
HARMONIZING STAKEHOLDER INVOLVEMENT AND SUSTAINABILITY PRINCIPLES: THE CORNERSTONES OF EFFECTIVE ENVIRONMENTAL DECISION-MAKING

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INTRODUCTION

In the contemporary discourse on environmental management and policy-making, the two tools recognized for effective decision-making are of stakeholder involvement and sustainability principles. The entire foundation of environmental decision-making rests on the two cornerstones namely: stakeholder involvement and sustainability principles. The various environmental challenges such as climate change, biodiversity loss, and depletion of resources, can be met with effective environmental decision-making. Environmental decision-making involves an interdisciplinary approach that involves participatory principles as well as sustainability principles. This paper will try to establish a balancing ground for harmonizing the two principles, the first being the participatory principle which will be discussed in the light of the stakeholder involvement and the other being the sustainability principle.

RESEARCH OBJECTIVE AND RESEARCH METHODOLOGY

The present paper will first try to analyze the concept of stakeholder involvement concerning environmental decision-making. The other objective of the paper is to evaluate the impact of various sustainability principles in environmental decision-making. By doing so, a balancing approach will be identified wherein both concepts will be weighed against each other. The present paper is essentially a doctrinal work. An empirical approach for the instant work will give better perspectives to the researcher and therefore, the researcher reserves the right for such empirical work for future studies.

RESEARCH QUESTIONS

To attain the aforementioned research objectives the following research questions are framed:

1. How does the stakeholder involvement influence the environmental decision-making

process?

2. How do the sustainability principles help in an effective environmental decision-making process?
3. Whether the principles of stakeholder involvement and sustainability principles can be balanced against each other in the environmental decision-making process?

THE CONCEPT OF STAKEHOLDER INVOLVEMENT

Stakeholder involvement is indispensable in environmental decision-making which is based on sustainability principles. In environmental decision-making, involving the stakeholders is of immense importance for ensuring diverse perspectives are considered. This inclusivity fosters transparency and accountability, leading to informed decision-making. Stakeholder involvement in environmental decision-making ensures the implementation of sustainability principles. Definition of stakeholder involvement

The term stakeholder involvement is synonymous with public involvement and is most often interchangeably used. Howlett and Nagu has defined stakeholders in the following line:¹

“..all those people and institutions who have interest in the successful design, implementation and sustainability of the project. This includes those positively and negatively affected by the project. Stakeholder participation involves processes whereby all those with a stake in the outcome of a project actively participate in decisions on planning and management. They share information and knowledge, and may contribute to the project, to enhance the success of the project and hence ultimately their own interests.”

As per the definition above stated stakeholders include all any people or institutions having a stake in the project. The term "stakeholder" is used quite broadly in this definition, covering all formal and informal parties connected to a project, as well as beneficiaries, commercial enterprises, and other government bodies. The goal of "inclusive" stakeholding, as opposed to "exclusive," is one of its fundamental characteristics.

There are various stakeholders involved in the environmental decision-making process, notably, the individuals, groups or communities affected by a certain activity, the ones who are conducting the activity, the beneficiaries, the various government agencies including the

¹ *Public and stakeholder involvement in EIA from orientation course ...* Available at: <https://www.jstor.org/stable/resrep18116.8> (Accessed: 20 February 2024).

Regulatory Bodies, the various interest groups such as NGOs.²

There are various levels of involvement and this was identified by Adnan et. al. The typology of participation as adapted from Adnan et al 1992 itself poses as a model of public participation which includes the following: Passive participation, participation in information giving, participation in consultation, Functional participation, Interactive participation and self mobilization.³

The concept of stakeholder involvement is adopted from the concept of citizen participation. Arnstein has imagined the influence of citizen participation in the form of an eight-runged ladder where each rung (low to high) represents a degree of participation corroborating the citizen's power in each of them. The first two rungs of "manipulation" and "therapy" resemble "no participation". While, the next three rungs of "informing", "consultation" and "placation" demonstrates "Degrees of tokenism". The real power of the citizens, which Arnstein calls as "Degrees of citizen power", is observed in the final three rungs of "partnership", "delegated power" and "citizen control". Each of the named rungs is self-explanatory and represents a separate model of participation. In the "Manipulation" model, the members of the public get to participate in an illusionary manner. The authorities in real power manipulate them to believe that they have a role to play, which is not the state. For example, just for the sake of involving the members are called for a meeting and then they are assured with open vows by the authority who actually conduct the meeting, giving no chance to present any opinion to the public. Thereafter comes the "Therapy" model wherein the members of the public are made to believe that they themselves are problem and that they need to be cured. The first two rungs represent the idea of powerlessness amongst the members. Here the objective is not really participation but a mere inclusion. Then comes the "Informing" model where it is just a one- way mechanism, which is followed by "Consultation", which though is a two- way mechanism, however, it does not involve quality importance given to the participants' opinion. "Placation" model involves the two- way mechanism again like the previous model, the only difference being here is that, in the instant model the powerholders (that is the authorities in power) resides in the position as to whether or not to accept the opinion provided by the public. (This is something similar to what we have in India). Further up the ladder Arnstein has put "Partnership" model which denotes the negotiating relationship between the members of the

² Aloni C and others, 'The Importance of Stakeholders Involvement in Environmental Impact Assessment' (2015) 5 Resources and Environment 146

³ Ibid

public and those in authority. Thereafter, higher up the ladder, she has put “Delegated Power” and “Citizen Control”, both of which portray higher degree of involvement of the public in the decision making process, giving greater importance to the voices of the public than in any other model.⁴

Stakeholder involvement is the process by which the interested or affected members of the public or members of the community are provided an opportunity to participate and influence public and government decisions. The term stakeholder involvement is synonymous with the terms such as “citizen participation”, “community participation”, “public participation”, “stakeholder engagement”, “public involvement” or “community involvement”.

The United States Environmental Protection Agency defines public participation as a process and not merely an event, “that directly engages the public in decision-making and gives full consideration to public input in making that decision”.⁵ Some of the tools of public participation as identified by the United States Environmental Protection Agency are: information to the public, generating public input, building consensus and reaching an agreement.⁶ Public participation is the “involvement of those who may be affected by or interested in a decision through formal or informal channels”⁷

Some authors have defined stakeholder involvement in the lines of participation in general and participation in development administration.⁸ It is based on the idea of participatory democracy⁹.

In India stakeholder involvement in environmental decision-making finds its implementation in the EIA Notification 2006. The EIA Notification 2006 explicitly provides for a provision of stakeholder involvement in the form of “public consultation”. The EIA Notification, 2006 mandates the conduction of public consultation as an important step in the EIA process. Primarily, the EIA Notification 2006 calls for public consultation in two different forms. First,

⁴ Discussion on Arnstein’s model of public participation as originally published as Arnstein, Sherry R. "A Ladder of Citizen Participation," JAIP, Vol. 35, No. 4, July 1969, pp. 216-224 , Available at https://lithgow-schmidt.dk/sherry-arnstein/ladder-of-citizen-participation_en.pdf (Accessed: 20 February 2024)

⁵ Public Participation Guide, Available at <https://www.epa.gov/international-cooperation/public-participation-guide-introduction-public-participation> (Accessed: 20 February 2024)

⁶ Ibid

⁷ Lee, T.-P. and Sun, T.-W.M. (2018) ‘Public participation’, *Global Encyclopedia of Public Administration, Public Policy, and Governance*, pp. 5171–5181. doi:10.1007/978-3-319-20928-9_2720.

⁸ Marume, Dr.S.B.M. (2016) ‘People’s Participation in the Administrative Process’, *International Journal of Business and Management Invention*, 5(9), pp. 65–68.

⁹ In participatory democracy model, the citizens themselves (individually) participate and influence in the decision making process.

it prescribes for the conduction of Public Hearings and second, it prescribes for written responses to be obtained from various stakeholders. The word ‘consultation’ indicates active participation of the members. The Cambridge Dictionary provides the following as the meaning for ‘consultation’: *“the act of exchanging information and opinions about something in order to reach a better understanding of it or to make a decision, or a meeting for this purpose.”*¹⁰.

The EIA Notification 2006 has defined ‘public consultation’ in the following manner: *“Public Consultation refers to the process by which the concerns of local affected persons and others who have plausible stake in the environment impacts of the project or activity are ascertained with a view to taking into account all the material concerns in the project or activity design as appropriate.”*¹¹ From this very definition which is provided in the EIA Notification of 2006, the following characteristic features can be identified that portray the theoretical Indian model of public participation in the environmental decision-making process. Firstly, it takes into account the concerns of the local affected persons. This indicates that the voices of the locals. It further embraces (within the ambit of the definition) the concerns of “others” in addition to the local affected people. This widens the scope of the term. The second identifiable feature of the definition is the term “plausible stake”. In the continuum of the first feature, the definition indicates the involvement of the stakeholders in the decision-making process. In other words, the definition indicates the participation of all stakeholders in the decision-making process. Third, the usage of the words “with a view to taking into account all material concerns” in the definition assures the importance attributed to the concerns of the stakeholders.

This brings us to the answer to the first research question. It can thus be concluded that by the incorporation of the public consultation process in EIA, stakeholder involvement is ensured in the environmental decision-making process.

SUSTAINABILITY PRINCIPLES INVOLVED IN ENVIRONMENTAL DECISION-MAKING

The basic sustainability principle that is involved in environmental decision-making is the Precautionary Principle. Some of the key elements of the precautionary principle are investigating a wide range of options as alternatives to potentially harmful actions; shifting the burden of proof to the proponents of an activity; and enhancing public involvement in the

¹⁰ Information available at <https://dictionary.cambridge.org/dictionary/english/consultation> (Accessed: 20 February 2024)

¹¹ Environment Impact Notification, 2006 by MoEF being S.O. 1533 (E) dated 14.09.2006

decision-making process.¹²

The Precautionary principle ensuring sustainability finds its application in environmental decision-making through the EIA process. EIA is a tool for effective decision-making after making due assessment of the various environmental impacts.

The other important sustainability principle is the principle of intergenerational equity. In course environmental decision-making, the decision makers should consider the principle of intergenerational equity which states that the present generation should pass on to future generations enough natural resources and sufficient environmental quality that they can enjoy at least a comparable quality of life, and inherit a healthy and sustainable environmental heritage.¹³

Sustainability principles also include the concept of Polluter pays principle. This is yet another important aspect of environmental decision making which is generally covered in the implementation process and is a post effect aspect of decision making.

HARMONISING THE STAKEHOLDER INVOLVEMENT WITH THE SUSTAINABILITY PRINCIPLE

The two important aspects of environmental decision-making, as found in some research works are that of assessing alternative options and the other of implementing actions.¹⁴ The first aspect is based on the precautionary principle of sustainable development and the other aspect is manifested through stakeholder involvement in environmental decision making process.

The SDGs proposed by United Nations also aims at securing effective environmental decision making. The principle of “inclusivity” ensures both the principles of sustainability as well as participativeness (read in the line of stakeholder involvement) for environmental decision making. It is through the principle of “inclusivity” only that both the concepts are balanced against each other and none weigh out the other. There have been various instances like the

¹² Kriebel D and others, ‘The Precautionary Principle in Environmental Science.’ (2001) 109 Environmental Health Perspectives 871

¹³ Information available at

<https://www.oxfordreference.com/display/10.1093/oi/authority.20110803100006730#:~:text=The%20principle%20that%20the%20present,healthy%20and%20sustainable%20environmental%20heritage.> (Accessed: 20 February 2024)

¹⁴ Srinivas, Hari, "Introduction: Environmental Decision-Making". GDRC Research Output E-001. Kobe, Japan: Global Development Research Center. Available at <https://www.gdrc.org/decision/introduction.html> (Accessed: 20 February 2024)

Bishnoi movement, Narmada Bachao Andolan, the stalling of Amravati Project, the Sethusamudram Ship Channel Project which highlights the importance of balancing both the concepts for effective environmental decision making.

The three principles of sustainable development: precautionary principle, principle of intergenerational equity and Polluter pays principle, integrates with participatory principle that is manifested through the stakeholder analysis in the Environmental decision- making. The precautionary principle ensures that proper inputs are taken from various stakeholders having stakes in a activity that requires further decision making. Also involving the stakeholders in the decision- making process bridges the gap between the community and the various institutions and ensures transparency and accountability of all the participants involved in the decision-making process. The principle of intergenerational equity is also adhered to by involving stakeholders in the decision- making process. The stakeholders ensure that a balancing approach be taken in order to protect the existing resource and utilising same keeping in view the future availability of the same. Sustainability maintained through Polluter Pays Principle highly involves the participation of stakeholders in the decision- making process. Thus we see that the stakeholders involvement smoothly blends in the sustainability principles in the environmental decision- making process.

CONCLUSION AND SUGGESTIONS

A good environmental governance ensures that both the participatory principle and sustainability principles be incorporated in the decision- making process. However both the principles have their constraints, notable amongst them being that of time, money, literacy, education, language, cultural differences, political uncertainty, timing, ambiguity in legislation. However, it is upto the policy makers and the legislatures along with the Regulatory bodies to adhere to both the principles and harmonize the two in order to accomplish an effective Environmental decision- making. There is a need to emphasize on both the concepts equally thereby prioritizing stakeholder involvement and sustainability principles in the decision-making processes as these principles are central to environmental governance, ensuring the well-being of present and future generations and the preservation of our planet's resources.