

## ACTUALISATION OF SUSTAINABLE DEVELOPMENT THROUGH CONTEXTUALISING LOCALISM

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### Abstract

*Environment is one of the three pillars of sustainable development. Sustainability acknowledges natural system as the provider of quality of life. If we strengthen our local actions, it will give eminent impact and dynamic improvement in sustainability of the development. On the basis of research, this paper explains that the local government is crucial for implementing plans at the ground level. This research paper discusses various solutions and management systems at grass root level. Actualization of sustainable development is possible through such implementation of strategies, small scale local actions and public participation in it. This article shows the merits by presenting notable cases from our own nation. It will conclude that local and municipal laws are making positive advancement towards sustainability, and it requires public participation. Judiciary is also making efforts in the process of local mechanism in sustainable development. But it also identifies a need to make proper implementation, perfect planning and driving innovative ideas. Such contextualization will assist us to focus on the neglected but vital aspect of sustainable development through localism. It ultimately contributes not only in improving environmental integrity but also towards the future aims and objectives provided under several national and international instruments.*

**Key words:** *Localism, local level, local actions, municipal laws, implementation, sustainable development, environmental sustainability, innovative ideas, public participation*

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## INTRODUCTION

“The Earth will not continue to offer its harvest, except with faithful stewardship”

- Pope John Paul II

This ‘faithful stewardship’ towards environment will result in ‘the future we want and the future we need’. The Environment is one of the three pillars of sustainable development. The development is to enable all people throughout the world to satisfy their basic needs and enjoy a better quality of life without compromising the quality of life of future generations. This sustainability acknowledges natural system as the provider of the quality of life and therefore to ensure environmental sustainability we plan to our limits. Man wants development as a right, he wants his needs to be fulfilled at any cost even at the cost of nature and environment as well. In this process, he forgets that the existence of environment lies in our hands as we are the only variables within the frame of environmental sustainability. The ignorance of this fact is ultimately going to affect the humans. This shows the need to work aiming sustainability and that is not only by the government but also by all segments of society. It is clear that environmental protection and sustainability is not achievable only by the legal control and legislations but it needs positive attitude and massive awareness. To this node to quote that-

“If we wait for governments, it will be too little, too late; if we act as individuals, it will be too little; but if we act as communities, it might just be enough, just in time”

This indicates us that ‘Acts and Plans need Action’. The goal of sustainability is the highest peak of the mountain, so let us start climbing that mountain from the ‘grass root level’.

### *Sustainable Development*

The Brundland Report provides four folds definition. Sustainable development concerns, firstly- the quality of life, secondly- the distribution of resources and benefits, thirdly- the interactions between environment and development keeping pace with the future needs and finally- for all this we need to ensure sustainability of resources and balance between development and conservation. Although this term is introduced in the World Commission on Environment and Development (WCED), 1987 but gets approval in United Nations Conference on Environment and Development (UNCED) aiming sustainability of resources.

And then the Earth Summits- Rio+10, Rio+20 along with Millennium Development Goals are the steps taken towards achieving the goal of sustainability.

### *Agenda 21*

It is an outcome of Earth Summit providing actions to be taken by governments, organisations, businesses and people in achieving sustainability. It gives social and economic dimensions, guidelines to conserve and manage resources for development, policies to strengthen social partnership and means of implementation. The objective is to stop deteriorating ecosystem and improve the quality of lives. Chapter 28 of agenda focuses upon local authorities' initiatives and action plans towards implementation of local agenda 21 made by the local authorities concerning the local issues and solutions.

### *Localism*

Localism is preference to one's own area or region. Localism is important as it makes participation more feasible and the reward more evident. It provides practical opportunities to implement innovative ideas. Localism emphasises on local level action plans with respect to sustainable development. It includes local authorities, local bodies and municipalities. We need to emphasise on local actions as it will provide the implementation from very grass root level and thus it will be easy to implement it to the upper level and so forth aiming towards sustainable development.

### *Local Agenda 21*

Local Agenda 21<sup>2</sup> is part of the process of defining and articulating sustainable development considerations at a local/regional level and identifying how they can be approached and achieved. It presupposes local policies, plans or programmes, the implementation of which will place development on a sustainable path for the long-term. The responsibilities are on the shoulders of Government of respective nation states to prepare such agenda taking into consideration the circumstances and need at the local level. Various nation states and respective departments made such agenda and by successful implementation of the same they are achieving the aim of sustainable development through localism.

### *Localism- an important molecule*

<sup>2</sup> United Nations Conference on Environment & Development Rio de Janeiro, Brazil, 3 to 14 June 1992, AGENDA 21

“As the level of government closest to the people, local authorities play a vital role in educating and mobilising the public around sustainable development.” -Agenda 21

The existence of environment and sustainability of it lies in our hands as we are the only variables within the frame of environmental sustainability. Localism is the most important molecule in achieving this goal. There is need to emphasis on localism for sustainable development. If we strengthen our local actions, it will give eminent impact and dynamic improvement in sustainability of the development. The local government is crucial for implementing plans at the ground level. The local and municipal laws through delegated legislation are there to aid us creating the present and the future that we want, sustainable. Localism and Municipal law is acted as a vehicle for protecting environment and protect its sustainability.

### Need to emphasise on localism for Sustainable Development

“Environmental issues are best handled with the participation of all concerned citizens. Nations shall facilitate and encourage public awareness and participation by making environmental information widely available.” -Rio Declaration on Environment and Development, 1992

And this participation and awareness comes from localism. It includes sharing of ideas, working together, put checks and balance on local authorities, Rule, plans and policy making mechanism, etc. Local level actions are fundamental to sustainable development implementation as it influences three specific areas i.e. Information and feedback, community empowerment and capacity building in orientation to decentralization and local actions as an educational tool for global thinking.<sup>3</sup> The programmes which are successful in sustainable development can be implemented and therefore the information and literature regarding the same can be accessed and must be provided by local authorities. Engaging local citizens in local action is a valuable strategy for enhancing capacity to implement management systems.<sup>4</sup> Local actions educate and enhance the awareness of both the participants and the local community.<sup>5</sup> The co-operative approach towards sustainable development is needed.

<sup>3</sup> Ryan Plummer, *A review of sustainable development implementation through local action from an ecosystem management perspective*, 4 JOURNAL OF RURAL AND TROPICAL PUBLIC HEALTH, 33, 34 (2005)

<sup>4</sup> Ibid

<sup>5</sup> Id

And thus let us find out the solutions for it...

### Indian Legislations, Localism and Sustainable Development

Legislation is the most important weapon in various activities. It is reflection of people's will on one hand and comprehensive framework for regulation of human conduct on other hand. It provides authorities, mechanism, rights and duties. And similarly it plays vital role in Environmental Developments. It imposes sanctions to act as an effective instrument of environmental management. The Indian laws dealing with local authorities impose some duties on them in respect to environmental protection which aims towards sustainable development.

Constitution of India provides solutions for the same and especially by virtue of 74<sup>th</sup> amendment in Constitution of India, environment-protection and promotion of ecological aspect become obligatory duty of Local Self Government. To plan and execute obligatory and discretionary duties in its jurisdiction to manage the services effectively regarding development plan, water supply, sanitation, solid waste management, health, education, industries, etc. Local self authority is formed under Municipal Corporation Acts.

The provision regarding the compulsion of preparing and publishing the 'development plan' by Municipal Corporation is to allow people's participation in maintaining an environmental balance. Under M.P.C.B. Act the Government of Maharashtra (Urban Development Department) issued a circular directing Municipal Councils or Corporations to take care to abate the pollution within their jurisdiction, failing which the concerned Municipal Officer will be held responsible. The M.P. Municipalities Act, 1961 also provides and imposes duties on the local council under Section 123 to a) cleansing public streets, places and sewers, and places, not being private property, which is open to the enjoyment of the public whether such places are vested in the Council, or not; removing noxious vegetation, and abating all public nuisances. b) Disposing of night soil and rubbish and preparation of compost manure from night soil and rubbish.<sup>6</sup>

Along with above discussed legislations, there are ample of provisions, rules and laws present aiming sustainable development. Laws dealing with environmental protection are also confers liability on local authorities. Thus with the help of all these, the aim of sustainable development can be achieved through localism.

<sup>6</sup> The Madhya Pradesh Municipalities Act, 1961, Section 123

## Indian Judiciary, Localism and Sustainable Development

Indian Judiciary as an independent organ also aids in context with sustainability. By way of Interpretation of the provisions and by creating precedents courts in India proved to be a helping hand in achieving sustainable development through localism. In *Municipal Council, Ratlam v Vardichand and Others*<sup>7</sup>, Supreme Court stressed that budgetary constraint did not absolve the Municipality from performing its statutory obligation to provide sanitary facilities and it is a mandatory duty imposed on the Local Bodies to keep environment clean. In *L.K. Koolwal v State of Rajasthan and ors*<sup>8</sup>, a writ petition was filed by the petitioner asking the court to issue directions to the state to perform its obligatory duties. The petitioner invoked Fundamental Rights and the Directives Principles of State Policy and brought to the fore the acute sanitation problem in Jaipur which, it claimed as hazardous to the life of the citizens of Jaipur. The Court observed that maintenance of health, preservation of sanitation and environment falls within the purview of Art. 21 of the Constitution as it adversely affect the life of the citizen and it amounts to slow poisoning and reducing the life of the citizen because of the hazards created or not checked. The Court held that the Municipality had a statutory duty to remove the dirt, filth etc from the city within a period of six months and clear the city of Jaipur from the date of this judgment. A committee was constituted to inspect the implementation of the judgment. In *M.C. Mehta v. Union of India*<sup>9</sup>, Supreme Court held that 'Kanpur Mahanagar Palika' has to bear the major responsibility for the pollution of Ganga River. In, *T. Damodar Rao v. Municipal Corporation of Hyderabad*<sup>10</sup>, the Court directed to remove the construction of residential building on the land reserved for Recreation Park, as Article 21 of Constitution embraces the protection and preservation of natural gifts without which life cannot be enjoyed. In *Vellore Citizens Welfare Forum v. Union of India*<sup>11</sup>, in the context of Municipal Law, Court considered various constitutional provisions including Articles 47, 48-A, 51-A (g) and came to the conclusion that it is the duty of the State to protect and preserve the ecology, as Article 21 of the Constitution guarantees protection of life and personal liberty and every person has a right to pollution free atmosphere. Therefore, the "precautionary principle" and the "polluter-pays" principle have been accepted as a part of the law of the land being the part of environmental law of the country.

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<sup>7</sup> AIR 1980 SC 1622

<sup>8</sup> AIR 1988 Raj 2

<sup>9</sup> 1992 SUPP (2) SCC 633

<sup>10</sup> AIR 1987 AP 171

<sup>11</sup> AIR 1996 SC 2715

These are the landmark judgements delivered by the Indian Courts in connection with the Sustainable development by imposing restriction and regulating conduct of local authorities.

Let us find the solutions outside this framework...

### **Gandhian Approach, Localism and Sustainable Development**

“I believe that Gandhi’s views were the most enlightened of all the political men in our time...” – Albert Einstein<sup>12</sup>

Truly said, the philosophy of Gandhiji really illuminated and illuminating the minds of people. Let us find the solution in his thoughts to solve the problems that we have today.

Gandhian approach with respect to Localism and sustainability can be divided into two parts- one dealing with the philosophical concepts and idea behind the concept; and secondly dealing with the implementation which throws light on localism and improved local systems in connection with the sustainability.

There are two philosophies of Gandhiji which are relevant and help us in finding the solution and these are - Panchayat Raj and Sarvodaya. He had been laying the greatest emphasises on establishing Village Swaraj with a view of making the villages self-governing and self-contained. He believed in delegation of power to local authorities for the development. He wanted all-round development in economy, sanitation, medical relief. Gandhiji thought that compost manure enriches the soil and never harms the crops as well as soil and therefore it is the valuable commodity. These ideas really help us in providing safe present and safe future. The Sarvodaya i.e. the welfare of all represents the ideal social order according to Gandhiji. His principles like decentralization, self-sufficiency, village management are still effective wherever it is implemented.

“Human activities must be adapted to fit within the limits of nature, so that the healthy functioning of ecosystems can be preserved.” -Agenda 21

Implementation mechanism is seen from various Gandhian models which transformed the village from poverty to self sufficient status keeping in mind the needs of future generation and which is nothing but a sustainable development through local actions. One of such model

<sup>12</sup> Emilio Iodice, *The Courage To Lead Of Gandhi*, 10 THE JOURNAL OF VALUES-BASED LEADERSHIP, July 2017, at 2 of Article 12, <http://scholar.valpo.edu/jvbl/vol10/iss2/12>

is Ralegan-Siddhi (Maharashtra, India). The man who followed Gandhian philosophy and thoughts of Vivekananda to bring the change in the society he wants. He put forward four principles without which sustainable development and removal of poverty would not have been possible in the village. These include four bans, namely: Sterilization, prohibition, ban on grazing and ban on tree felling. This whole process of transformation of the village took the village from poverty ridden to self sufficient status. In another case, Shri Vilasrao Salunkhe who introduced concept of Pani Panchayat in his village made his village self sufficient by convincing them about the importance of soil conservation and water harvesting mechanisms. He initiated watershed development programmes. The success is because of the unity in the villagers and strictly following the rules. Some important rules are: a. Water rights which are attached to household or individual rather than to land; b) restricting cropping patterns to low water intensive crops; c) equal distribution of water on the basis of household size and distribution of water to landless labour who can sell water or share crop; d) contribution by the households for the schemes in the initial stage, i.e.25% and the rest is taken on loans which is also paid by the farmers in instalments.<sup>13</sup>

These are the most successful stories which brought the Sustainable Development through local actions and public participation. Gandhian approach towards this gives us the new ideal principles which are effective and can be implemented in present to create future.

#### **International Community's approach, Sustainable Development and Localism**

Lots of innovative ideas and projects are now coming-up with strategy of sustainability. The local, regional, municipal levels are making formative steps by putting such ideas in practical. This increases the participation of people in making the sustainable present and sustainable future. In the United States and United Kingdom, the concept of re-localization movement is budding. Re-localization means freeing from an overdependence on the global economy and investing own resources to produce a significant portion of the goods, services, food and energy from its local endowment of financial, natural and human capital.<sup>14</sup> The concept of Transition Town is sprouting in UK, USA, Ireland, and Canada with self-organised groups. They are attempting to promote Permaculture, rebuild local infrastructure with ecological

<sup>13</sup> Usha Rai, *Pani Panchayat Creates Reverse Migration*, GOOD NEWS INDIA (Feb.20, 2019, 10:15 PM), <http://www.goodnewsindia.com/Pages/content/inspirational/paniPanchayat.htm>

<sup>14</sup> For reference see website of Center for Sustainable Economy, <http://www.sustainable-economy.org> which gives the ideas of strategic initiatives.

design principles, cultivate local provisioning of food, build renewable fuel sources and insulate their communities from the vagaries of the global economy and technologies.<sup>15</sup>

CSA i.e. Community Supported Agriculture<sup>16</sup> is the programme running by local authorities of United States. Local commons with the help of local authorities improved the food production and distribution system. The main objective that they achieved is direct interaction between farmers and consumers and sharing the economic risks and the social pleasures. SFI i.e. Slow Food International<sup>17</sup> propounded by Italian Carlo Petrini is having the objective of practice small-scale and sustainable production of quality foods, is also a great example of sustainability with the help of localism and public participation.

And various such programmes strengthen the local actions which lead to protect the future and helps in creating the future that we want.

### **Benchmarks for Ideal Agendas for Sustainable Development through Localism**

Benchmark means a standard by which something is evaluated or measured. In Sustainable Development through localism some nation-states are taking initiative steps by making policies, strategies, plans, improvements in implementation mechanism, etc. There are some examples discussed below are the benchmarks for the same. Taking inspiration from such strategies and working collectively we can achieve the aim of sustainability.

In Ireland, the Government is committed to the preparation of a National Sustainable Development Strategy addressing all areas of Government policy impacting on the environment. The Department of Environment and Local Government of Ireland made Local Agenda 21 to control and regulate the local activities in context with the sustainable development. Activities which are largely controlled at local level, for example in regard to land use, waste disposal and water services, have a major impact on the environment. Chapter 3 of Local Agenda 21 provides action to be taken by the local authorities. There are number of options and procedures for improving internal environmental performance and it includes firstly, adopting an environmental charter or mission statement; Secondly, adopting a voluntary environmental management system; Thirdly, pursuing green housekeeping

<sup>15</sup> BURNS H. WESTON & DAVID BOLLIER, GREEN GOVERNANCE: ECOLOGICAL SURVIVAL, HUMAN RIGHTS, AND THE LAW OF THE COMMONS 234 (Cambridge University Press, 2013).

<sup>16</sup> For e.g. it can be done through online services like <http://www.localharvest.org>, <http://www.slowfood.com>.

<sup>17</sup> *Ibid*

measures can be improved by measures like energy conservation in buildings, services and use of equipment, using recycled products and recycling facilities, ordering minimum quantities to avoid stock build-up, minimise storage requirements and reduce potential obsolescence, giving preference to environmentally-friendly products in specifications for tenders, etc., using environmentally-friendly products in the management of parks/recreational grounds and for weed control on roads and kerbsides, waste minimisation, providing alternatives to one-use disposable products, such as non-refillable pens and paper/Styrofoam cups, using unleaded petrol and fuel efficient vehicles in vehicle fleets, etc; Fourthly, staff training and information and lastly budgeting which will strengthen the economy as well. On the other hand Policies and Activities are to be focused and managed which includes land use/development policies, urban development, transport policy and traffic management- as Agenda 21 says, "Transportation strategies should reduce the need for motor vehicles by favouring high-occupancy public transport, and providing safe bicycle and foot paths." Local authorities can encourage environmentally-friendly mode of transport by providing safer facilities, such as cycle lanes and secure bicycle parks for cyclists, special pedestrian areas, and footbridges and (where appropriate) underpasses for walkers and cyclists. Public support for public transport is essential: Local authorities can help to promote and integrate public transport. This Agenda also lays down some environmental activities as Local authorities have extensive environmental responsibilities and can initiate and support more explicitly sustainable activities in areas such as waste reduction and recycling, management of environmental media and nature conservation. These can involve protecting natural amenities, resources, landscapes and habitats; promoting and catering for environmentally-friendly leisure activities and facilities; and supplying information for users on how to achieve and maintain a "greener" local environment. In chapter 4, actions to be taken in the community are laid down as Agenda 21 says, "... Promote sustainable consumption through education, public-awareness programmes and the positive advertising of products and services that encourage sustainability." And this Irish Document promoted by supporting environmental education, liaising with local schools/colleges, supporting the initiatives of local voluntary groups, compiling and publishing local environmental information, setting up focus points, holding open days, drawing up their own information policy statements, maintaining statutory registers, etc. It is also taken into consideration the Public Consultation as well. This document also lays down initial targets like improved drinking/bathing water quality, improved demand management/ conservation of water supplies, defined programme for urban waste water treatment, re-use of sewage sludge,

stabilisation/reduction of municipal waste, Increased recycling rates, etc. Thus this document provide ideal framework for achieving sustainable development through localism.<sup>18</sup>

Canadian Government also approved the local agenda 21 made by their respective local authorities and initiated actions achieving aim of sustainable development through local actions. Some of the examples from various town planning programmes which will provide us the ideal frame to implement it in other regions as well. In Lancashire county (United Kingdom) implemented 'The Lancashire local environmental action programme (L.E.A.P.), it includes three phases: informational, policy making, and Implementation. In the provincial municipality of Cajamarca (Peru), Participatory regional development planning implemented 'Inter-institutional consensus-building for a sustainable development plan'; In accordance with agenda 21, the municipality of Cajamarca decided to implement a participatory regional development planning process designed to coordinate development activities and improve the delivery of community services. The goal of the initiative was to create a 'regional sustainable development plan.' The six theme boards focuses on education; natural resources and agricultural production; production and employment; cultural heritage and tourism; urban environment; and women's issues/family and population. In the city of Santos (Brazil) Citizen Councils for Municipal Programme Planning initiated plan of 'Popular democratic administration' which created various councils including Council for the environment and various duties are imposed on the local authorities. In Johnstone Shire Council (Australia), Participatory local statutory planning implemented 'The Johnstone Plan'; The Motives for this initiative can be attributed to a number of factors, including: a) the aspiration of the mayor of that council to improve environmental management in the shire; b) the desires of the general manager (chief executive officer) to improve the council's corporate services and establish a more responsive corporate structure capable of responding to community needs; c) inadequacies in the former town plan, which did not meet the aspirations of the current council and community; d) council's desire to improve public involvement in decision making; and e) increasing community awareness and concerns for planning and environmental issues expressed in forums, Including the council's innovative town meetings.

Total		
585		
452		

<sup>18</sup> Local Agenda 21 Planning Guide, The International Council for Local Environmental Initiatives (ICLEI), 1996

These therefore become benchmarks for local actions. The other regions can adopt such policies or the part of it which suits the condition and need of that region. This shows that through such local actions and management, the sustainable development is possible.

### Conclusion

Sustainable development will not be brought about by policies only: it must be taken up by society at large as a principle guiding the many choices each citizen makes every day, as well as the big political and economic decisions that have. This requires profound changes in thinking, in economic and social structures and in consumption and production patterns.

Actualization of sustainable development is possible through such implementation of strategies, small scale local actions and public participation in it. We can adopt those policies from international regime which suits us and will make radical changes. Local and municipal laws are making positive advancement towards sustainability, and it requires public participation. Judiciary is also making efforts in the process of local mechanism in sustainable development. But it also identifies a need to make proper implementation, perfect planning and driving innovative ideas. Such contextualization will assist us to focus on the neglected but vital aspect of sustainable development through localism. It ultimately contributes not only in improving environmental integrity but also towards the future aims and objectives provided under several national and international instruments. Lastly, I wish to quote Sam Walter Foss- "Bring me men to match my mountains, bring me men to match my plains, Men with empires in their purpose, and new eras in their brains."