environmental justice lies in the movement against environmental racism in the USA and the struggles of the environmentalism of the poor throughout the poorest countries. The term environmental justice was coined at a gathering of black activists in Washington DC in 1992 the 'First People of Color Environmental Leadership Summit'. It has been used by movements and NGOs in South Africa, Nigeria, India and South America, and has been used synonymously with terms like 'environmentalism of the poor'. This is well documented elsewhere, not least in the further reading section at the end of this handbook. An interpretative summary is provided in section 3. This handbook aims to explore environmental justice from the perspectives of people in Scotland who are actively struggling to achieve it (the experiences of one of the agents, Amadu Khan, has been published in the companion handbook in this series 'Global Connections').

Friends of the Earth Scotland's environmental justice campaign was launched in our 21st anniversary year, and also the year which saw the creation of a Scottish parliament – the first for nearly 300 years and the very first democratically elected. We used this opportunity to make demands of the parliament in terms of environmental justice. Under the slogan 'no less than a decent environment for all, with no more than our fair share of the earth's resources', we made a series of 16 demands which we regarded as significant in the progression towards environmental justice.

A little over two years later, in 2002, Scotland's First Minister gave a groundbreaking speech in which he committed the executive to environmental justice (see box 1). Within months, a young and gifted civil servant was given the task of taking environmental justice forward within the executive. A year later, a newly elected executive put environmental justice in its programme for government saying in the introduction to its Partnership Agreement:

*“We want a Scotland that delivers sustainable development; that puts environmental concerns at the heart of public policy and secures environmental justice for all of Scotland’s communities. Our commitment to the environment is demonstrated in every section of this Partnership Agreement”.*

Environmental justice had been adopted into the objectives of the relevant statutory agencies including SEPA and SNH. At the time of writing some 10 of the original 16 demands have been achieved fully or in part.

### **BOX 1**

*“Too often the environment is dismissed as the concern of those who are not confronted with bread and butter issues. But the reality is that the people who have the most urgent environmental concerns in Scotland are those who daily cope with the consequences of a poor quality of life, and live in a rotten environment – close to industrial pollution, plagued by vehicle emissions, streets filled by litter and walls covered in graffiti. This is true for Scotland and also true elsewhere in the world. These are circumstances which would not be acceptable to better off communities in our society, and those who have to endure such environments in which to bring up a family, or grow old themselves are being denied environmental justice.*

*The people who suffer most from a poor environment are those least able to fight back, and I believe government is about standing up for them and changing that situation.*

*In the late 20th century the big political challenge – and the greatest success I believe - for democrats on the left of centre was to develop combined objectives of economic prosperity and social justice. I believe the biggest challenge for the early 21st century is to combine economic progress with social and environmental justice.”*

*Jack McConnell First Minister, February 2002*

With all this activity, the question frequently comes up of what is meant by environmental justice. Definitions of environmental justice are becoming widespread, and there is increasing concern amongst some that, as with ‘sustainable development’, the phrase is losing its meaning through being used differently by such a wide range of interests. Friends of the Earth Scotland is regularly asked for our own definition, which is an encouraging recognition of the role we have played in bringing environmental justice to the current level of political debate. There are definitions that we use, but what is significant about environmental justice is that it is not in the gift of any one organisation or tradition to define it.

## **1.2 Dialogue with struggle**

One of the most significant aspects of environmental justice is that it relies on a constant dialogue with people engaged in political struggle at the grassroots. Environmental justice is certainly a list of campaigning demands...but it is more than that. It is also a legitimate area for academic study...but it is more than that. Any definition of environmental justice is not complete

without being accountable to the individuals and groups who are facing environmental injustices and struggling to overcome them – the environmental justice activists.

That is not to say that activists always get it right. Political theorists talk about *praxis* – the combination of practice and theory, or of action and reflection, which is essential if we are to have meaningful political change. The academic theorists and the professional campaigners all have their place but they must be in dialogue with the people in the communities and the workplaces who are engaging in action and reflection of their own. For this reason, this handbook is an example of this essential component in the discourse about environmental justice. It is the work of people who are actively pursuing environmental justice, defending their communities and their comrades, their health and their environment.

The contributors to this handbook are the agents for environmental justice, who have spent 18 months studying for the Certificate in Environmental Justice, building up their skills and their confidence, submitting theory to the scrutiny of its usefulness in practice, and likewise analysing their practice in the light of theory. This handbook puts another layer onto that process.

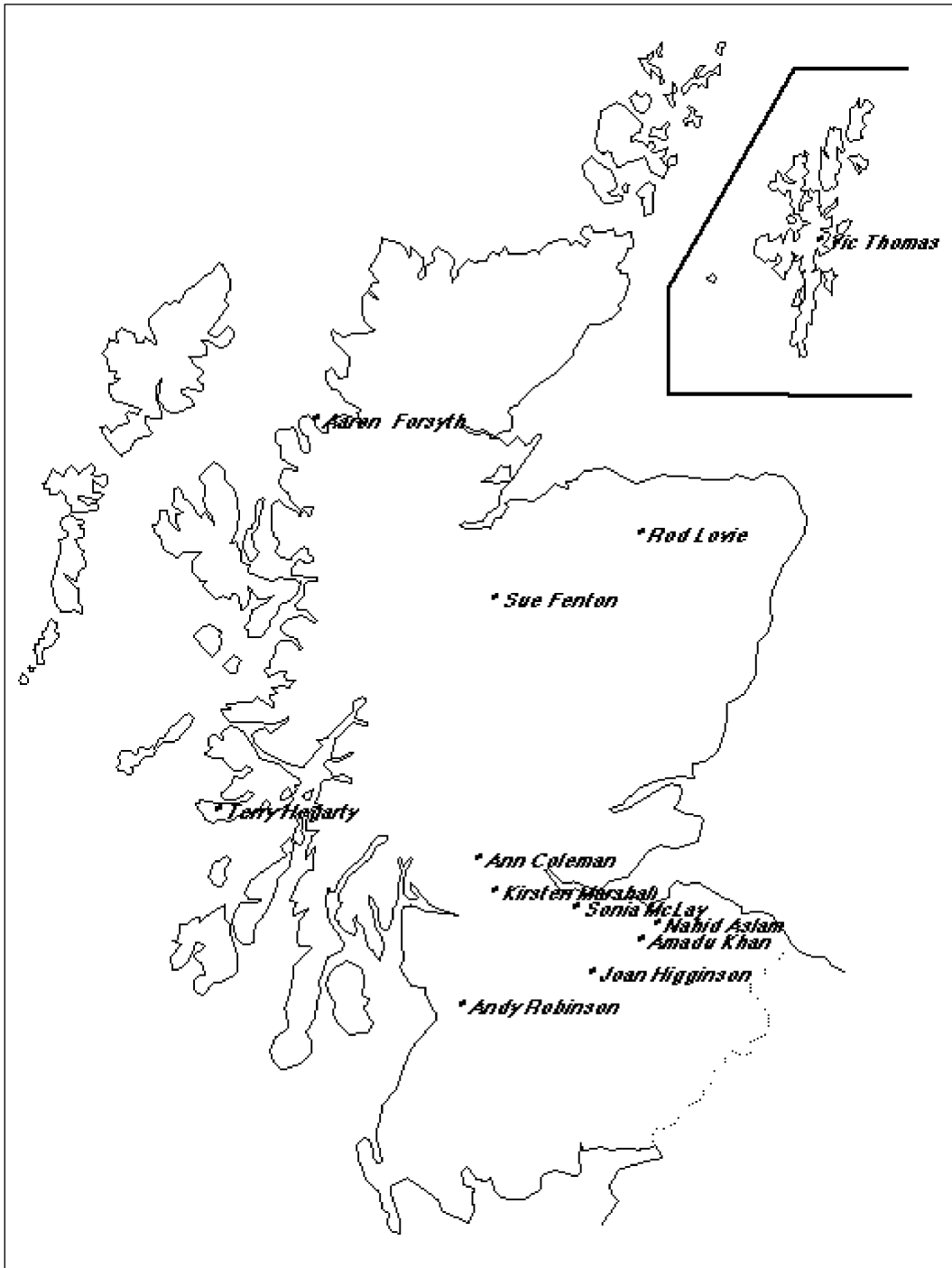
This handbook is a collection of case studies but it is more than that. It is a small part of a process of interweaving stories of practice and theory which is environmental justice. Many years of struggle have gone into these pages. It is hoped that many years of struggle will be stimulated in those who read them.



**The agents visiting Novar wind farm in The Black Isle. Residential weekends and field visits played an integral part in informing the agents about other environmental justice issues throughout Scotland.**

## 2. The Case Studies

The agents are based throughout Scotland in the locations as shown on the map below. A fundamental criterion of the course was to ensure that the agents represented a wide range of areas of Scotland experiencing environmental injustice, and a diversity of geographical areas, social contexts and political situations.



Map showing the location of the Agents

## 2.1 Life in the Sacrificial Zone - Greengairs and Wattston

Ann M. Coleman, - Greengairs and Wattston, North Lanarkshire



Ann Coleman

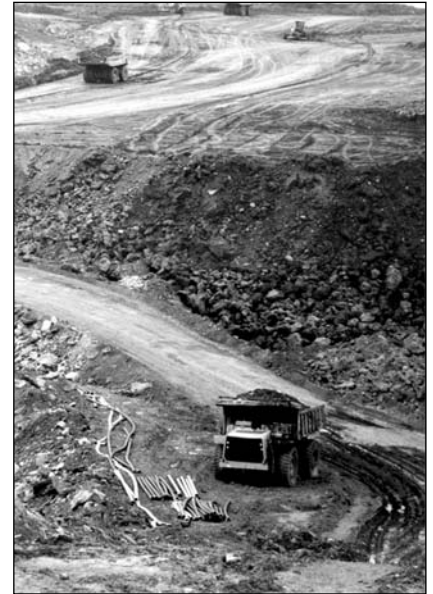
In the week between Christmas and New Year 1996, our local newspaper published notice of a planning application to extract coal by opencast methods on two farms about half-a-mile from my home. Most of the land to the south of the villages had already been lost to opencast followed by landfill. There were three operational landfill sites, one large scale opencast and one coal recovery site to the south and west of the villages with the opencast stretching east from our villages to border another two villages. At the time it was difficult to see how the Local Authority could justify approving any more landfill or opencast, the cumulative effect of the existing activities was creating a loss in quality of life without adding more. The operators didn't stick to agreed working hours, the odours and dust prevented local residents from being able to open windows or put washing out to dry, the main road was already overburdened with heavy goods vehicles and Council input in the villages was non-existent. The application was called in by the Secretary of State and, following a Public Inquiry, was approved.

The whole process was so unjust, with no credence, never mind respect, given to the people who would have to live with the consequences every day for years. My opinion at that stage was that the Planning System was irresponsible, unprofessional, unjust and that National Planning Policy Guidelines, Scottish Planning Policies and Planning Advice Notes (NPPGs, SPPs and PANs) were nothing more than a paperwork exercise that allowed the Scottish Executive (Scottish Office in 1998) to devolve its responsibility if anything went wrong at Local Authority level. They, the Scottish Executive, could say, "we produce guidance and advice but we don't have the statute to enforce Local Authorities to comply, therefore the responsibility is not ours". My belief still stands, although the Scottish Executive appears to be moving towards a more inclusive planning process. We have seen the adoption of principles like Social Justice Policies, Freedom of Information Legislation, Human Rights Legislation, a White Paper on Public Participation in the Planning System, the adoption by Local Authorities of Local Agenda 21



Officers and most recently the start of the consultation process for Third Party Right of Appeal. Phrases such as, Sustainable Development, Environmental Justice, Biodiversity, Public Access, Need, Green Transport and Equity are now everyday language in Planning related documents like Structure Plans, Local Plans, Area Waste Plans, SPP1 and Meeting the Needs. But so far it's all only words on paper.

Recently we were in the ludicrous position of fighting another Public Local Inquiry (PLI); this time it was an application to add to the existing landfill facility. Considering we have the largest landfill site in Scotland, one of the largest in Europe, there can be no equity or justice in approving any more. The Local Authority Planning Officials approved the application without even paying lip service to the policy changes detailed above. It will be very interesting to see if the Scottish Minister who will now make the final decision, gives any credibility to the changes or if it has all been another paperwork exercise paid for by public money without any benefit to the public. At least on this occasion we had the total support of our MSP backed by our First Minister who appears to have a genuine wish for change. Unfortunately, despite public perception to the contrary, not even the support of the First Minister can guarantee an environmentally just decision.



The opencast works at Greengairs

My Community of 1500 people fits nicely into the "Sacrificial Zone" category, a principle that I had the great privilege of discussing with Professor Bob Bullard when he visited our villages on his trip to Scotland two years ago. I wish I could meet him again now that I know so much more about Environmental Justice. For years government and developers have tried to tell us that there is no such thing as a "Sacrificial Zone", even at our recent PLI the term was questioned and yet, in 1999 FOE published figures showing that in the UK 660 industrial polluting sites were in areas where the annual income was £15K or below and only 5 where the annual income was £30K and over.

An interesting aspect of this identified by Carole Zagrovic, an FOE Community Development Officer in Teeside, is that while the houses around the huge chemical complex were originally built for the employees of these industries, the employees could afford to move out of the area away from the pollution and commute to work. This left the houses available for new Council tenants who are mainly unemployed and living on benefits with no chance of escaping the risk of health consequences from the pollution. Like my community and too many more like it throughout the world, it's the people who are least likely to be able to afford the benefits of an affluent, throw away society that suffer most of the detrimental consequences.

We cannot even establish exactly what the health implications are from living with polluting industries or precisely who is responsible. In my Community Survey, 97% of the respondents stated that they fear for their health. There is a conviction that there is a greater than average risk of cancer, especially as a result of the extent of landfill. Recently the publication of the SEPA Pollution Register included the Shanks Landfill site in Greengairs among the

top ten polluters in Scotland. The problem is, when you look at the polluting substances recorded they all relate not only to landfill but also to opencast coal extraction, traffic and fossil fuel burning. We have a huge opencast operation, a very busy road and - with no gas to the village and a number of retired miners - there are still a fairly high percentage of coal fires.

The Institute of Occupational Medicine recently published a report stating that living in the Central Belt could shorten your life expectancy by 10 years as a result of particulate matter (PM<sub>10</sub>s) never mind other pollution factors. Since all of the activities mentioned have the potential to produce airborne toxic particulates of varying sizes along with other pollutants, how could we ever establish who is responsible if the health of the community is suffering. It seems to me to be criminally irresponsible for scientists, developers and governments to continue to ignore air pollution as a possible contributory factor to Scotland's appalling health record. I resent the inference that we are a nation of chain smoking, beer drinking, fast food, couch potatoes. We are ordinary people living in a part of the planet that has the potential to provide one of the worlds healthiest environments. The greater consequence of this, is that governments, who on the face of it cannot think or act in "joined-up writing" in relation to their own nations, continue to avoid the global implications of air pollution, and with a unilateral US President at the helm of the biggest polluter in the world, what chance do we have?

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***“I resent the inference that we are a nation of chain smoking, beer drinking, fast food, couch potatoes. We are ordinary people living in a part of the planet that has the potential to provide one of the worlds healthiest environments.”***

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But what about the effect of all of this irresponsibility on the sustainability of the planet? When the First Minister presented his speech on “Environmental and Social Justice” at the Dynamic Earth he made specific reference to past economic and political decisions that had been made with little thought for the long term impact on the environment. In relation to my community, the extension to land already contaminated, by an increase in operating life means that a potential exists for an additional 100 years of pollution, in an already sacrificed community. My Mum is 80 years young and, even with the benefit of hindsight, there is no way anyone could have predicted the events of the last 80 years so how can we justify taking actions now that so severely limit the options for community sustainability for the next 100 years. Have we learned nothing?

You might think that living in a degraded environment would bring the community together to fight for a better quality of life and to ensure that enforcement bodies monitor and control the various activities, but that was not my experience. Back in 1996, the local residents trusted no one, not even their own Community Council. The community was divided, which provided the Local Authority and the developer with the ideal opportunity to use the divisions to conquer local opposition and win their case for approval. Coming into the situation at that stage, I didn't know who to trust, why couldn't the local people see what was happening, why didn't they understand that their infighting was making the community more vulnerable?

The answer was quite simple, they had suffered for years with no power, no access to information and no honest answers from the Local Authority, every action was treated with arrogance, making the Community Council and the Environmental Forum look as if they were either incapable or didn't really care. There were accusations of hidden agendas and self interest and the extent of mistrust became overpowering. I decided not to affiliate myself with any one of the two community groups, instead, I engaged both of them, explained about the environmental justice course and asked for their help. I kept both of them informed and, as Shanks, the landfill site owner, already had a reasonable line of dialogue with these groups, I discussed the course with their Area Manager.

I can only say that I have had nothing but support and assistance from all of these people and, at our most recent Public Inquiry, the community case was a joint effort that brought the two community groups together fighting as one. The next bi-monthly meeting with Shanks will be a joint meeting with a Good Neighbour Agreement being the main item on the agenda. Having the right people in Community Groups is crucial, there are those who see it as an excuse to further their own aims and as long as they have influence the local people will suffer. I am very hopeful that attitudes have moved on enough to make working on a long term community development programme a very worthwhile and viable project.



The Greengairs landfill

I must end on a positive note. The upsurge in public demand throughout the world for Environmental Justice is having an impact, so I am hopeful for my granddaughter's generation.

## 2.2 Shouting from the shore

Aaron Forsyth, Scoraig, Wester Ross



Aaron Forsyth

Life in a Highland crofting community is rich, not in terms of financial wealth but in the quality of uninterrupted open space, clean air and water, and the sense of sanctuary that can be found in isolation. The sea, belittling the landscape with its ceaseless presence, is one of the highlands' most valuable resources, and still offers the now rare luxury of harvesting and eating the fresh wild bounty it provides.

In contrast, the winter weather exploits the open space, in its seemingly relentless battle to wear and erode the landscape and all that dwell on it, forcing submission, dictating the course and pace of life. There is little point in trying to stand in the way of the might of the elements; shouting at the wind is senseless and will bring no change. The isolation, no longer providing sanctuary, begging me believe that my part in the evolution of things is insignificant.

Weighing up the contrasts of this, or any other place to bode, I have chosen this way of life, as the others in the community have, we are jointly committed to the place and its surrounding space. I intend to analyse how that way of life can be threatened and try to define the factors responsible for the change, and will give an insight into my personal approach to the environmental injustice of aquaculture development.

Due to my weathered upbringing, I have learned to accept most things and until recently, have taken an intentionally passive role in the community. I have never been one to take a political stance and although I could see many inadequacies and faults in government policy, being aware was somehow enough, but at the same time, knowing that I had a voice if I ever needed it.

Despite the past exploitation of the Highlands and an obvious lingering atmosphere of outside control, I believed, naively, that our community was somehow immune to intensive developments.

The close interaction with the land and the reliance on the natural environment is the overriding quality of this way of life. A way of life that I find I am prepared to go to length to protect, now assuming an active role that I probably would not have filled, had the community not been threatened by proposed imposing developments.

I found myself in a public, angry verbal exchange, with a fish farming company who, being honest about their greed, but in denial of the potential impacts of their proposal, were informing the community of their intention to apply for seabed lease in one of the community's most valued areas. The area, a remote sea bay, is much visited for its special scenic and spiritual qualities, and provides a fishing ground for creel boats and shellfish divers. Finding myself feeling, metaphorically, punched in the gut and shouting at the wind, I quickly realised that I had to transform my anger into something positive and constructive, starting on the road to learn, in order better to understand the issue and to find the most effective approach to take, to affect change best. From passive observer to community activist.

The real problem began twenty-five years ago, when the Crown Estate, who consider themselves owners of the seabed, had earmarked hundreds of potential sites dotted over the entire west highland coast, to lease out to the growing fish farming industry. With no consultation, many of these sites were granted to companies who have discretely sat on them, waiting until the financial or technological time is right to develop.

A seabed lease, above which a floating factory can be built for the intensive, forced, growing of finned fish, is an asset that is fiercely defended by its tenants, but the real asset is the water flowing above it, which of course no one can own or rent. In the same way that a land based factory, that may own the ground on which it stands, does not own the air which it pollutes.

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***“Is it not time for sea reform, giving the opportunity of local management to coastal communities?”***

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Some will question whether the land should even be owned, but it is not so much a question of ownership but one of access to management. However, the issue of ownership is also very relevant, because it is often the owner that is the obstacle in the way of that access. The same principle applies to the sea, and in today's Scottish land reform climate, where the way is paved for community buyouts, what of the monopoly that the Crown Estate holds over the sea? Is it not time for sea reform, giving the opportunity of local management to coastal communities?

Once we gain a better picture of the true scale of the Aquaculture industry we can begin to understand the reasons behind the injustice. There are around 350 fish farms in the Highlands and Islands, that is at least one in every inshore sea loch, the industry is worth £700 million to the Scottish economy and the product makes up over forty percent of Scotland's entire food export market.

The Crown Estate make £250 million per annum in lease rental, which goes straight over our heads to Westminster, a meager 2% is reinvested into Scotland.

The reason, it seems, is pure financial greed, and where there is greed there is multinational interest. Not only is the ownership of the Scottish seabed assumed by an English institution, but the majority of leaseholders are foreign-based multinational companies. Because of the environmental implications of the use of highly toxic chemicals in the treatment of parasites and disease, and the transfer of infection to wild fish stocks, many foreign companies are no longer allowed to operate under their own governments' laws.

With the single-minded aim of creating revenue, there was no consideration of the implications of granting so many sites. The inevitable consequence is to many producers, leading to a trend toward modularised developments to cut production costs and increase efficiency, putting further stress on the environment.

The valuable, clean water is being contaminated by an industry that relies, for its own gain, on it staying clean. This footprint is then considered acceptable, in exchange for employment created and for the generation of economic growth, ignoring the wider effects on the given environment and those who live within it.

A fragile community can easily be lured by the offer of employment by an incoming developer; indeed, the fragility will be played upon by that organisation. Once profits have been made and, for whatever reason, that company moves on, the community who has become dependent will be more fragile than ever.

The conclusion of any development is through public consultation initiated at the final planning stage. Due to developers' considerable financial investment to reach this stage, it seems that the outcome is a foregone conclusion. Although regulatory bodies are legally obliged to take note of objections there is no obligation to act on them, criticisms and objections are often given little attention. There is a blind disregard for the values of residents within the communities, that will inevitably be most affected.

It is essential, therefore, that the consultation be the first stage of development, if we are to ensure that it will be sustainable in the long term and will be appropriate for the community and is within the natural capacity of the resource on which it depends.

Who bears the cost? It is not possible to financially reimburse the natural environment or a tired resource. The sea is expected to dilute and absorb infinitely all that is poured and pumped into it. For those who dwell around it and rely on it for their livelihood, this is clearly not the case. As a result of the concentrated discharge of nutrients, fish farming also contributes to an increase in algae growth, creating a microscopic imbalance on a huge scale. This creates problems of toxic contamination for the shellfish sector and affects the delicate beginnings of the marine food chain, a problem that is denied by the government and blamed on agricultural run-off and seasonal or climatic variation.

It is the community hosting the development that pays, in form of the loss of amenity and the further degradation of their valuable resources. The ulti-

mate cost is in the denial of access to resource management.

There is a fear from those in government of giving responsibility of management to individuals on a community level. Since it is the management structure that has more immediate influence and control, it therefore holds the power. Is it assumed that the community, if given control, will be opposed to development?

Everyone is responsible for the development of his or her community. It is easy to raise an objection to a particular development being proposed by an outside interest, but we must go further than that and come up with an alternative.

Employment cannot be created for employment sake. It is therefore, essential that it is created as a result of defining needs and assuaging them through community-managed business that is built to last, distributing deeper-rooted wealth within, and spreading out from, the local community.

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*“We are then expected to accept the imposition of development, in order that another way of life, that is somehow more important than ours, is sustained in a wholly unsustainable way.”*

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We can still chose where we want to live, but have little choice when it comes to the security of the way of life. I am fully aware of the fact that the environment in which I live is relatively unspoiled, compared to many parts of the globe, but this cannot justify acceptance of further degradation. Even if we find the hidden route to filing an official objection, our voice is lost, deemed insignificant. We are then expected to accept the imposition of development, in order that another way of life, that is somehow more important than ours, is sustained in a wholly unsustainable way.

Living in a democratic nation that aspires to independence, I cannot agree that we must accept inappropriate development if it is for the ‘greater good’, queen and country, and profit. It must be for the profit of the people, to create wealth and richness of community.



Photo credit : Tara O'Leary

View down the Scoraig Peninsular

## 2.3 Brick by Brick

- Kirsten Marshall, Dundyvan estate, Coatbridge



Kirsten Marshall

The community in which I live with my two young daughters has been left to decay over the years. I live in a flat rented from North Lanarkshire Council, which is impossible to heat sufficiently. My home and that of others on the estate has quite a lot of dampness due to fuel poverty, infestations of flying beetles and rats in the cavities of the walls are just a few of the numerous amount of problems we have. The houses were built in the 1960s and were not supposed to last over 35 years, therefore are not sustainable. You can see just by looking at the houses with their flat roofs and completely destroyed roughcasting that North Lanarkshire Council were not thinking of Sustainable Development when these houses were built.

The landlords and developers in the town have segregated the housing into two different sections. One half of the town for the middle classes, with good standard of housing and maintenance and also great prospects for the future as new businesses entering the town along with factories and overseas employers. The other half of the town is then left for the poorer families, who may have one parent or more often than not unemployed families. Over the years this situation has worsened as this side of town has been left to decay. The effects are all too clear as the drug and alcohol rate has increased tremendously.

I myself have felt the strain of living in this run-down community but with determination and a gaining knowledge about our rights I have become more positive, a more forward thinking person who won't stop and look at a brick wall when I come to it - I will either find a way round it or break it down and crush it brick by brick.

I think it is very important to think on a local level so we can get as many people as possible to be active within their community. Public participation includes



people from all walks of life whether poor or rich, young or old, male or female. Public participation is the answer to social inclusion and to sustainable development.

Now is the time for Local Councils and Governments to practise what they preach and start to build sustainable housing and stop wasting so much tax-payers' money on transporting building materials half way around the world and back to build a block of flats around the corner. It is ridiculous to think of the Earth's precious resources that go to waste to build one new build house when it seems to make so much more sense to build more sustainable housing.

The effects that building sustainable homes would have on global warming would be tremendously positive as it would dramatically slow down its progress. Pollution to the atmosphere and waterways would also decline as the materials wouldn't need to be transported all over the globe, with more oil and other raw materials being preserved.

The environmental justice movement evolved over the years originating with the black civil rights movement in the U.S.A. Along the way people started to realise just how relevant this was to them. With the likes of Malcom X the cause was more publicised and commended on encouraging more organisations to come on board to fight for their rights. The array of different types of organisations fighting for Environmental Justice is amazing, with groups such as women's rights to gay rights and from disability groups to deprived communities. No matter how different they seem to appear, the foundations lying underneath everyone of these groups are exactly the same.

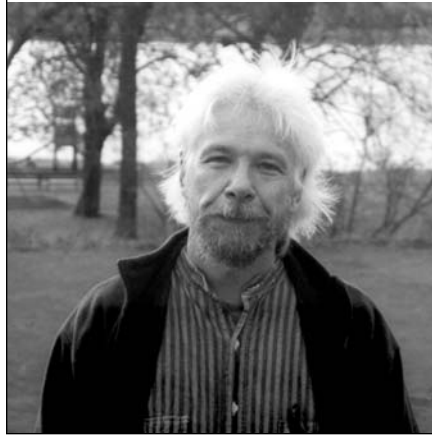
Environmental Justice has the potential to connect these groups with a wider demand for justice, as well as with the resource reduction that is needed for justice for future generations. There can be no Environmental Justice without sustainable development. No less than a decent environment for all, no more than our fair share of the earth's resources.



**Local housing in Dundyvan**

## 2.4 Justice and Waste: Reflections from a Scottish Island

Terry Hegarty, Mull



Terry Hegarty

### Introduction

This essay reviews activities of a community group concerned with waste management on a remote Scottish Island, in the light of the emergent global movement for Environmental Justice. Drawing on the experience of Mull and Iona Waste Watchers it describes some of the challenges facing the islands, and suggests that effective campaigning for better waste management may be usefully informed by considerations of Environmental Justice. The group's constitution states as its first aim 'To study issues affecting the environment of Mull and Iona, and to promote public discussion and action for its protection'. Since its formation in 1988, Mull and Iona Waste Watchers has constructively addressed a variety of topical local concerns. These include nuclear waste disposal, sewage treatment, marine pollution, remediation of toxic waste land, and unexploded ordnances, along with a range of waste management matters. The group has also helped to promote energy efficiency, and 'green' tourism, and is currently associated with community composting initiatives, and other practical local measures to reduce, reuse and recycle waste.

### Definitions

For the purposes of this article, the 'tag line' adopted by Friends of the Earth Scotland serves as an adequate expression of some essential tenets of Environmental Justice: 'No less than a decent environment for all, with no more than a fair share of the Earth's resources'. Such professed sentiments for environmental well being, social equity, and moderation in consumption, are implicit in Waste Watchers' position, and find expression in the Area Waste Plan for Argyll and Bute, which specifically recognises Environmental Justice as a 'key driver for change', so reflecting Waste Watchers' consultative response to the final draft.

Accepting that radioactive wastes fall under a separate regulatory regime, members of the group none the less also took issue with the Scottish Environment Protection Agency's (SEPA's) restricted and legalistic definition of waste, during local consultations conducted by the Waste Strategy Area Group. The Glossary of the Area Waste Plan offers the following: "Any substance or object in the categories set out in Annex 1 of the Waste Framework Directive (91/156/EEC), which the holder discards or intends or is required to discard." Waste Watchers established that, in effect, this means that harmful fish farm waste discharges to sea are effectively excluded from any integrated local waste treatment strategies, which may be developed or prescribed for the islands. Agricultural and industrial wastes and sewage, too, are the subject of other requirements. Mull and Iona Waste Watchers has increasingly recognised that definition of waste can be problematic, particularly when dealing with bureaucracies. Whilst some materials may be treated as resources, eg aluminium cans and garden waste, with a view to recovering value for community benefit, others such as catering wastes and batteries, can be costly liabilities. The development of any fully integrated approach to waste management on Mull, to identify and implement Best Practicable Environmental Options for the island, will certainly demand review of definitions and regulations, appropriate to the local context.

### A Local Perspective

People's understanding of waste is informed by their personal experience and values. Invited to cite a Gaelic proverb concerning waste, an elderly scholar of the language translated a saying as "If you keep it for seven years, you'll find a use for it!" There are variants off this theme throughout the Hebrides, and appreciating that he was actually being invited to suggest an appropriate slogan for a new community waste project, he proposed "*Sabhail an diu e Bi feum air gu dail*" - 'Save it today! It will be required soon enough' ". Unable to find any traditional form of words in his reference library, which so succinctly expressed such suitable sentiments, he had made it up himself. Earlier this year, this Gaelic wisdom featured as the headline of a new local newsletter about waste, which reported the launch of a project to translate exhortations to 'Reduce Reuse and Recycle', into new forms of local industry and employment, to benefit disadvantaged island communities, and curtail local dependence upon landfill.



Terry's composting shed

Mull and Iona Waste Watchers recognises waste as a key sustainability issue for the islands, and for humanity, since improved waste management so clearly has far reaching environmental, social and economic implications. Local waste management concerns may also be interpreted in terms of Environmental Justice, however.

*...no less than a decent environment for all...*

- Waste Watchers called a public meeting when notified that raw sewage was seeping into Salen school playground, in 1993. Initially official representatives insisted that there was no practical alternative to continued use of the cracked pipe, to discharge collected septic tank sludge to sea, in the immediate short term. Bureaucracies concerned with waste management can tend to defer to yet more inherently conservative technocrats, for advice and guidance, where local discretion to exercise common sense might better serve the general good. Many parents present intimated notice of direct action, the following morning, if the practice resumed, and the impassioned threat of such anarchist behaviour effectively won the argument for a safe and pleasant environment for children's play.
- Waste Watchers accomplishments are not just as effective "Not In My Back Yard" (NIMBY) campaigners, however. The constitution commits the group to support other communities threatened by radioactive waste disposal. Strong links with Caithness Against Nuclear Dumping developed, ultimately culminating in the formation of Scotland Against Nuclear Dumping, with a representative from Mull and Iona voted founding Convenor. In this instance, expediency had dictated an effectively structuralist approach to fulfilling the functions of a Nuclear Industry 'Watchdog', partly in order that hard pressed single parents could be relieved of such onerous national responsibilities, by better placed specialists.
- Another aspect of waste in relation to 'a decent environmental for all', is its significant contribution, more or less directly, to global climatic change. Excessive emissions of harmful polluting gasses are associated with the manufacture, distribution and consumption of consumer products designed to rapidly become waste, even as weather patterns become unpredictably extreme, world wide. With sea levels predicted to rise by up to 69 cm by the end of the 21st century, through thermal expansion of sea water caused by global warming, coastal infrastructure, vital to communities on Mull and Iona, is sooner or later, likely to fall prey to increasingly high tides in storm conditions. This may be as nothing, however, to the plight of totally displaced Maldive Islanders, or Bangladeshis, whose homes will almost certainly be ultimately submerged.

Meanwhile, concern about organic material breaking down in landfill sites as a significant source of methane, a 'greenhouse gas' 20 times as potent as carbon dioxide, compounded by fears for human and animal health, has driven stringent European Directives requiring special treatment for putrescible wastes.

*...with no more than a fair share of the Earth's resources...*

Research available through Friends of the Earth Scotland, indicates that Scotland's consumption, per capita, exceeds its share of the planet's carrying

capacity, whether measured as non renewable resources, or as ecological damage. We are consuming at the expense of others, including future generations. Waste may be recognised as a useful universal indicator of behaviour which is ultimately unsustainable, in terms of Environmental Justice. Waste Watchers recognise that the investment to provide a garden waste collection service on Mull may be unlikely to achieve net environmental benefit, particularly since refuse vehicles carry limited volumes of such materials. Such analysis played no part in the design or construction, now approaching completion, of a £2 million composting plant near Dunoon. During an official site visit by the Waste Strategy Area Group, the Waste Watchers representative enquired when such substantial investment in steel and concrete would repay environmental dividends, measured as greenhouse gasses and other harmful emissions. The calculation had never been made, to the knowledge of the Site Manager; in his personal opinion there would probably never be any such net benefit. The challenge had been to achieve regulatory compliance, within budget, and on schedule. Justifying consumption of an unfair share of resources, to build the plant, had not been a requirement for the project.

## **Conclusion**

Considerations of Environmental Justice can help to both interpret and inform grass roots campaigning on waste issues. An abundance of online information is available on both themes, and growing very rapidly through proliferation of insights concerning each and expanding access to Information Technology. At least one activist pursuing such links has been inspired by hopeful vision presented by <http://www.zerowaste.co.nz/> and <http://www.grn.org/zerowaste/community/index.html> (links from [www.foe-scotland.org.uk](http://www.foe-scotland.org.uk) via [www.rags.org.uk](http://www.rags.org.uk) ).

Meanwhile, the disruption, crisis and death of whole communities, whether through drought, flood, famine or armed conflicts, absolutely eclipses any current claims of Environmental Injustice on Mull.

Mull and Iona Nuclear Waste Watchers originally set out to challenge the capacity of the Nuclear Industry to render remote, peripheral, fragile communities permanently and absolutely victim to its hazardous activities. This rights-based position endures, but has been complemented by opportunities for the group to shape local proposals, as a stake-holding partner in the Area Waste Plan, to usefully address some local and also global Environmental Injustices.

## 2.5 Bypassing the system: roads and power

Joan Higginson, Penicuik



Joan Higginson

Every day you hear stories about concerned residents fighting against environmental injustice; the landfill site, the opencast-mine and new road infrastructure that will help create jobs and benefit the community. The communities certainly want jobs, but not at the expense of losing their green space and lived in environment. Their quality of life is reduced and the authorities give very little support to those communities who feel aggrieved at the loss of their local landscape. There is very little redress as the system and structures that are in place do very little to support them. For instance there is an imbalance within the planning system that significantly favours the developer above the community. The developer has the right of appeal whilst the local community does not. Therefore the aggrieved party has no way to address the issue unless they can afford the exorbitant and unpredictable fees for a judicial review.

It is true to say that the capitalist economy still holds favour over the environment. This was certainly the case in Midlothian when the local campaign group the 'No Alignment Action Group' (N.A.A.G.) challenged the authority of Midlothian Council and eventually the Scottish Executive over the planned development of a new dual carriageway. This was going to cut through the greenbelt and remove a large part of Bilston Wood, which is a designated ancient woodland, as well as affecting and destroying the Site of Special Scientific Interest (S.S.S.I.) that runs through it. The road was seen as necessary to attract inward investment in the biotech. industry and was supported by National Government and Scottish Enterprise who were flagging biotechnology as the way forward in creating a 'brighter, healthier and sustainable future for Scotland'.

The asymmetric conflict that arose between the local council and the local residents did very little to create a dialogue that could have led to a 'win win' situation for the various communities that lie along the A701 corridor. Instead the local authorities set out to undermine the local campaign group by using what the community perceived as 'dirty tactics' and methods of

intimidation to attempt to silence the opposition. The advert for the planning application was lodged over the Christmas period in 1998 in the hope that it would attract very little attention. In fact the council were to receive over 400 objections with the majority from local people. The council instructed library staff to refuse any leaflets or advertisements from the campaign group and on occasion the group were refused access to photocopying facilities to copy documents pertinent to the case. The planning application was passed within three minutes at the official planning committee meeting with no representation being given to the group to speak. On another occasion the Council called the police to remove the protestors at another committee meeting.

When the group discovered that Sarah Boyack (the then Scottish Environment and Transport Minister) had given the go ahead for the scheme in February 2000 after a private meeting between herself and two of the labour councillors, the objectors and supporters were outraged. In effect the minister had bypassed the planning system, which clearly states that if there are a huge amount of local objections to a planning application and the local council have an interest, the application should be called in by the Scottish Executive for a public inquiry. This did not happen and therefore by deviating from the rules set down in planning law the authorities ignored the rights of the local people. There was no third party right of appeal and therefore no way to challenge either the Scottish Executive or Midlothian Council, who were in effect the developer.

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***“In effect the minister had bypassed the planning system.”***

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The contradiction that arose between the local council and the objectors was the recognition that the A701 would benefit from upgrading. The local authority wished to build a new dual carriageway whilst N.A.A.G, the local opposition group invested time, energy and expertise to look at upgrading the existing road and were urging the authorities to look at more sustainable transport systems that could benefit the local communities and the environment. This mis-match within the power structure and the council's approach to finding a solution to the conflict meant they held the power and were able to use institutional channels to undermine the local campaign group. The objectors were frequently referred to as 'troublemakers' and were persistently told they did not represent the view of the majority of the electorate who the council claimed, appeared to have no concerns about the road.

Two years after the road was passed the First Minister Jack McConnell gave a speech in February 2002 that was to place the environment higher up on the political agenda as he addressed the audience of policy makers from business, industry, regulatory bodies and environmental groups.

*'Too often the environment is dismissed as the concern of those who are not confronted with bread and butter issues. But the reality is the people who have the most urgent environmental concerns in Scotland are those that cope daily with the consequences of a poor quality of life, and live in a rotten environment, close to industrial pollution, plagued by vehicle emissions, streets filled by litter and walls covered in graffiti. This is true for Scotland and also true elsewhere in the world. These are circumstances, which would not be acceptable to better off*

*communities in our society, and those who have to endure such environments in which to bring up family or grow old themselves are being denied environmental Justice'.*

(Kevin Dunion, Troublemakers, page 9-10).

The Scottish Executive was therefore beginning to take more seriously the research that link environmental and social injustice. e.g. 'Industrial pollution hits the poorest hardest'. This is the finding of an extensive research project for England and Wales, published by Friends of the Earth. There are 662 of the UK's largest factories (those regulated by the Environmental Agency under Integrated Pollution Control - known as IPC sites) in areas with average household income less than £15,000 and only 5 in areas with average household income of £30,000 or more. This is significantly different than what would be expected if the factories were randomly distributed across country.

([http://www.foe.co.uk/campaigns/industrial\\_pollution/factorywatch/pollution\\_and\\_problems/indepth.html](http://www.foe.co.uk/campaigns/industrial_pollution/factorywatch/pollution_and_problems/indepth.html).)

Environmental Justice began in the U.S.A. at grassroots level when a group of black and white citizens and a group of well known black activists and civil rights members took to the streets in Warren County, North Carolina in the autumn of 1982 when the state decided to dump contaminated soil in the nearby landfill site. 500 protestors were arrested and the authorities were forced to look at the evidence that showed that a disproportionate amount of landfill sites were located in poorer communities. The people who are less able to defend themselves are the people who suffer most from environmental pollution. The environmental and human costs are at best ignored as progress and profit are given higher priority.

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***“...the rich and the most affluent in our societies  
mainly cause the unequal distribution of  
environmental and social degradation.”***

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On an international scale the major threat comes from the large corporations i.e. the affluent in our society, who exploit and destroy and have very little regard for the local people. In the West we appear to do very little and are guilty of supporting and maintaining the elite who control, dictate and rule over the majority. The status quo is inadvertently maintained at home and abroad and as the imbalance is allowed to continue, more and more injustices will occur. The corporate take over threatens democracy and the divisions being caused are creating tensions throughout the world.

*'The struggle between people and the corporations will be the defining battle of the 21st Century. If the corporations win, liberal democracy will come to an end. The great social democratic institutions, which have defended the weak against the strong, equality before the law, representative government, democratic accountability and the sovereignty of parliament will be toppled'*  
(George Monbiot, Captive State, page 17).

There has to be a shift in consciousness if we are to turn around the short term approach that many of the policy holders and decision makers have in



dealing with the major problems that our world faces today. Overall the rich and the most affluent in our societies mainly cause the unequal distribution of environmental and social degradation. This was certainly the case of the A701 campaign. Despite the certain loss of woodland and the irrevocable landscape change, the voice of the local people was continually ignored. This is recognised worldwide as local groups and Non Governmental Bodies (N.G.Os) challenge governments globally regarding their concerns about the impact of unsustainable practices.

*'The loss of forest throughout the world is having a massive impact on the biodiversity and also on the people. Throughout the world people depend directly on forests for fuel, for food, for medicines, for protection, for water, climate regulation and for recreation. The loss of healthy forest cover affects environmental processes such as soil erosion and soil quality, local climatic conditions, local humidity levels etc. thus impacting directly on the lives of millions of people'.*

(Forest Landscape Restoration: the Borders in the global context: Stephanie Mansourian, Adam Harrison- WWF).

When Jack McConnell, the first minister, made his speech in February 2002 many people questioned his motives and commitment. It will take more than words to turn around the devastation that we see throughout the globe. There has to be firm commitment and targets made that are enforceable through policies that give opportunities for the disadvantaged in many local communities within Scotland. Tackling root causes such as land tenure, the lack of choice in terms of incentives the government lay down for agriculture and forestry that create divisions rather than co-operation and partnership. e.g. there is very little money put into strengthening rural economies or looking at ways to diversify farming in a more sustainable way. There is not enough emphasis placed on integration and balancing land use and there is very little opportunity for local communities to participate in influencing policies that shape their lives.

Overall sustainable development can only take place when Governments recognise that effective and genuine participation takes place at a local level, which validates the real concerns that communities have about policies that officialdom places on them. The commitment to legitimate co-operation and planning that take into consideration the balance between local economies, the needs of the local people and the local environment.

*'Democracy does not work unless everyone has a right to participate in the major decisions that affect their rights'.* (Empowering people – Capacity Global December 2002)



**Joan and supporters at the A701 road protest**

## 2.6 Black resistance to a green revolution: Punjab and Edinburgh

Nahid Aslam, Edinburgh



Nahid Aslam

Environmental Justice means the right to a safe, healthy, productive, and sustainable environment for all, where "environment" is considered in its totality to include the ecological (biological), physical (natural and built), social, political, aesthetic, and economic environments. Environmental justice refers to the conditions in which such a right can be freely exercised, whereby individual and group identities, needs, and dignities are preserved, fulfilled, and respected in a way that provides for self-actualization and personal and community empowerment. This term acknowledges environmental "injustice" as the past and present state of affairs and expresses the socio-political objectives needed to address them.

A milestone in the development of the environmental justice movement was when the United Church of Christ Commission on Racial Justice showed that race was in fact the most significant factor in determining the siting of hazardous waste facilities in the USA. This study found that three out of every five African-Americans and Hispanics live in a community housing unregulated toxic waste sites. The commission also noted that African-Americans were heavily over represented in areas with the greatest number of toxic waste sites.

While race plays a great part in determining the location of hazardous waste landfills, economic status is also important. Often, poor communities are intentionally chosen to house such sites. The reason being that there is usually no expectation of resistance from such community residents and/or leaders, as there simply is not enough money to fuel confrontations.

However, actions have been taken to right these unjust wrongs. Both in the USA and around the world with creations in a number of campaigns working to protect the environment and communities.

With reference to my own particular campaign with the Black and Minority Ethnic communities in central Edinburgh, I would like to draw attention to the plight of the BME communities in Edinburgh who did, in the main, leave their countries of origin precisely because of the damage being done to the economies and environments of their home countries.

If we take the South Asian community living in Edinburgh as an example, most of this group consists of people descended from the Punjab region of India and Pakistan. In the Punjab these people mainly lived in village communities and were to some extent 'satisfied' in producing and living off their own organic crops.

But in the 1970s the Green Revolution took hold in the Punjab and it showed that one could increase yields just by introducing chemical fertilizers (rather than organic compost) and by spraying pesticides. At first the richer landlords started to buy the new 'green' products and then slowly the others followed. Those that could not afford to buy the pesticides and chemical fertilizers were forced to sell their lands to the wealthier landlords, sometimes at knockdown prices. A number of people were forced to sell out and move out of the village. Some went into the cities for work; others who could afford it moved abroad – some came to the UK.

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*“The damage done to village life has had adverse effects on the community ... Punjabis living in Edinburgh are still closely tied to life in their home village and are continually having to send remittance back to the relatives they left behind.”*

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The Green revolution showed success for a few years but in the end the land turned sour and could not cope with the high demand placed of it – sometimes it had to yield 2 or 3 times a year where previously only once was expected. Crop yields began to fall again and the quality of the land has meant that now it can no longer produce as healthy crops as before. Either one buys even more expensive fertilizers or one forgoes a harvest.

The water table has also shrunk, as the 'new' seeds that were introduced demanded a continuous supply of water. The damage done to village life has had adverse effects on the community, including those who went away to seek a better life for their ties to the village were never severed. Hence those Punjabis living in Edinburgh are still closely tied to life in their home village and are continually having to send remittance back to the relatives they left behind.

As the Punjabi community in Edinburgh is beginning to find it more and more difficult to earn a living – due to businesses failing and the lack of other opportunities being opened up to them – the rise in mental and physical health problems is becoming more acute, particularly amongst that first generation of Punjabis who are still closely tied to the motherland.

The Green Revolution, which the West claimed would herald in an end to poverty in the Indian Subcontinent and then from there, the rest of the Developing World has left a legacy of greater poverty instead. The rich in

fact became richer, while the poor, poorer. Those rich do not just include the wealthy landowners but also the suppliers (internal as well as external) of the chemicals, the western producers and even the governments of India and Pakistan.

Those that were in the middle, got out and were able to support their families for a time, but the future is not so clear. The damage that has been done to the farmlands of the Punjab has meant that not only the land has been poisoned by the chemicals that have been used on it but the people and livestock that feed off the land are now also increasingly suffering from stomach problems and cancers of the digestive system. People do not have the energy or strength to work as they did before. Diabetes and heart disease is also on the increase.

With regards to environmental justice in this case, the West produced the chemicals to bring about the Green Revolution and tried it out on a community that did not have the voice to object or the knowledge about the long-term effects the chemicals would have. The view that the West knows best has prevailed in the Indian Subcontinent since the time of Colonialism and the Elites still believe it is true. The working classes – in this case the farmers, most of whom have no formal education - are kept ignorant by the elite and taught that whatever befalls them is by the will of God.

Until the masses in the Developing World (and even the Black and minority ethnic communities in the West) find the confidence and strength in them to challenge their own elites (whether it be the government or the priest) the notion of environmental justice will, I feel elude them. But some in-roads are being made; naturally it will take place in the West first before it travels East, precisely because the people of the West have more resources at their disposal. Once they have sorted themselves out and created a just environment in their own homes they will then move out to work with their fellow brothers and sisters in the Developing World.

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## 2.7 Environmental Justice and the Fish Farming Industry

Victor Thomas, Shetland



**Victor Thomas**

I do not know all the troubles communities throughout the world face, I do not know what can be done to address all the injustices inflicted on people and I do not know how to feel on a global level yet, but my involvement with my own local community and reading or viewing things about other communities world wide, made me more determined to join the growing environmental justice movement. There are vast tracts written about environmental justice, thousands of examples of how it manifests itself, whole books written on the subject aimed at scholars, NGO's, government departments, learned journals, eco-warriors, consultants and so on. For me though – a simple practitioner living in a remote rural Scottish island community – environmental justice is a simple philosophy to grasp and even simpler to describe to the ordinary folk that community activists such as myself live amongst and relate to every day.

For me the every day working definition of environmental justice is the right to a safe, healthy, productive and sustainable environment, where the environment is considered to be all that surrounds and affects us including ecological, biological, physical (natural & built), social, political, aesthetic and economic environments. Though this can be boiled down into a more simple definition for schools, youth clubs, the media and community councils – No less than a decent environment for all, with no more than a fair share of the Earth's resources. I am fully aware that once terms such as environmental justice, sustainable development, equity, fairness or plain honesty, reach the floor of the debating chamber or the boardroom, all efforts are made to divert, confuse or corrupt the simple definition and ethos of these terms in order to facilitate continued control, power, profit, environmental injustice, unsustainable development, unfairness and dishonesty.

Here in the Shetland Isles, like anywhere else, there have been incidents of environmental injustice dotted about the isles throughout the course of its

history, however one of the biggest in recent years is the massive growth and expansion of the inshore sea cage fish farming industry. Shetland now produces over a third of all UK farmed salmon (60,000 tonnes 2002) and is in deep trouble as growing food health scares associated with the intensive production methods involved, marine ecosystem pollution and damage, increasing foreshore pollution incidents and degraded visual amenity for both local people and tourists alike, impact on Shetlands image of a pristine marine environment.

The environmental injustice of the sea cage fish farming industry has far reaching effects on all sections of the community including the industry itself, but can be divided up into key areas.

- Pollution & destruction of sensitive marine ecosystems
- Concentration of local economic development funds into one industry
- Local authority planning system skewed to fish farm development
- Damage to the “ Shetland pristine marine environment brand marketing initiative”

#### **The pollution & destruction of sensitive marine ecosystems**

This is a major problem and involves a wide range of serious issues. Issues campaigned and emphasised by the learned and lay opponents of fish farming but also recognised by the industry. The issues involve the discharge of a combination of approximately 30,000 tonnes of untreated raw fish sewage, unused feed, medicinal treatments for problems associated with intensive farming methods, toxic chemical pesticides and hazardous anti-fouling compounds. Whilst individual chemicals and substances have been subjected to rigorous testing in order to gain type and use approval, the inter-reaction or combined effects of the chemical and nutrient cocktail has so far never been subjected to any scientific research. In the mean time there is real evidence of pollution and damage, with growing anecdotal evidence of the detrimental effect on the spawning grounds of shellfish, demise of most forms of edible and inedible shellfish down stream of fish farms, degraded and rotting seaweed as well as poor inter tidal areas in close proximity to fish farms.

A growing argument about the effects of continued and long term discharge of large amounts of powerful marine toxics, enriching and polluting materials into the inshore marine environment, is making links with toxic algal blooms that kill the farmed fish as well as everything else. The debate is also affecting crofters whose sheep graze the foreshore and who have lost animals in unexplained poisoning incidents.

The industry respond by turning to best environmental practice, the scientific and pharmaceutical industry efforts to produce new or more efficient products that claim to reduce or mitigate the environmental impacts of intensive fish farming.

### **Concentration of local economic development funds into one industry**

The concentration of local economic development & enterprise grants, Scottish Executive and EU funding on aquaculture developments in Shetland is almost obscene. The economics of fish farming in Shetland reveal that the high cost of transport to and from the Scottish mainland for both incoming materials and outgoing products, result in a price for finished salmon that is almost the same as the production costs, or lower. Other producers of farmed salmon such as Norway, Chile, Mexico and Canada produce farmed salmon on a much lower cost base or via subsidised arrangements, allowing them to dump their overproduction on world markets well below their production costs. The net result is that Shetland cannot compete in this global intensive farming industry and it is just a matter of time before the crash.

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*“The concentration of local economic development & enterprise grants ... on aquaculture developments in Shetland is almost obscene.”*

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The industry seems to gain financial support on the basis of the jobs it creates and sustains (both direct and indirect) and the huge throughput of a product that sells at cost or a loss. It has been demonstrated by one fish farmer that the organic option, though slow and expensive to start, is doing very much better in almost every element including making money. The organic method has been largely ignored or ridiculed by the industry, as it doesn't suit the owners of most of Shetland's fish farms, the multi-national feed and pharmaceutical giants. The economics of supporting this industry for the jobs it sustains is a very dubious concept. Fish farms were quite labour intensive at first but now they are highly automated; many former shell fishermen are hired along with their boats as a kind of sweetener for losing their shellfish grounds (partially as a result of over fishing but certainly as a result of pollution in the spawning areas). The main body of workers who are involved in the processing side, get paid higher wages than other more traditional local work, but only at certain killing or harvesting times, so we now have a very destabilised workforce with periods when there are shortages of builders, bus drivers, shop workers etc.

### **Local authority planning system skewed to fish farm development**

The local authority planning system, which includes a unique piece of primary legislation – the ZCC Act 1974, which allows the Shetland Islands Council (SIC) almost complete power over all planning and development matters in the coastal zone around the islands. This unique power has over the years led the council to adopt a very pro fish-farming stand, with many past and present councillors involved in fish farming, either directly or on the various economic development strategy initiatives, trade associations and fish industry bodies.

In 2000 the Scandinavian owners of most of Shetlands fish farms indicated a desire for massive expansion in Shetland, in response the SIC set up a new fisheries development department, supported by a new council sub group to fast track new farm applications, it became a one stop shop for aquaculture development with little or no input from concerned individuals, the communities most affected and their community councils. This brought about a very worrying situation with numerous applications for expansion at existing sites and several applications for new farms almost every week.

At this time some of the more concerned and outspoken individuals in the community started to get together and talk about the situation, we looked into the ZCC Act to see if there was anything there to address some serious community concerns and despite the councils attempt to hide it, we came across that most wonderful part of the act that made provision for Third Party Right of Appeal (TPRA). Here in Shetland we had unique for the UK, primary legislation passed in Westminster in 1972 and still on the statute books, a right to appeal anything passed or approved by the council.

In early 2001 we had a group of people watching the press for notices of new applications, change of use or modification to existing works licenses, we were demanding access to meetings and minutes of marine sub-committee meetings, looking at site applications and routinely objecting to every application that came in. We also called in to Scottish Ministers several applications that had been approved by the council and generally causing a very expensive log jam on all fish farm developments for up to 2 years. We are now more involved in the whole process and treated with a little more respect. We have also gained some political acceptance for fish farm free areas as part of a new coastal zone management plan.

### **Damage to the “Shetland pristine marine environment brand marketing initiative”**

Shetland is roughly equidistant between Norway and Scotland, is very remote and difficult to get to with the most expensive transport costs in Europe, possibly the world. What we do have is superb unspoilt coastal scenery, spectacular sea cliffs with some of the rarest and most important bird colonies. Prior to the intensive farming of salmon Shetland had arguably one of the cleanest and most pristine marine environments on the planet.

The image of Shetland and its unspoilt environment has created a marketing image that is very powerful, it is used to promote tourism, local low impact traditional agriculture, the Shetland woollen trade, the traditional fishing industry and all the services and products made here. The food scares, prosecutions brought by SEPA for pollution incidents and other high profile national publicity connected to fish farming, seriously compromises Shetlands most powerful marketing tool. Examples of the kind of bad practice and the resulting bad publicity that follows it can be found on the following sites [www.salmonfarmmonitor.org](http://www.salmonfarmmonitor.org) or [www.foe-scotland.org.uk/nation/fish.html](http://www.foe-scotland.org.uk/nation/fish.html)



## 2.8 Falkirk to Johannesburg

Sonia McLay, Falkirk



Sonia McLay

The Falkirk area suffers the environmental injustices associated with industrial pollution from the petrochemical and plastics industries. In particular, nearby Grangemouth is home to the BP oil refinery and associated chemical productions. In 2000, a series of accidents and incidents at the BP site led to a fine of £1m imposed by Falkirk's Sheriff Court and investigations by SEPA and HSE. BP also feature in the European Pollutant Emission Register EPER (compiled through SEPA) with figures suggesting that they currently exceed their emissions objectives. This would suggest that BP could be generating pollutants in excess of allowable parameters and contribution to environmental injustices and impacts on Human Health in the local area.

The economic benefits of Grangemouth industrial complex are not experienced universally in the local area. Many communities in the Falkirk area suffer the effects of unequal distributions of the incoming wealth, including inappropriate developments and an inadequate public transport system. In addition, access to the kinds of activities which can make a difference to tackling environmental injustices is difficult for many people in the area.

That is why I became active in promoting real nappies, initially with a women's group in the Tamforhill area of Falkirk, and then at a national level because of the connections to environmental justice. The UK produces about 800,000 tonnes of nappy waste per year, constituting up to 4% of Municipal solid waste. Hence I got involved in organising the first Scottish National Nappy Conference to promote the use of real nappies as an alternative to disposable nappies and highlight the volumes of nappy waste going to landfill. I am now consulting on opportunities to develop a national nappy network or association to further the promotion of real nappies and associated services in Scotland.

One of the opportunities which I was fortunate to be part of was the World Summit on Sustainable Development (WSSD). For 10 days between 26th August and 4th September 2002 people from all walks of life gathered in Johannesburg, South Africa for this event also known as The Johannesburg Earth Summit, to discuss and debate the future of sustainable development. These people included Heads of State, Politicians, Civic Society, Academics, Non - Governmental Organisations (NGO's) Business Community, Science and Research institutions and many more.

5 key areas were identified as thematic issues at the summit - including: Water, Energy, Habitat, Agriculture and Biodiversity (WEHAB) the now famous acronym defined by Kofi Anan, Secretary General of the UN.

I met an environmentalist more concerned with grassroots community projects and "uplifting the people of South Africa " by getting them heard, than the green fringes we so often associate with the environmental movement. These 'brown' environmentalists are not your usual tree huggers, lying in front of diggers and machinery or strapping themselves to buildings as we often see represented on the media! But real people with hopes and aspirations for the future who are willing to get their hands dirty and work from the bottom up with local people to make a difference in a hostile world.

This particular 'brown' environmentalist, Jonathan Cartwright, DEF, had much to say about the WSSD and his associated work with a number of South African projects in the Western Cape. " The green has to exist while the brown has to be provided" Jonathan also mentioned in passing that the summit had been dubbed "The Twenty Rand Show " by South African Locals - (R10 +10 =R20).

When one considers that R20 is equivalent to £1.30 but buys almost two packets of cigarettes, 5 trips on a black taxi, a toasted sandwich and coffee, a mobile phone card and more it would appear that South Africa is not all doom and gloom or a developing country. BUT look a little further at the fringes and rural communities and you start to see poverty, high unemployment, AIDS and HIV, poor squatter camps and sadness as people cannot always afford clean water, sanitation, medical treatment or food. It then becomes apparent that South Africa does encounter environmental injustice in local and rural communities!

I also met the Scottish delegation including First Minister Jack McConnell, Kevin Dunion (FOE Scotland) and members of FOE South Africa (Groundwork) at an early breakfast meeting and side event in a plush Sandton restaurant near the Sandton Convention Centre. Here we heard the views of South African Activist Thabo Madihlaba of the Environmental Justice Networking Forum and two American counterparts on the causes and effects of environmental pollution and injustices in their part of the world.

The situations in South Africa and USA were not dissimilar to Scotland in some ways, as we heard about communities being exposed to industrial pollution, health and safety malpractice, villages built on contaminated land, near landfill sites and more. Their moving presentations brought home the fact that Environmental Justice is not just a third world buzz word but a reality for the poorest people around the world even in our own backyard where we have poverty, social exclusion and unemployment.

In the words of Jack McConnell "The reality is that those who have the most urgent environmental concerns in Scotland are those who live in the most deprived areas close to industrial pollution, plagued by vehicle emissions, with streets filled with litter and walls covered in graffiti. That is still the daily reality for too many Scots today."

As part of my visit to the summit I was also fortunate enough to meet some of the local people and experience life in the new South Africa for myself- having lived there for a period of 17 years (1975 - 1992). There has been a lot of

change since then and new developments, which are said to be beneficial for the local communities. Take Eskom's electricity projects in 1994 -highlighted at the sustainable livelihood events as part of the business programme at the summit. With the sole aim to supply power to the rural and outlying areas of Southern Africa, in 1994, Eskom laid out 69 000 km of cables to provide power and light to local communities at a cost of 7.2 billion Rand. This may sound good for prosperity and new development in a third world country. However the down side of this is that the local people can not afford to buy the powercards and chose to buy lotto tickets or mobile phone cards instead, in the hope of alleviating their poverty and compromising their health and well being in the process.

Yet Eskom reported a loss in revenue against this investment which could possibly have been better spent creating sustainable solutions through community upliftment programmes, recycling initiatives, educational programmes, renewable energy and alternative technologies which are being actively promoted in Scotland and the northern countries.

As the summit progressed it soon became apparent that we have a long way to go to create truly sustainable solutions for the future, with Europe and the developed countries taking the lead and pitting their strength against the corporatised USA as best they could. And yet despite the relative complacency and relatively disappointing outcomes of the WSSD, Johannesburg is said to have firmly placed sustainable development on the first rung of the ladder and more. A number of new partnerships were developed during the summit to tackle some of the major problems identified. This included an unlikely partnership between Greepeace and World Business Council for Sustainable Development who are traditionally opposed in their views surrounding environmental protection and economic development. This must be a good thing or is it merely a compromise? We shall have to wait and see but I hope it won't take another 10 years to stimulate action!

In the end if there is one key lesson I learnt from the summit - it is that we all have a role to play in creating a truly sustainable world. It is also imperative that we start looking in our own backyards and working together in the words of Kofi Anan "to make this planet what it ought to be."

## 2.9 David & Goliath

Sue Fenton, Farr, Inverness-shire



Sue Fenton

Bananas. Build Absolutely Nothing At all, Now or Anytime. This acronym, attributed to the chairman of CBI Scotland, but in reality in circulation long before the 2003 dinner, can be said to apply to all those who fight developments on the basis of environmental justice (or anything else). His barnstorming attack on all and sundry standing in the way of Scottish business included an impassioned plea to keep 'interfering' third parties out of planning decisions. My own third-party activism has been largely directed against a third quarry development in a stunning area of the Highlands. A third party right of appeal would have been most welcome in this case, but I am struggling to equate our fight with 'environmental justice' - "no less than a decent environment for all" and not with NIMBYism, (Not In My Back Yard). This essay will unravel the myriad definitions and component parts of environmental justice to attempt to justify the continued commitment of the action group to the cause; the struggle of a small Highland community against a large, important developer.

In my community, that of the Strathnairn Community Council, we are already experiencing the local environmental costs associated with two quarries. The community suffers from dust and noise pollution from both quarries which are two miles apart but have very different characteristics. One, at the head of the glen, is a hard rock quarry and so blasting is an issue; the other is a sand-and-gravel quarry with a different intensity and quality of noise and dust as huge machines dig away the aggregates deposited at the end of the ice-age as the lovely sinuous forms known as eskers. Just over the quarry boundary, these same geomorphological treasures are designated, and protected, as a site of Special Scientific Interest - cited as being the best assemblage of fluvioglacial landforms in the Highlands. This loss of landscape, whilst intangible, has an environmental cost too. The area is served by single-track, B-classified roads, and 40 tonne lorries and cement mixers ply these routes six days a week, forcing other traffic off the road as there are few passing places. There is thus a distribution element to the environmental costs. The dust from the quarrying operations is washed into burns feeding the River Nairn, once a renowned salmon river and important to the area's fragile economy.

As a community patently affected by quarrying, we are now able to achieve some environmental benefits, that is money for projects thought up by the community, through the Aggregates Levy. However, only one of our four applications (peanuts for for a community wood) has been funded. Meanwhile, another community in Ross-shire, blighted by the operations of the third prospective quarry operator in our strath, has received one third of one million pounds for raised flower beds to blot out the view of their sand and gravel workings. In the second round of funding they received yet more money. Cosmetic improvements to the immediate environment, such as hanging baskets and flower beds, featured prominently on the list of successful bids; it seems that anything worthwhile, or slightly politically incorrect - like funding an archaeological excavation to provide evidence for a public local inquiry, for instance - automatically went to the bottom of the pile.

Environmental benefits of quarrying are confined to post-operative restoration of the site. The development companies stress the value of restoration, but plans invariably include lochans (there are number of natural ones already), wildlife areas (we have lots of those, too) and tree-planting schemes - and the one thing we have a lot of in this strath is trees. If we have to have quarrying, then the site should be restored as it was before it was exploited - to heath and bog and 'natural' biodiversity, not a theme park for trippers from the town with all the associated traffic, litter, parking... The greatest resource we have (had?) in this strath is the peace, and the unspoiled landscape.



**The post-quarry landscape of Strathnairn**

Waste from the exploitation of the resource is not a problem. Everything is sold outside the strath; huge boulders to German landscaping projects, smaller boulders to Home Counties Charlie Dimmock wannabees, sand and gravel to build the new Tesco store in town, topsoil to suburban gardens. And the void that is left after quarrying? Easy. Landfill - it's a rural area, there are not that many people to complain and they are all Highland hicks, anyhow. A community to dump on, indeed.

Aggregates, and hard rocks, are resources that can be mined, dug or blasted, only where found. Primary resources are not often conveniently found in urban settings which are the main consumers of the resource but at the periphery. Most of the 'decision-makers', be they developers, the Scottish Executive Inquiry Reporters Unit or the council, are usually urban-based and rural Scotland, with a decreasing population, is seen as an easy target for developments which service house and road-building in the 'toons'. Lingerbay, for example, the proposed superquarry in Harris, will service the overheated southern markets with rock. The proximity principle obviously does not work with this commodity. Glensanda coastal quarry by Oban, already operational, sent bargefuls of aggregate to build the Channel Tunnel. Using waterborne transport is a welcome innovation, but sadly Highland

Council thinks that the price of Glensanda aggregate is way too high, without costing in the distribution factors or the environmental costs of alternatives. The same council says that there is no sure source of recycled aggregate in the Highlands because of the limited population base; however, all the aggregate in the foundations of the new, controversial Scottish Natural Heritage building in Inverness is recycled aggregate from the old swimming pool (without the asbestos!)

Aggregates do not become a commodity on the world market because of the relatively low cost of the materials compared to the high distribution costs. Borrow-pits and quarries for aggregate are found world-wide and there is no inequality in access to the resource. Aggregates should not be used, therefore, as an indicator of environmental space as both the developed and underdeveloped countries have access to the resource in equal measure.

Can the the rural community always be equated with poverty in the true meaning of environmental justice? A first world, developed country, consistently uses more than its fair share of resources, whether they are urban or rural, local or global. The rural scene in Scotland is certainly more isolated and therefore (more?) vulnerable to damaged environments. The population here is generally affluent on a nationwide scale, however, with little unemployment, multi-car ownership, few working class people and a majority of owner-occupied houses - the usual indicators of wealth. There is relative poverty, as seen in occupants of tied houses on the laird's estates but there is no racism issue, apart from the inherent racism as practiced against incomers by the indigenous Scots.

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***“Can the the rural community always be equated with poverty in the true meaning of environmental justice? A first world, developed country, consistently uses more than its fair share of resources, whether they are urban or rural, local or global.”***

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In terms of procedural environmental justice, our group has been exposed to every tool for use by citizens, every tool wielded by developers and has jumped through all the right hoops. A non-local developer bought an area of farmland in a rroup, without planning permission. Plans for a quarry, cement-batching and tar plant were then submitted and the local community got involved; 99% signed a petition against the development. The local community council also opposed the development. Planning officials recommended that the application be refused and local councillors, unusually for Highland, agreed. The developer appealed the decision, and a Public Local Inquiry (PLI) was held, a decision made, and then the inquiry was re-opened. In the interim, the community undertook a nit-picking dissection of the decision letter, protested before the then social justice minister, petitioned the Scottish parliament and involved the Ombudsman, MSPs, MPs, the press, Lesley Riddoch... On this occasion, the appeal was dismissed by the Reporters and the local community seemed to have 'won' but then the developer asked for a Judicial Review at the Court of Session. Access to this stage was out of the question for our community, because of the expense. The developer is now attempting to cist that appeal, on the grounds of further evidence

having become available, and it is thought that he will then re-apply for planning permission.

In preparing our case for the PLI, we became totally conversant with the existence of rights such as planning and environmental law and the Human Rights Act. The delivery of justice was more complicated. The attitude of statutory consultees, such as the Scottish Environment Protection Agency, Scottish Natural Heritage and Historic Scotland, was, to put it kindly, wanting. The group found great difficulty in extracting certain information from agencies, and the Freedom of Information Act would have been very helpful, had it been in existence. Employees of the public bodies, whilst individually very sympathetic and approachable, on the whole, are constrained by the system they work within. In other cases, information was only available in return for the exchange of copious amounts of money, a difficult commodity to come by in a settlement of only a few hundred souls. The planning system is democratic, but rigid.

In conclusion, the group has now resigned itself to the accolade of 'trouble-maker' but has learnt to fully exploit its capacity to exercise its rights and play the system whilst keeping motivation ongoing, albeit in spurts. The developer has proved to be a playground bully, so it has been made easier to gather the forces of the self-righteous on our side because of his own-goals. Reluctantly, I have come to the conclusion that the Strathnairn community is neither socially (on the basis of geography, race or poverty) or environmentally excluded, neither is there an overriding social effect resulting from environmental degradation. The problem in the strath cannot be apportioned to ecological debt or to a national or global dimension in the unequal supply of rock, sand and gravel. Sustainability still has an important place at the local level, however, but I need to be convinced that we are a bona fide case of environmental injustice.

## 2.10 Blaws the clouds heelster gowdie over the Ben?

Rod Lovie, Newmills, Keith, Morayshire



Rod Lovie

### Environmental Justice implications of Onshore Windfarms in Scotland

Compared to nuclear and coal fired power stations, wind power can be seen as a cheap, clean method of creating electricity. However, as with most development, there is the potential for an uneven distribution of environmental costs and benefits. In this essay I wish to examine some of the issues raised by onshore windfarms from a variety of environmental justice perspectives. This will then enable me to look at whether wind power can be seen as an 'environmentally just' method of generating electricity.

In global terms Scotland is an affluent country with relatively high energy consumption. In 2001/02 the demand was for 32,466 GigaWatt hours, up 9% from 1990/91. Scotland generates 40,970 Gigawatt hours with 21% being exported to England and Wales. However around 45% is produced from fossil fuel and 45% from nuclear. As part of the Climate change Programme, Scotland is committed to increasing the proportion of electricity generated by renewable energy from 10% to 18% by 2010 (Scottish Executive 2002).

However, at present the only profitable form of mass renewable energy generation suitable for development appears to be onshore wind. With multi-million pound developments being proposed throughout the country the question has to be posed whether there are environmental justice implications in this present course of action.

Locally in Moray the number of recently proposed windfarms have been causing controversy. A study by The Moray Council identified areas of possible windfarm development and was opened up for community consultation in 2001. This has been developed into policy guidance for wind energy in Moray. It states that:

*"The Moray Council wish to positively encourage renewable energy developments in the appropriate locations and to encourage a reduction in energy con-*



*sumption to support the UK commitment to reduce greenhouse emissions.”*  
(The Moray Council, 2001, p1)

Currently there are two sites which have been given consent, one awaiting a decision by The Moray Council and at least one being worked up into a planning application.

Overall the environmental benefits of onshore wind energy generation outweigh the environmental costs. The environmental benefits of clean renewable energy production; the reduction in greenhouse gasses and the reduction on our dependence on coal, gas and nuclear energy will be enjoyed by us all. However as in many proposed developments the environmental benefits to the wider community are often forgotten by local residents if the environmental costs are seen to be unequally distributed around the local area of the proposed development. The perceived environmental costs of visual and noise pollution are restricted to the area immediately around the development.

In addition to this, the financial costs and benefits are frequently seen to be unequally distributed. The financial benefits of the development are exclusively retained between the developer, the energy production company, the investors in the development, the landowner and the local council (through business rates). Meanwhile it is perceived that the financial costs of a decrease in property value, a potential decrease in tourism and no additional employment benefits are retained by the local community.



However, if the environmental benefits outweigh the costs but the costs are unequally distributed this should not necessarily be a reason to stop the development. Rather it should be used as a reason to attempt a more favourable distribution of the environmental costs.

Environmental injustice can be viewed as a result of procedural or structural inequalities. Procedural environmental justice is an equality of opportunity to access information and to influence the process (Dunion & Scandrett, 2002). Structural environmental justice is an equality of the outcome of the process.

In the case of windfarms the procedural issues under scrutiny is the planning law in Scotland and how local communities can have any influence in it. The process is developer led with The Moray Council Local Plan and the Wind Energy Policy Guidance designed to give advice to developers of what is acceptable. As the developers will be seeking planning permission from the Council, the local Councillors are unable to comment on the individual proposals and have chosen to not discuss renewable energy at all. This has meant that the local community and the developer have had to

interact without any assistance or guidance from the local Council. The approaches by the different windfarm developers to interacting with the local community have been many and varied. One, Renewable Energy Systems (RES) chose to establish a stakeholder committee to bring local stakeholders (residents, community councillors, landowners etc) together to look at ways to minimise concerns and investigate options for community involvement.

It was hoped that this could provide a forum to discuss concerns before local opinion became polarised. This did not happen, however the process has been useful in looking at the mechanisms for maximising community benefit from the development. Although it appears standard practise for a developer to establish a monetary community fund for the local area, if a community is to embrace this dramatic change to their locality surely a sense of ownership of the project must be engendered. While a community fund established by a benevolent developer can inject much needed funds into local community projects it can also be viewed as a cynical ploy to smooth the way for planning approval.

Many of the flaws in the planning process have been shown during the course of the application. A major developer has more legal expertise and finances than a community. In addition weaknesses in the interface of traditional democratic structures have been exposed. The unwillingness of the council to become involved surely increases people's apathy to established politics. This apathy can be seen to be reflected in the lack of interest in the Community Council which some did not know to be in existence.

The structural environmental justice issues look at the outcome of the development and seek to redistribute costs and benefits within an unequal system.

The present system of development seems to imply that a landowner owns not only the land, the minerals beneath it and anything that happens on it but also the wind that whistles over it. Current land ownership patterns in Scotland mean that the spread of windfarms will be decided by the whims of those who own the land designated as acceptable for development. Whether the land is owned by a generous landlord seeking to maximise rentals to invest the money back into the estate or an absentee landowner seeking to maximise his investment in the Swiss banking system, the people who live there can still feel excluded from the benefits of the development.

While the process of individuals and corporations claiming ownership of what was once seen as being in common ownership (land, grazings, forests, seas and now the wind) is continuing unabated there seems no structural approach from Government to reverse this trend. It is therefore imperative that imaginative approaches must be attempted to reclaim a sense of ownership while working within the current unjust structures. This could include the electricity being made available locally or a part of the development being put into community ownership.

While community involvement and local benefit is a major concern of those living next to proposed windfarms another issue that is often raised is that of negative impact upon the value of surrounding property. This concern ensures that those who see property as an investment to be realised when they move out will raise planning objections. Alternatively many rural families pass property down through the generations and do not have a concern

with the financial value placed on their land. This raises the interesting question of whether it is easier for a developer to get permission in an area populated with predominantly indigenous families compared to an area of the countryside populated with relatively new incomers or those whose working lifestyle are more transient and possibly more profitable.

Of course this development cannot be looked at in isolation. Electricity production has far reaching consequences and any method must be compared to the alternatives. Clearly there can be no comparison between the effects on a community of living next to a windfarm to the effects of living next to an open cast coal mine or coal fired power station. If we wish to continue to use an equivalent amount of electricity we have to produce it somehow. All methods have costs which are not paid for by the end user. In the case of windpower these externalities are the visual pollution of the wind turbines. In the case of electricity production from fossil fuel the externalities are the visual and health implications to those living next to an extraction site, the power station or the roads in-between. In addition there are the effects on the global environment by pumping out carbon dioxide, sulphur dioxide and nitrous oxide. The greenhouse gas emissions have implications to people all round the world. Those suffering from floods, changes to weather patterns or droughts are unlikely to have benefited from the electricity which contributed to the global warming. In the case of nuclear power many future generations will have to live with the externalities of the waste that is produced so we can have electricity now.

If we want electricity, and there is no sign that this is about to change, then we will have to face up to the consequences of our needs. If the solution of mass electricity generation is chosen then there are going to be inequalities in cost allocation and externalities. These have to be compensated for. However windfarms should not be the only method which should have this responsibility. Those affected by pollution and global warming should be compensated by fossil fuel stations and those future generations should be compensated by the nuclear industry. If all these charges were passed on to the consumer wind power would undoubtedly be the 'cheapest' option.

In conclusion, there are externalities and environmental costs to generating electricity from windfarms. However, if attempts are made to balance these, there is no doubt that it is an environmentally just method in comparison with the alternatives.

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## 2.11 A better environment than opencast

Andy Robinson



Andy Robinson

My first experience of environmental injustice was the plan to develop an open-cast coal mine close to where I live in Douglas, South Lanarkshire. The effects of opencast mining operations on the communities which must live with them day in and day out are all pervasive, and wholly unjust. Whilst mining operators are no respecters of the landscapes they desecrate, they are nonetheless consistent and true to the communities they affect. They invariably target those which are rural, disadvantaged, and isolated. Getting involved in opposing the mine, unsuccessfully, I experienced the injustice not just of the industry, but also the planning structures and economic implications surrounding it. Opencast mining makes no sense ecologically, socially, nor, in the long term, economically. But it is still permitted to damage the health and environments of the affected communities. It is these wider environmental justice implications which stimulated the setting up of the Better Environment Group.

The Better Environment Group was a group established in Clydesdale, South Lanarkshire in January 2003. The group consists of four small rural communities, representing about sixty members who have come together as a result of the environmental injustices which they feel have been perpetrated in their area. The group feel strongly that they are essentially encircled by developments, which include a motorway and motorway service sand haulage yard; two open cast coal sites; a sand and gravel quarry and recent planning applications for a meat processing plant and one of the largest haulage yards in the United Kingdom. The group have no option other than to endure the noise and inconvenience of HGV and extraction vehicles serving the mines, as well as the air pollution, and visual degradation of the local area. In addition, to current developments a recent planning application has proposed to convert one of the nine works to a motor vehicle rally centre. Local residents feel this will create further noise and air quality pollution.

The local people feel neither Council planners or developers have given due consideration to promote sustain developments. They feel no attempt has been made to harmonise industrial developments with the social and economic needs of local communities. They are also aggrieved that that there has been a singular and repeated failure to consult with local people on developments and there is a

sense of despondency that local people have no voice, or recognised community infrastructure to raise objections. Local people are very aware that they are reactive to proposed developments, and that strategically they should be more proactive and should set their own agenda to campaign for a better quality of life, better job opportunities, learning opportunities and care arrangements.

The aims and objectives are underpinned by the desire of the group to formalise statutory consultation with South Lanarkshire Council and to liaise with all relevant public voluntary and private bodies in pursuit of the group's aims. This assertion makes it possible for the group to be formally recognised by the Council as a consultee for both planning developments and the community planning process. In this way the group would be able to at least have a voice, and to derive a sense of involvement and ownership of issues which effect them. Additionally, this clause in the constitution actively promotes the opportunity to act in synchronicity with other local groups to form a federation of other community groups working in common cause. It is possible for a communitarian approach to emerge over a period of time.

With regard to the aims and objectives of the group, they all contribute and underpin the very essence of sustainable development. They sense those developments must be in harmony with the environment, economy and social well being of local communities. The group recognises the injustices they have suffered and express their wish to right this through an identified objective to seek environmental justice for rural communities. This leaves the group at liberty to seek procedural environmental changes to put in place community compacts to ensure corporate social responsibility, and to campaign and raise awareness on issues such as third party right of appeal. The aims further recognise that the health of the local community has been a matter of some concern to local people, and that measures such as health impact assessments should be mandatory for existing and future developments, particularly considering the intensity of development in such a small area.



**The Agents during a site visit of Broken Cross Opencast Coal mine in South Lanarkshire**

Photo credit :Lindsay Addison

## 3 Reflections

### 3.1 The evolution of environmental justice

The concept of environmental justice may have been established in America as an expression of black indignation at the location of polluting developments predominantly in black neighbourhoods, yet the concept has grown to become an international concept as a response to the globalisation of markets and power of multi-national companies. It has a parallel with the social justice agenda of many enlightened European Governments, and it may be the framework for the establishment of sustainable developments for the future, through a recognition that our activities, either economic or social, should not impinge or jeopardise future generations. This essay seeks to outline how this concept has grown and holds modern relevance.

The term environmental justice as currently defined was born in the United States of America. Its genesis was the realisation that polluting factories and waste sites were predominantly located in black neighbourhoods, or in areas populated by the indigenous people. The cause became the focus of a campaign of community activism, and a national network of resistance developed to protect vulnerable ethnic communities against injustices perpetrated against them. By 1994 the groundswell of opinion forced the White House to act. President Clinton issued Executive Order 12989: Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations. The Executive Order forced Government Bureaux from Defence to Environmental Protection to examine the implications of their policies, and to put strategies in place to minimise injustices on vulnerable communities, and to record and monitor the impact of their actions.

It can be argued however that whilst America grew the concept of environmental justice, there are issues which it failed to address fully. The attention in America was predominantly focused on the infrastructure of pollution; the landfill sites, the industrial sites and waste incinerators. Frequently, therefore, campaigns would be characterised by their reaction to infringements to civil rights and social justice. Clearly there is a need for environmental justice to be more proactive, and to think about the potential effects on unborn children and future generations. Furthermore, the American model was localised in its character, and execution. Campaigns would often focus on the effects of pollutants on people living on the site fence line, when in effect, pollution is no respecter of localised boundaries, as we know from Chernobyl. Evidently, there is a need to build and expand on the terms of environmental justice defined in America. The concept needs to embrace the notion of injustices at regional level, as well as a national and inter-national level. It requires recognising that people in other countries and indeed future generations are equally susceptible to environmental injustices. For instance, people in African countries are likely to be disproportionately affected by climatic change from fossil fuel burning, which is not largely practised by non-African Countries.

Environmental Justice may have been rooted in Black American Activism, but it is no longer singularly associated with one nation or ethnic group. As markets have globalised, so the concept of environmental justice has internationalised in response. In England and Wales, a Friends of the Earth Study correlated the

Environmental Agency factory emissions data with the Government's "Index of Deprivation". It found that 11,400 tonnes of carcinogenic chemicals emitted to the air from large factories in 1999, 82% were from factories located in the most deprived 20% of local authority wards. In the UK there are also ethnic inequalities, researchers at the University of Staffordshire analysed the social characteristics of wards against the frequency of hazardous substance consent sites. They discovered a statistically significant bias towards sites being located in wards with a higher proportion of ethnic minority populations. In the UK Health Impacts as a result of environmental injustices are also disproportionately allocated. The most deprived areas in London correlate with the highest traffic levels, and consequently, respiratory problems are concentrated in these areas. The result of our regulated planning system appears to have allowed a seeming deregulated proliferation of transport developments in poorer areas. The result of our planning policies is that transport related injuries affect poorer people to a greater extent than their affluent counter parts. Children from Social Class 5 are five times more likely to be knocked down than children in Social Class 1. Research by the DETR also shows that Asian children are more likely than white children to be injured by road accidents.

Environmental injustices within the UK are also closely linked with social conditions, and with issues of social justice. There is an issue of food poverty in the UK, where it has been identified that 20% of homes cannot afford healthy food, because financial constraints dictate that fuel and rent take priority. The growth of out of town superstores, which are further removed from areas of disadvantage, has resulted in healthy foods both physically and metaphorically being taken out of the reach of poorer communities. Similarly, it is the poorer communities, who suffer disproportionately from higher winter mortalities. It is estimated that fuel poverty results in 30,000 unnecessary deaths each year. The inextricable link between environmental justice and social justice is being increasingly recognised as valid by politicians:

*"We should never lose sight of the fact that it is the poor who suffer most from pollution."*

John Prescott, Deputy Prime Minister, Feb.2000.

*"Environmental problems are serious and impact heavily on the most vulnerable of society; the old, the very young and the poor."*

Michael Meacher , UK Minister for the Environment.

In parallel with the globalisation of industrial development, it is no longer possible to associate environmental justice with a given country. It has expanded beyond its black ethnic origins in America, and indeed beyond its association with social justice in the UK. Every development action taken either nationally or inter-nationally has a corresponding reaction on a corresponding level. The developments we action have two principal reactions, they damage other peoples environments directly, or they consume scarce global resources. This is the root of all international injustices. For instance, when we in the UK import large quantities of metals, wood and minerals to support our consumerist life styles, we remove the resources available to others, and may in the process damage their environment through extraction. A report for the World Economic Forum highlighted that the UK's "ecological footprint"- the total amount of land a country appropriates to support its economy- is equivalent to an area ten times the size of the UK. The UK, it has been calculated, has a net deficit of 4.5 hectares

per person. Within the global context we also abuse the earth in two principal ways, as exploitation of a limited resource, or as a “sink” or recipient for waste, including pollution. With regard to the latter it is the industrialised nations through their transport and industry infrastructures which have the largest effect on the earths atmosphere through the emission of carbon dioxide and build up of greenhouse gases. Yet it is the under-developed nations which may experience the effects most directly in terms of climatic change, droughts, and impact on the food chain, resulting in starvation and death. Thus while the UK emits 2.6 tonnes of carbon per person per year, Mozambique emits only 0.01 tonnes.

So far we have looked at environmental justice in geographical terms, and we have outlined its parallels with social justice, yet there is another generational dimension to the concept. In the same way that Environmental Justice cannot be limited to the confines of a given locality or a given national boundary, equally the injustices perpetrated currently or in the past are not time-bound. It has been estimated that as a result of resource extraction and export of natural resources through unequal terms of colonial trading, and use of methods which took no account of the social and environment damage caused by their extraction, a sizeable ecological debt has been built up, and is owed to under -developed countries by developed nations. Friends of the Earth calculated the carbon debt, based on the damage caused by industrialised countries, at \$1,500 billion, which represents only a fraction of the overall ecological debt. Inter generational injustice recognises that the activities we, or our ancestors conduct, must not impose on future generations without some counter balancing benefits. Our nuclear waste strategies or use of pesticides should not impose on successive generations the cost of waste management, or the spectre of genetic defects.

The evolution of environmental justice to this point places a political expediency and a moral imperative on policy makers and decision-makers to ensure that political and statutory processes equally reflect the significance and need for environmental justice. New laws may need to go beyond the rights and responsibilities already defined by legislation and agreements such the Human Rights Act and the Aarhus Convention. The planning process which allow industrial developments may need further checks and balances introduced which allow for more public participation and consultation along with the need for third party right of appeal, as a basic right to challenge unjust decisions. Corporate bodies may require to be led and influenced by government to set standards to ensure that the health, economic, and social impacts of developments are properly assessed in terms of their impacts on communities whether local or international.

Andy Robinson



### 3.2 Unequal costs, benefits, resources

The stories of the agents' struggles raises questions about the nature of environmental justice. What is it that links these stories together? How are environmental injustices of such a diverse nature caused? How can we understand the processes that will allow activists to work together, with others in struggle or in power, to achieve environmental justice? How can we achieve a justice for all the diverse interests which make up Scotland in today's world?

The description of environmental justice used on the Certificated course is: "The socially just distribution of environmental costs, assets and resources, and the means to achieve this". Philosophical debates about theories of justice have their place of course, but it is in the experience of life and the values of people who are active in creating a decent environment that these are tested. The stories of these struggles demonstrate how peoples' experiences of injustice shapes our understanding of environmental justice.

Society has developed ever more sophisticated means of producing the goods and services which we need to enjoy a decent quality of life. These goods and services are produced by extracting natural resources, processing them and distributing them, and by harnessing energy from natural sources, converting and distributing it (Figure 3.1). When goods are consumed they produce waste. Many of these goods and services are environmental: housing, buildings, streets, parks, transport, heating, access to food and water, sanitation, access to the countryside etc.

The unequal distribution of these environmental goods and services has long been the subject of much political struggle. Kirsten Marshall describes the struggle in a community whose access to environmental benefits have been neglected. Here, environmental injustice is the result of omission, where reasonable steps to make human life comfortable have not been taken. The clearest example of this is in housing standards, which means that nearly 750,000 households in Scotland suffer from fuel poverty, many of these being pensioners, disabled people and single mothers.

Along with these goods and services comes environmental costs. At each stage in producing goods, (extracting, processing, harnessing energy ...), 'bads' are also caused which include the growing scarcity of resources, destruction of nature, pollution and waste. Economists call these costs 'negative externalities'. It is the unequal distribution of these environmental costs which is perhaps the best known of the campaigns for environmental justice.

Extractive industries are notorious for creating environmental injustices. The raw materials clearly can only be extracted where they occur naturally (and can be extracted economically). This fact is often used in defence by the industry for claiming that they are not causing injustices – that it is purely by chance who lives near to the place where the product is to be extracted. The coalfields of North and South Lanarkshire, described by Ann Coleman and Andy Robinson, show how opencast coal mines are developed in areas with little power or economic leverage, amongst communities which were built up around the deep coal mines and then economically neglected as these mines were closed. However, Sue Fenton's campaign against a sand and gravel

quarry in Strathnairn shows that a dispersed and diverse community which is not particularly poor can be targeted. Resistance is perhaps not expected from communities disempowered through sparse population density.

Agriculture is a form of extractive industry which in many situations comes close to manufacturing. Aaron Forsyth shows how the low impact agriculture of Scoraig's crofting community is threatened by industrial fish-farming. By contrast, the wind energy generation industry is harnessing a renewable source of energy, yet is still experienced as an injustice by some whose local environments are threatened by their siting. Rod Lovie reflects on attempting to ensure that the unequal costs of the siting of windfarms are offset by benefits to the local communities.

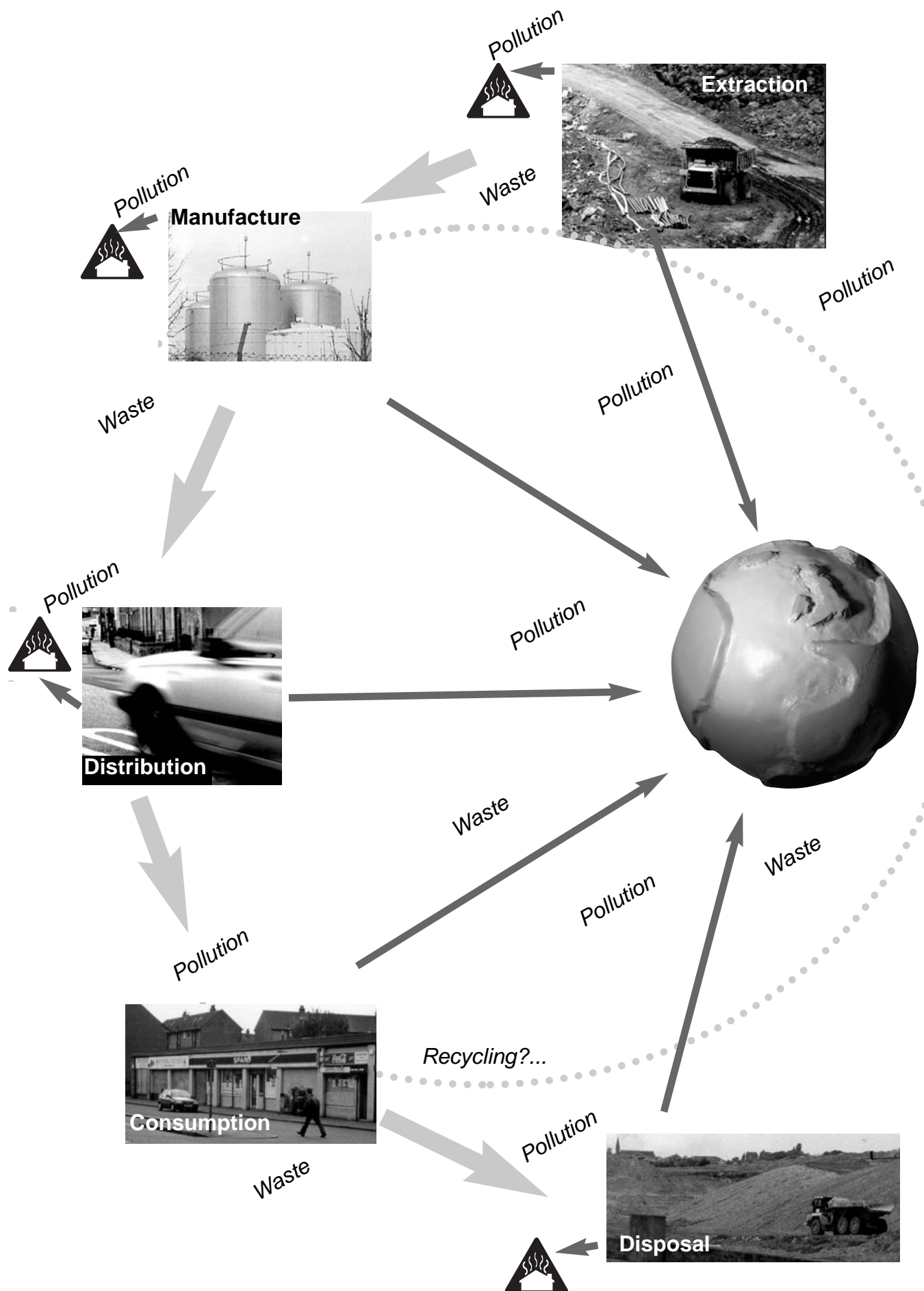
Friends of the Earth's research in England and Wales demonstrates clear correlations between poverty and proximity to manufacturing industry which are major sources of carcinogenic pollution (and it is expected that similar patterns will be present in Scotland once the data are available). Both Sonia McLay's and Vic Thomas' communities live beside the petrochemical manufacturing industries and show the urban and rural context of living on the fenceline.

The distribution of goods or access to services is still largely conducted by road. The decision to continue favouring road transportation, along with specific new road developments and their siting, create environmental injustices. Joan Higginson's experience also shows that the motives for road development are not straightforward, and that decisions are made to sacrifice the quality of life of some for the economic benefit of others.

Unequal consumption is clearly a product of economic and social poverty, as many of the writers explore. However it is beyond consumption where the distribution of environmental costs is again stark. Who takes the waste that we all produce? Ann Coleman's description of the landfills at Greengairs is a clear example of the connection between extraction and waste. Coal mining is intrinsically unsustainable. Areas with high levels of unemployment in the former coal mining communities, become the focus of opencast mining operations, with much greater environmental costs and fewer economic benefits. However, exhausted opencast mines are holes which can be filled with landfill waste. Thus, the concentration of environmental injustices for which Greengairs has become a byword. Terry Hegarty's struggles however are in finding alternatives to these injustices. For example, recycling materials drastically reduces not only the waste disposal industry, but also the extractive industries as the demand for virgin raw materials is replaced.

Finally, environmental injustice arises from inequality in access to resources. The index of Environmental Space demonstrates how, in a world with limited resources and limited capacity to absorb waste, it is the rich countries which consistently use more than their fair share of these resources. The 'double whammy' outcome is that poor countries are denied access, and the environment is damaged. Nahid Aslam writes about the intimate connections between Scotland and the poverty and injustice in the South. In the companion handbook in this series 'Global connections', Amadu Khan analyses the migration of people from the conflicts which such injustices cause, only to be

**Fig 3.1 Environmental injustices and the flow of resources**



treated to the worst environments that Scotland can offer. The global injustices then go full circle.

Nowhere is the link between injustices seen more profoundly than in carbon dioxide emissions from fossil fuels. Scottish communities such as Greengairs and Douglas continue to fight local opencast coal mining and Falkirk and Shetland communities live with the impact of oil industry. Meanwhile our dependence on carbon-based transport constantly leads to road developments such as those in Midlothian. Energy is wasted whilst thousands suffer fuel poverty in housing estates such as Dundyven and our emission levels continue to disrupt the world's climate affecting communities from South Asia to Southern Africa.

### 3.3 Environmental justice and development

Globally, a great many (perhaps the majority) of environmental injustices occur when modern industrial development practices are imposed on traditional, subsistence or near subsistence rural economies with peasant or tribal social formations. Joan Martinez-Alier calls these environmental justice struggles the 'Environmentalism of the poor'. This imposition of industrial development onto communities dependent on local natural resources occurs throughout the world, whether logging in the Himalayas (Chipko), Dam construction in the Indian drylands (Narmada), shrimp farming in mangrove swamps (Ecuador), prairie farming in forest areas (Amazon), new enterprise zones (Nicaragua), mining (Papua New Guinea) or oil extraction (Nigeria).

Peasant communities do not exist in Scotland, although residues of the culture of such societies have been described as surviving in the modern age. The nearest we come to traditional, near subsistence production, in which local production is for self-consumption or small scale trade, coexisting with participation in the modern economy, lies in the crofting communities, including the deliberately recreated community of Scoraig. Aaron Forsyth describes the degree of dependence on locally occurring natural resources in Scoraig, considerably greater than most urban or even rural economies. As with the environmentalism of the poor, it is the imposition of modern industrial forms of development in these areas which create environmental injustices. Aaron describes the impact which industrial fin fish farming is likely to have on the production of foods for consumption and sale.

Fish farming provides a useful measure of the introduction of industrial development. Vic Thomas has described the economically distorting effect on Shetland of concentrating new development on this industry. Fish farming is also a large industry on Terry Hegarty's Mull, where work has traditionally been based around fishing, farming and land management on the feudal estates. All these industries are in serious decline, and the economy is now largely based on the seasonal and fragile benefits of tourism. The opportunities for employment created by the introduction of a new industry appear to be great, notwithstanding its unsustainability and the polluting damage it causes.

The same could have been said for Kirsten Marshall's Coatbridge in North Lanarkshire during the boom years of the nineteenth century. The demand for iron in the nineteenth century, and the development of new and innovative processes of producing high quality iron and steel in large quantities, led to a boom period in towns such as Coatbridge in the middle of the Lanarkshire coalfields. Not only did local employment mushroom but it provided opportunities for immigrant labour from Ireland and Latvia. Coatbridge now shows the legacy of an unsustainable industry with its post-industrial decline. Dundyvan, formerly a small industrial town in its own right, is now an estate of run down council houses within Coatbridge. From the environmental injustice of industrial production to the environmental injustice of neglect.

Economic development brings wealth but also delivers environmental damage, usually to different groups of people, but with enough overlap to restrain resistance. The expansion of Inverness requires the new development

of infrastructure, housing, industrial development, and construction materials, the latter of which are sought from areas of least resistance. However, as Sue Fenton has shown, even a sparsely populated and scarcely united rural strath can act to resist the imposition of a further sand and gravel quarry to jeopardise the social and ecological integrity of the affected communities.

Environmental injustices are sometimes tolerated through the wealth or, more likely the promise of wealth, which it brings. Vic Thomas has described how he usually feels like a lone voice protesting against the impact of damaging development, from fish farms or oil refineries on Shetland. Most people don't benefit from these developments, or suffer the consequences as much as any benefit they get, and many people are against them. However, few people will stick their necks out, and rely on relative newcomers (Vic has lived on Shetland for only 30 years!) to stir things up.

Likewise, Falkirk area has benefited economically from the BP oil refinery and associated chemical works, although not all have benefited equally. Pockets of poverty develop within sight of the industrial area and within the area affected by any leaks or fear of accidents. In Sonia McLay's account, the lack of access to decent products which accompanies deprivation, in the shadow of the refinery, shows how environmental injustices combine at the height of economic development. Or perhaps beyond the height – after a series of accidents and progressive redundancies at the plant, the decline in the economic opportunity (although not in the dependence on oil) appears to have started.

The answer usually given to economic decline is to stimulate the next wave of new industry. Joan Higginson's introduction to environmental injustice was her involvement in campaigning against the expansion of the A701 road in Midlothian, through the green belt between her home community of Penicuik and Edinburgh. It became clear to her however that this road was more than a carrier for existing commuter demand, but was being used as a stimulus for development of the biotechnology industry around the existing biological research agencies of the Bush and Roslin estates, including the inventors of cloned sheep Dolly.

And so the cycle of economic development and industrial decline continues, at each stage distributing the benefits and costs unequally amongst communities. Throughout this process however, resistance is seen, not just in attempting to prevent development or at least its worst effects, but also trying to make the developments more environmentally and socially accountable and stimulate the alternative, small sustainable developments. On Mull, the Mull and Iona Community Trust has initiated and supported a number of alternative developments including Terry Hegarty's Mull Environmentally Sensitive Solutions. In Keith, Rod Lovie engages in windfarm stakeholder dialogue to attempt to constrain the undoubtedly beneficial renewable energy generation from following the traditional pattern of unequal costs and benefits. Nahid Aslam's article in handbook 6 describes an initiative to join the circle of promoting sustainable development between young people in Edinburgh and the South. Others, not included here, but who have been associated with the project are involved in such proactive work: an organic box scheme for promoting local sustainable agriculture in contrast to the chemical and genetically modified agriculture industry; a Local Exchange Trading Scheme as a response to economic decline.

### 3.4 The structural causes of injustice

In the USA, much has been made of the fact that environmental justice is a struggle against environmental racism. In the UK there is less of a tradition of racial segregation in housing, and environmental injustices are largely reported to be on the basis of class. FoE's ground breaking research into pollution injustice used indices of deprivation as a measure of environmental injustice. Poverty, deprivation and class are seen as the main causes of environmental injustice in the UK, and this is represented in the accounts by most of the agents here. Kirsten Marshall and Sonia McLay describe housing estates with high levels of poverty; Ann Coleman, Andy Robinson and Joan Higginson identify high levels of unemployment as contributing to the environmental injustices in their communities.

However, race is not absent in the Scottish examples. Amadu Khan in handbook 6, and Nahid Aslam here, both address the racism implicated in environmental injustices. Julian Agyeman and Bob Evans, who have written on environmental racism in the UK have described the experience of black people in Britain as 'working class plus', identifying the additional injustices experienced on top of those experienced by white working class people .

Scotland also suffers a high level of environmental injustice as a result of geographical marginalisation, whether as sparse and diverse communities drained of services (Sue Fenton, Rod Lovie), or more significant isolation (Terry Hegarty, Vic Thomas, Aaron Forsyth).

Such social and topographical elements of the geographical siting of environmental injustices reflect access to power. The concentration of power, in financial, cultural and structural terms, all play their role in compounding environmental injustices. However, the stories of the agents also suggest that other, less geographical power structures also affect environmental injustices.

Rod Lovie's work in the communities of the north east expose the extent to which indigenous culture is used as a means of excluding voices from power. The systematic devaluing of the Scots language in its Doric and other manifestations for many generations has contributed to a culture of passive acquiescence in the hegemony of English language, middle class cosmopolitanism.

Whilst men and women live together in Scotland's cultures, the geographical siting of environmentally damaging facilities is unlikely to affect genders differently. However, environmental injustice is more complex than this. There is a gendered element to environmental justice. It has often been commented on that women form the backbone of community activities, yet are less likely to become the figureheads or elected officials in community representative organisations. In her analysis of gender in communities, Bea Campbell describes how "Women create networks around a landscape: they tend to grow their networks outwards, by movement, by contacts. Men make theirs through formal associates, with rules of entry: you've got to be one of the boys." The experience of environmental justice activists is typical. Joan Higginson describes a constant struggle to be taken seriously and of being excluded from the relevant discussions, in her experiences of dealing with the overwhelmingly male members of Midlothian council.

### 3.5 Lessons from environmental justice

There are several recurring themes in the stories of the agents for environmental justice. One particular concern is that as the term becomes used more frequently in policy, then it becomes, as Andy Robinson describes it, a form of political expediency, a new way of covering up the conflicts of interest in a general form of 'win-win' business as usual. This is very far from the demands of the African-American communities struggling against toxic dumps, and even further from the environmentalism of the poor which, throughout the world, are defending their livelihoods, often with their lives. It is not adequate for policy makers, nor for environmental campaigners, to be vague about environmental justice and allow it to be incorporated into a policy agenda which does little to redistribute environmental costs, benefits and resources. We have a responsibility to those who suffer injustices to be more critical in our assessment of environmental justice. Furthermore, policy makers demand of us an explanation of what we want of them, and they have a point. Can environmental justice be a policy objective?

Sue Fenton poses the question as to whether her struggle against the sand and gravel quarry constitutes environmental justice. The sparse population density which distances Strathnairn from access to power, scarcely constitutes the social deprivation of poverty or racism. Even the geographical isolation of Scoraig, a function as much of a concentration of power as of topography, is a feature of its attraction. As Aaron Forsyth describes it, although it is the community of his childhood, he has also chosen to live there, and the choice of lifestyle, in global terms, is a privilege.

Environmental justice forces us to re-examine questions which have been asked before many times. How do we comparatively evaluate conflicting interests? How do we create administrative systems, political structures, even ethical standards, by which we can compare the competing interests of the construction industry for gravel, or society's requirements for renewable energy, with the health of the poor, or of the not so poor; or again with the scientific interest or spiritual interpretation of a geological feature?

Environmental justice does not provide the answer to these questions but it does narrow the question. The competing interests of rich and poor people, or of Europeans and Pakistanis, or of social benefit or ecological integrity, should not be decided on the basis of wealth or power. The planning system in Scotland has many faults, as attested to in the testimonies of the agents, but its existence is a certain bulwark against total freedom of the powerful to do what they will. The powerful, or more subtly the forces which reinforce power, find ways to defend their privilege despite the democratic structures which are designed to protect the less powerful. Development companies learn the loopholes in planning law, and politicians can confuse personal with social gain.

But environmental justice shifts the emphasis onto resistance. In the struggles against the interests of the powerful, activists can have creativity where they do not have wealth. As Vic Thomas describes, the limited third party rights enjoyed in Shetland's planning system can be used to demand some responsi-



bility for development. Those who resist environmental destruction, often accused of irresponsibility, are in fact the responsible ones. The creativity of resistance becomes a factor in making democracy work, in raising the costs of development, of 'internalising the negative externalities', of providing pressure for sustainable development.

A constant theme of the agents' stories is the lack of voice which they have in the structures of planning, development and environmental protection. There is a bias in favour of unsustainable development and the powerful exploit this. Reform of the structures of participation and accountability are certainly essential if environmental justice is to be achieved, but this will always be a site of struggle.

This works both ways however. We in Scotland are powerful and privileged, as Nahid Aslam reminds us, and as is explored further in the handbooks 'Global connections' and 'Credit where it's due'. The responsibility associated with resistance is solidarity. The accusations of the environmentalists of the poor is that we resist unsustainable development whilst seeking alternatives which reduce our demands on the planet and our colleagues throughout the world.

Is environmental justice policy possible? In some respects it isn't. You cannot create policy which will be a watertight protection against the abuse of privilege, and cannot legislate for the creativity of resistance. A more participatory and precautionary system helps, and a shift in the bias away from private to social entrepreneurship. But environmental justice must continue to be a praxis, a process by which policy makers are in constant dialogue with those resisting injustice, and the resisters take responsibility for their own role in perpetuating injustices. There is no blueprint, but it is only through sharing experiences amongst activists such as the agents represented here, along with others in the many struggles with injustice, that we can move towards environmental justice.

**Further reading on Environmental Justice**

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**Other handbooks in the Redressing the Balance series:**

Handbook 1 – Environmental Campaigning

Handbook 2 – Community Sustainability Audits

Handbook 3 – Setting up a Community Sustainability Project

Handbook 5 – Citizen's Science: What Activists Need to Know

Handbook 6 – Global Connections:

The International Impact of Community Action

Credit Where It's Due: The Eco Debt Education Project

Also, look out for Friends of the Earth publications on Environmental Justice – [www.foe-scotland.org.uk](http://www.foe-scotland.org.uk) and click on Environmental Justice.

