

# Group Work

CCMMBAIS Symposium 2021 participants

How well can justice systems cope  
with the particular modern challenges  
of environmental and social justice?

# Environment and the Modern Justice System (Summary)

- Is clean and healthy environment a right?
- Can this be clearly defined?
- Should we tax the polluters or ban them?
  - What do we do with the people working for the companies?
  - Could we use the money from taxes to compensate the victims?
  - If we tax the polluters, will we get more green alternatives on the market?

## END OF THE META CHATTER

- So, what can a government do to even allow the justice system deal with the environmental justice issues?
  - Define environmental rights (collaborate with experts)
  - Have a practical plan for application
  - Limit monetary ways of influencing the system

# Environment

# Legislative Branch

## Environmental Justice

### Strengths

- Ability to levy taxes
- Can create hard restrictions
- Can do a combination of both
- Can incentivize innovation through grants, rewards for hitting targets, etc.
- Easy access to debt (especially cheap in the United States)
- Collaboration between experts and policymakers

### Challenges

- Consistent lobbying for established interests
- People who don't recognize reality have disproportionate voting power

# Executive Branch

## Environmental Justice

### Strengths

- Rapid, decisive
- Effective
- Regulation based on legislative framework (EPA)
- High focus on expertise- knowledgeable individuals have more power

### Challenges

- Easily undone with each administration
- Legislation removed of democratic process

# Judicial Branch

## Environmental Justice

### Strengths

- System fully looks at both sides of a case

### Challenges

- Decisions are based on precedent set well before challenges came to the forefront
- Naturally slow
- Restitution for individuals regarding environmental harm is hard to get

# Society

# Legislative Branch

## Social Justice

### Strengths

- Can create laws against discrimination in certain areas
- Can enforce income redistribution, such as reparations, through taxation

### Challenges

- “Tyranny of the majority”
- Difficult to protect minorities
- In the US, the white Republican voting bloc is overrepresented



# Executive Branch

Social Justice

## Strengths

- Can take control of certain unjust systems when enabled by the legislative branch

## Challenges

- Limited by the legislature and potentially the judicial system

# Judicial Branch

Social Justice

## Strengths

- Can create laws against discrimination in certain areas

## Challenges

- “Tyranny of the majority”
- Difficult to protect minorities

Liberal democracies are generally well-equipped to take action on environmental and social justice, but structural issues and a lack of voter support prevent action.