Reconceiving Environmental Justice: A Capabilities Approach to Reconciling Conservation, Culture, and Community Rights in Tanzania

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ABSTRACT: This paper reimagines environmental justice through the lens of the 'capabilities approach,' a framework developed by Amartya Sen and Martha Nussbaum, to address the ethical challenges of environmental conservation in Tanzania, particularly in eviction contexts. It argues that environmental justice must prioritize the diverse capabilities of affected communities, allowing for localized responses to climate change and safeguarding cultural identity. Drawing on the ongoing land disputes across Tanzania, particularly in Ngorongoro, this paper emphasizes the necessity of a community-centred approach that carefully balances land rights, cultural preservation, and the well-being of affected communities. It calls for a rethinking of conventional justice frameworks to more accurately address the experiences and needs of marginalized groups, while advocating for the incorporation of Indigenous perspectives into environmental conservation policies and practices.

KEYWORDS: Environmental justice, Capabilities approach, Environmental conservation, Eviction contexts

INTRODUCTION

This article examines the evolving discourse on environmental justice, which has expanded into climate justice, encompassing calls for equity, recognition, and active participation while addressing the needs of both nature and local communities. It shifts the focus beyond resource redistribution to the fundamental question of what constitutes a just relationship between humanity and the environment. Using the ongoing eviction struggles of the Maasai in Ngorongoro as a case study, the article highlights the conflict between government-driven environmental policies and the rights of indigenous communities, emphasizing that environmental justice for indigenous peoples extends beyond material concerns to encompass cultural identity, community cohesion, and traditional ways of life. The article advocates for the capabilities approach as a framework to reimagine environmental policy, critiquing utilitarian models that prioritize quantitative well-being and proposing a shift toward qualitative assessments that value individual and communal experiences. It calls for a more inclusive, interconnected concept of justice that recognizes the relationship between human well-being and environmental health, supporting policies that foster resilience, sustainability, and participatory decision-making. By promoting a holistic understanding of justice, the article urges an integrated approach to climate justice that elevates indigenous voices and fosters a just, ecologically balanced future.

1. Defining Climate Justice and Capabilities Approach

Climate justice, rooted in the broader framework of environmental justice that emerged in the 1980s, seeks to address the systemic inequities embedded in environmental policies, especially regarding their impact on marginalized communities (https://www.nrdc.org/stories/environmental-justice-movement). The environmental justice movement, born out of the recognition of unequal environmental burdens based on race, class, gender, and geography, primarily focused on frontline communities such as Indigenous peoples, low-income, and rural communities who faced environmental racism and industrial pollution. Using legal rights frameworks, these communities fought against the inequities perpetuated by environmental degradation and industrial practices (Gordon Walker, 2012, p. 8-10). Climate justice represents an evolution of this movement, focusing specifically on the disproportionate effects of climate change on these same vulnerable populations. It is grounded in concepts of fairness, collective rights, and the need for historical accountability in addressing climate change. Moreover, climate justice acknowledges that those who have most benefited from industrialization bear a disproportionate responsibility for the causes of climate change, namely, the emissions of greenhouse gases. In contrast, those who have contributed the least, especially in developing regions, often bear the brunt of climate change's impacts, exacerbating already existing inequalities regarded as triple injustices (David Archer, et al. 2010, 168)

Reconceiving Environmental Justice: A Capabilities Approach to Reconciling Conservation, Culture, and Community Rights in Tanzania

The concept of 'triple injustice' in climate change underscores three central ethical issues: 1) the historical accountability of industrialized nations for climate harm, 2) the unequal distribution of climate burdens (such as extreme weather events and food insecurity), and 3) the intensification of existing social and economic disparities through climate mitigation and adaptation policies (Mary Robinson, 2018). These policies, while aimed at alleviating the impacts of climate change, may inadvertently displace marginalized communities, particularly indigenous peoples and low-income groups, or exclude them from decision-making processes. As a result, the most vulnerable communities, despite contributing the least to the crisis, suffer both from the impacts of climate change and from inadequate responses. This ethical dilemma calls for a reconsideration of climate policy that incorporates equity, justice, and inclusivity in both its design and implementation. A failure to integrate these considerations risks perpetuating cycles of inequality, further exposing marginalized communities to climate risks while offering little support for their adaptation or resilience. To address the ethical dimensions of climate justice, policies must not only focus on reducing emissions but also ensure that marginalized communities are actively involved in climate decision-making, and that the benefits and burdens of climate actions are equitably distributed.

1.1 Climate Justice and the Limitations of Rawlsian Justice

To fully comprehend the concept of climate justice, it is crucial to engage with prominent interpretations of justice, particularly the Rawlsian model. John Rawls' theory of justice, as outlined in *A Theory of Justice* (1971), emphasizes fairness in the distribution of goods and the importance of societal structures that support the least advantaged members of society. This framework, while foundational in justice theory, exhibits significant limitations when applied to the complexities of climate change. Rawlsian justice assumes a relatively stable social contract, where all parties have an equal stake in the distribution of resources (Rawls, 1971: 25). However, climate change disrupts this premise by creating conditions where the most vulnerable populations not only face disproportionate disadvantages but are also subjected to historical injustices and entrenched systemic inequalities (Adger, 2006: 268). This raises a critical question: can a justice framework grounded in fairness of distribution sufficiently address the multifaceted challenges posed by climate change and its disparate impacts?

Furthermore, Rawlsian justice tends to prioritize intergenerational equity, focusing on the rights of future generations without adequately addressing the immediate and pressing needs of marginalized groups in the present (Brooks, 2014: 112). This emphasis on future generations, while significant, risks overlooking the urgent realities faced by those who are already suffering the effects of climate change, thus exacerbating the injustices they endure. In contrast, climate justice scholars, including Schlosberg, have developed frameworks that extend beyond a narrow interpretation of justice as mere equity (Schlosberg, 2013: 45). These frameworks recognize the imbalanced allocation of environmental goods and harms, while also stressing the necessity of acknowledging cultural and ethnic diversity among those impacted. By doing so, climate justice calls for an inclusive political process that incorporates the voices and interests of marginalized communities, recognizing the varied capabilities required for individuals and groups to achieve freedom, equality, and effective functioning (Schlosberg, 2007: 38).

In sum, the limitations of Rawlsian justice in the context of climate change highlight the need for a more nuanced, pluralistic understanding of justice, one that not only addresses distributional equity but also actively engages with the complexities of identity, culture, and the political and economic structures that perpetuate vulnerability. Climate justice, therefore, offers a broader and more inclusive framework, one that is attuned to the immediate needs of marginalized communities while also acknowledging the global and intergenerational dimensions of the crisis.

1.2 Capabilities Approach

In the early 1990s, Amartya Sen and Martha Nussbaum critically interrogated the philosophical and political foundations of transcendental theories within the social contract tradition (Sen & Nussbaum, 1993). In an era dominated by John Rawls' *A Theory of Justice*, Sen argued that Rawls' framework was overly idealized, failing to address the practical realities of justice (Rawls, 1999: 8). In response, Sen and Nussbaum introduced the capabilities approach, which critiques the foundational assumptions of distributive justice by emphasizing the conditions that enable individuals to live lives of dignity, agency, and fulfilment. This framework asserts that justice cannot be solely defined by resource distribution, but must also account for how resources empower individuals to function and thrive (Nussbaum, 2000: 54).

The capabilities approach challenges traditional notions of distributive justice, positing that the central question is not the mere allocation of goods but how such allocations create real opportunities for well-being. It shifts the focus from material goods to the freedoms those goods facilitate, questioning not just what individuals have, but what they are able to achieve and become within the context of their unique lives (Nussbaum, 2000: 71). While both scholars embrace the capabilities framework, their interpretations diverge. Sen's approach is more flexible and context-driven, advocating for public deliberation to generate capabilities lists suited to the specific needs and aspirations of individuals across varied social and political landscapes (Sen, 2009: 180-190). In contrast, Nussbaum offers a more prescriptive model, proposing a universal enumeration of ten core capabilities, which she asserts should be understood as fundamental rights (Nussbaum, 2000: 78-80). Despite these differences, both agree that justice is best understood in terms of individuals' ability to fully engage with and contribute to society, encompassing participation, social recognition, and equitable resource distribution.

Reconceiving Environmental Justice: A Capabilities Approach to Reconciling Conservation, Culture, and Community Rights in Tanzania

Furthermore, the capabilities approach holds particular relevance for environmental justice, as it encompasses a broad spectrum of issues essential to human flourishing. Scholars such as Nancy Fraser (1997) have emphasized the importance of cultural recognition and social acknowledgment as central to justice, a view echoed within the environmental justice discourse (Schlosberg, 2007: 26-28). These concepts are integral to the capabilities framework, which underscores the significance of political participation and procedural justice. Such participation is crucial for ensuring that marginalized individuals and communities can engage meaningfully in decisions that affect their environments.

Moreover, the capabilities approach proves adaptable to the analysis of complex issues like climate change and environmental justice. Its multidimensional framework, addressing areas such as development, education, health, and environmental concerns (Sen, 1999: 15-18), allows for a more contextualized understanding of justice, particularly in relation to marginalized groups, such as indigenous communities. By highlighting the specific barriers these communities face, the approach provides an invaluable lens for understanding their struggles and enhancing their potential to thrive amidst environmental challenges. In essence, the capabilities approach redefines justice by prioritizing human flourishing, not as a matter of material distribution, but as the removal of obstacles to individual potential (Sen, 1999: 41-43). It offers a robust framework for addressing the environmental justice needs of marginalized communities, underscoring the necessity of equitable opportunities that empower individuals to lead meaningful, fulfilling lives.

Central to this framework is Sen's concept of *conversion factors*, which elucidates the intricate relationships between social, economic, and environmental conditions and the way in which resources are transformed into real opportunities for flourishing (Sen, 1999, p. 74) These factors-personal, social, and environmental, are critical for understanding why disparities persist even in the presence of seemingly equal resources. Effective policies must therefore address not only resource distribution but also the contextual factors that shape their utilization. In the case of conservation efforts, this means considering whether relocated communities can maintain or enhance their capabilities in new environments. Such considerations ensure that conservation does not inadvertently undermine the well-being of those affected, allowing for more equitable, sustainable policies that respect the complexities of human life and environmental stewardship. By focusing on the enhancement of capabilities, we can move toward a justice framework that more accurately reflects the varied conditions of human experience and the urgent need for responsible environmental governance.

2. Balancing Biodiversity and Justice: Addressing the Eviction Crisis of Indigenous Communities in Tanzania's Conservation Zones

Tanzania, recognized as one of the 34 global biodiversity hotspots, boasts a rich array of ecosystems, with 25% of its land designated as national parks, game reserves, and conservation sites. This emphasizes the critical role of biodiversity conservation in the country's development. While local initiatives are in place, Tanzania actively participates in global climate change efforts, having signed the United Nations Framework Convention on Climate Change (UNFCCC). The government has undertaken various initiatives since the Rio conference, including the National Environmental Policy (NEP) established in 1997 and the Environmental Management Act Cap 191 of 2004, which form the backbone of its environmental management strategy. Additionally, the Tanzania Development Vision 2025 incorporates environmental considerations into the National Strategy for Growth and Reduction of Poverty (MKUKUTA). The country has ratified numerous regional and multilateral environmental agreements, and climate change studies are conducted with collaboration from several governmental and non-governmental institutions. These efforts reflect Tanzania's commitment to sustainability and ecological preservation. However, challenges persist, as the nation continues to face conflicts related to conservation**.** (https://natureconservation.pensoft.net/article/1351/). The interplay between environmental conservation and the rights of local communities is a multifaceted issue, particularly evident in Tanzania, where various factors contribute to tensions surrounding conservation initiatives. Understanding these dynamics is crucial for fostering a more equitable approach to conservation, one that aligns environmental goals with the needs and rights of Indigenous peoples.

Firstly, at the heart of this complexity lie the competing interests of wildlife protection and tourism against the livelihoods of local communities. Conservation initiatives often prioritize ecological preservation, which can lead to the marginalization of Indigenous populations. The eviction of the Maasai in Ngorongoro, for instance, exemplifies how conservation efforts can disregard the rights of those who have historically relied on the land for sustenance. This case highlights a broader trend in Tanzania, where Indigenous communities frequently resist conservation policies perceived as unjust or exploitative (Brockington, 2004: 947-954). Secondly, land rights issues in Tanzania exacerbate conflicts due to historical dispossession and unclear tenure systems. Indigenous groups lack formal recognition of their land rights, making them vulnerable to external interests like agriculture and mining. This economic pressure threatens protected areas and local livelihoods, fueling resentment and conflict. A striking example is the government's eviction of five villages in Mbarali District in 2022, framed as an environmental conservation effort, a move that has sparked intense tensions between smallholder farmers and government authorities. Thirdly, inadequate consultation is another critical factor contributing to tensions. When local communities are excluded from decision-making processes, there is often a perception that conservation efforts are imposed from above, disregarding their needs and perspectives. This lack of engagement can foster feelings of alienation and resistance, undermining the potential for collaborative conservation strategies. Fourth,

corruption and weak governance complicate the situation even further. Ineffective management of conservation areas can lead to illegal activities, such as poaching and land grabbing, which disrupt local ecosystems and threaten the very wildlife conservation efforts that are ostensibly being pursued. Moreover, corruption can result in misallocation of resources, leaving local communities without the support they need to engage in sustainable practices. Fifth, climate change adds another layer of complexity, exacerbating resource scarcity and placing additional strain on communities that depend on the land. As environmental conditions shift, the resilience of local communities is tested, making it even more imperative that conservation strategies incorporate local knowledge and priorities. Sixth, International conservation frameworks often overlook the socio-economic realities of local communities, leading to initiatives lacking cultural appropriateness or economic feasibility. This disconnect can perpetuate cycles of injustice, disregarding Indigenous peoples' struggles for recognition and rights. The Mwalimu Nyerere hydroelectric power project in Tanzania exemplifies the power imbalance between local and international stakeholders regarding environmental issues. Tanzanians view these concerns as tools for economic dependency, while the international community perceives developing nations as incapable of managing environmental challenges. The controversy surrounding the project is complex, with each side presenting unique viewpoints. To effectively tackle environmental challenges, collaboration, trust, and shared interests are crucial. If Tanzania cannot advance the project while providing viable alternatives, it risks exacerbating injustice, undermining energy requirements, and hindering economic progress.

Therefore, the situation of the Maasai in Ngorongoro as used in this paper serves as a microcosm of the widespread conflicts occurring throughout Tanzania. Their struggle for environmental justice is emblematic of the broader challenges faced by Indigenous communities across the nation, where conservation efforts are often perceived as encroachments on their rights and livelihoods. To address these issues effectively, it is essential to build community capacity and foster inclusive dialogues that acknowledge and respect the rights of Indigenous peoples. Also, by aligning conservation efforts with the needs and aspirations of local communities can we hope to achieve sustainable outcomes that benefit both the environment and the people who depend on it. Winona LaDuke's work highlights the profound connection between Indigenous communities and their land, which is deeply ingrained in their identities, cultures, and ways of life (LaDuke 1999, p. 35-40). The on-going eviction of Maasai in Ngorongoro threatens their livelihoods, cultural heritage, and social structures. Conservation efforts often overlook these connections, emphasizing the need for inclusive dialogues honouring Indigenous rights and traditional ways of life. Maasai face challenges from conservation policies that prioritize wildlife preservation over their pastoral lifestyle, restricting access to grazing lands crucial for their livestock and cultural identity. Their rituals and ceremonies are deeply tied to the land, playing a crucial role in their social structure and cultural continuity. The fight for land in Ngorongoro underscores the need to recognize and uphold the rights of indigenous peoples, ensuring their voices are heard in discussions about environmental stewardship and cultural preservation.

3. The Intersection of Capabilities, Ngorongoro Conservation and Indigenous Maasai Rights in Tanzania

Tanzania, with its 22 national parks managed by the Tanzania National Parks Authority (TANAPA), covers approximately 15% of the nation's land area, primarily designated for wildlife conservation and tourism (https://www.tanzaniaparks.go.tz/publications). Game reserves, which allow hunting under regulated conditions, further contribute to the country's conservation framework. However, these spaces are not merely sites of ecological importance but also places where human communities, like the semi-nomadic Maasai pastoralists, have coexisted for centuries. Among these conservation areas, the Ngorongoro Conservation Area (NCA), a UNESCO World Heritage Site since 1959, exemplifies a unique multi-use zone where wildlife and human livelihoods, specifically Maasai pastoralism both coexist in a delicate balance. In recent years, however, the Tanzanian government's actions have jeopardized this balance. In June 2022, the government initiated a forceful eviction of the Maasai from their historically occupied lands in northern Tanzania. With violent measures reportedly employed, including physical assaults and arbitrary detentions (Amnesty International, 2022), the situation has escalated into a humanitarian crisis. The government's designation of 1,500 square kilometers of village land as a game reserve has led to severe restrictions on the Maasai's ability to graze their livestock, engage in subsistence farming, or utilize the land for domestic purposes. Furthermore, the Maasai argue that they were not adequately consulted about this land-use change, nor were their voices incorporated into the proposed relocation plans, such as the move to Msomera Tanga, which has met with considerable resistance. The Maasai view this situation as a direct threat to their cultural identity, framing the eviction as tantamount to the destruction of their way of life, or "killing culture" (Human Rights Watch, 2024).

The Maasai perspective critiques a narrow conception of development that prioritizes economic growth and environmental preservation at the expense of community welfare and traditional values. For the Maasai, their traditional knowledge and cultural practices are integral not only to their identities but also to the ecological health of the land they inhabit. Therefore, the government's framing of the eviction as a conservation effort fails to acknowledge the reciprocal relationship between the Maasai people and their environment. Rather than seeing conservation as a monolithic goal, the Maasai advocate for an approach that integrates ecological sustainability with the protection of their rights, livelihoods, and cultural practices. The ongoing conflict in Ngorongoro thus illustrates the inherent tension between conservation objectives and the rights of Indigenous peoples. Therefore, Maasai's resistance is rooted in a broader philosophical argument: conservation must be approached through a lens that recognizes the capabilities of

local communities to thrive while maintaining their cultural integrity. In this context, a capabilities approach encourages a shift from top-down conservation policies to those that actively involve communities in decision-making and recognize their knowledge, needs, and aspirations. It is not sufficient for conservation policies to prioritize environmental protection in isolation; they must consider the lived experiences and capabilities of Indigenous peoples to ensure sustainable, equitable outcomes.

Thus, integrating the capabilities approach into conservation strategies can enhance both the effectiveness and equity of these initiatives. By acknowledging the social, economic, and environmental factors that influence resource use, policymakers can better understand and address the specific vulnerabilities of Indigenous communities. This understanding fosters inclusive decision-making processes, ensuring that even marginalized groups, such as women and youth, have access to resources and the ability to participate in shaping policies that affect their lives. Moreover, tailoring resource allocation to reflect personal factors such as culture, age, gender, and health, ensures that the benefits of conservation are distributed equitably and contribute to community well-being.

Ultimately, the case of the Maasai in Ngorongoro calls for a rethinking of conservation as an endeavour that must be culturally appropriate, context-sensitive, and rooted in the lived experiences of Indigenous communities. The recognition of Indigenous capabilities, coupled with the incorporation of their knowledge and voices into conservation policy, offers a pathway to a more just and sustainable future, one in which both nature and human communities can flourish together. Addressing the root causes of conflicts through the capabilities approach enables not only the preservation of ecosystems but also the protection and empowerment of Indigenous peoples, ensuring that their rights, cultures, and ways of life are honoured in the pursuit of environmental justice.

CONCLUSION

The "capabilities approach" as suggested in this paper offers a profound framework for addressing the ethical dilemmas inherent in environmental conservation, especially in contexts where evictions and displacement exacerbate the vulnerabilities of affected communities. By considering the diverse capabilities of individuals, this approach emphasizes not only the equitable distribution of resources but also the recognition of rights, the safeguarding of cultural identities, and the adaptive needs shaped by the localized effects of climate change. The ongoing land disputes in Tanzania, particularly in the Ngorongoro region, underscore the urgency of adopting a community-centred perspective on environmental justice, which calls for active participation, the preservation of traditional autonomy, and the protection of land rights and cultural integrity. It highlights that sustainable development must be inclusive, considering not only ecological health but the broader well-being of communities. Through the capabilities framework, Tanzania can reconcile conservation efforts with the protection of Indigenous communities' rights, fostering a balance between environmental stewardship and social justice. Environmental justice must transcend simplistic notions of resource redistribution, requiring deeper engagement with the lived experiences of marginalized groups, advocating for their active involvement in decision-making processes, and ensuring the protection of their cultural heritage. As climate change increasingly intertwines with human rights concerns, there is a pressing need to reassess existing justice frameworks, prioritizing the voices and needs of Indigenous peoples, whose unique perspectives on land and resource management are vital for effective and sustainable conservation practices. The struggles of the Maasai in Ngorongoro serve as a poignant reminder that true environmental justice demands a harmonious integration of cultural, ecological, and social considerations. Only by embracing such a holistic approach can we cultivate environmental policies that are both just and sustainable for all.

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