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## From Policy to Practice: Institutional Pathways Toward Environmental Justice in the Global South

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**ABSTRACT:** Environmental justice has become an increasingly urgent issue in developing countries, where legal reforms often fail to reflect equitable outcomes on the ground. This study aims to explore the interplay between institutional capacity, public policy, and environmental inequality, emphasizing the need for inclusive governance frameworks. Employing a narrative review methodology, the study systematically synthesizes empirical literature drawn from databases such as Scopus, Web of Science, and Google Scholar. Keywords and Boolean operators were applied to identify studies focusing on environmental justice, law, and governance in developing countries, with inclusion criteria targeting empirical and comparative studies. Findings reveal that although legislative reforms have made significant progress in integrating principles of environmental justice, weak institutions and fragmented policy implementation continue to hinder equitable outcomes. Public participation mechanisms and community-based advocacy play a crucial role in bridging governance gaps. Furthermore, comparative analysis with countries in the Global North highlights the importance of decentralization, legal accountability, and participatory oversight in achieving meaningful reform. The results underscore the urgent need for systemic interventions that go beyond legislative reform, including the strengthening of institutions, adoption of independent audit systems, and increased civic engagement. This study recommends multi-dimensional policy models that combine legal, technological, and participatory tools to build resilient environmental justice systems. These insights provide actionable pathways for governments, researchers, and civil society to design more equitable and sustainable environmental governance in the Global South..

**Keywords:** Environmental Justice; Public Policy; Legal Reform; Institutional Capacity; Participatory Governance; Environmental Inequality; Developing Countries.



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## INTRODUCTION

Over the past two decades, environmental justice has emerged as a critical area of inquiry within environmental governance discourse, particularly in developing countries where the tension between rapid economic development and ecological degradation is most pronounced (Pérez et al., 2015; Saputra et al., 2023). The implementation of environmental justice in these contexts exhibits a multidimensional complexity, intersecting legal, political, and socio-economic domains. Scholars argue that in the absence of robust institutional frameworks, community participation and litigation have become central mechanisms through which marginalized groups seek equal access and protection of natural resources (Saputra et al., 2023). The evolution of environmental justice further reflects a growing global concern for incorporating the rights and voices of environmentally vulnerable and historically marginalized populations (Pérez et al., 2015).

In developing countries, conflicts between environmental protection and economic priorities often hinder effective justice-based policymaking (Saputra et al., 2023; Pérez et al., 2015). Governments, under pressure from powerful economic actors, sometimes weaken environmental regulations, undermining the long-term sustainability of environmental law. While international norms increasingly influence domestic environmental policies, gaps remain between formal adoption and practical enforcement due to weak oversight mechanisms and fragmented institutional responses (Pérez et al., 2015; Saputra et al., 2023). These persistent implementation failures highlight the urgent need for reforming legal and administrative frameworks to better align with principles of environmental justice.

A fundamental barrier to achieving environmental justice in developing countries is the limited institutional capacity to implement and enforce environmental law effectively (Saputra et al., 2023; McIntyre, 2022). Resource constraints, both financial and technical, significantly inhibit the ability of national and local governments to carry out environmental mandates. Furthermore, bureaucratic inefficiencies, corruption, and lack of inter-agency coordination delay remediation processes, exacerbating socio-environmental vulnerabilities (Saputra et al., 2023; McIntyre, 2022). Without institutional reform and adequate resourcing, attempts to realize equitable and sustainable environmental governance remain constrained.

Compounding this issue is the persistent underfunding of environmental institutions in developing countries (Pérez et al., 2015; Saputra et al., 2023). Environmental protection often receives less fiscal attention compared to economic development sectors, leading to limited capacity for enforcement, training, and technological innovation. As a result, monitoring and evaluation processes are frequently compromised, further undermining public trust in state environmental management systems. Such budgetary limitations necessitate multisectoral and innovative approaches to resource mobilization and institutional strengthening.

The role of civil society is pivotal in advancing environmental justice, yet participation is frequently impeded by political and structural constraints (Pérez et al., 2015; Giupponi, 2019). In many cases, affected communities lack access to participatory mechanisms, thus limiting their influence on policy formulation and legal proceedings. Bottom-up approaches, such as community-led advocacy and litigation, have emerged as important counterbalances to formal exclusion. However,

economic and political pressures often weaken the influence of grassroots movements, underscoring the importance of expanding participatory and legal avenues for public engagement in environmental governance.

The evolution of environmental law in developing countries differs significantly from that in developed nations, where legal systems are typically characterized by institutional maturity and resource abundance (Magraw & Hawke, 2012; McIntyre, 2022). In contrast, developing countries often contend with regulatory overlaps, inconsistent enforcement, and weak evaluative mechanisms. These challenges hinder the alignment of domestic policies with international environmental standards, calling for greater contextual adaptation and harmonization of global legal principles with local realities.

Despite global agreements promoting sustainable development, developing countries face considerable obstacles in translating these commitments into effective national policies (Magraw & Hawke, 2012; McIntyre, 2022). Legal transplantation from international frameworks is often complicated by political resistance, cultural incompatibility, and weak enforcement infrastructures. While multilateral agreements offer frameworks for change, meaningful implementation requires systemic reform and localized integration of these global norms (Redgwell, 2018; Fitzmaurice, 2022).

The political environment in many developing countries further complicates the pursuit of environmental justice. Policy instability caused by regime change, political patronage, and competing short-term interests often derails environmental regulatory agendas (Pérez et al., 2015; Saputra et al., 2023). Policymaking in such contexts tends to prioritize economic gains over long-term environmental sustainability, weakening implementation of existing environmental justice commitments. Although legal frameworks may be well-articulated, inconsistent execution reveals a systemic disconnect between political will and regulatory enforcement.

Empirical studies from jurisdictions such as Southeast Asia and Sub-Saharan Africa confirm a stark gap between policy intent and real-world outcomes (Zarei, 2023; Sarioego & Schneider, 2022). Despite comprehensive environmental laws, weak institutional oversight often leads to violations of environmental rights, especially among marginalized populations. Data from legal complaints and environmental litigation demonstrate that socio-economic disparities, corruption, and bureaucratic inertia significantly limit the reach of environmental protections (Zarei, 2023; Sarioego & Schneider, 2022). These findings reinforce the call for structural reform to bridge the divide between environmental policy and practice.

This narrative review seeks to analyze the evolution of environmental justice and environmental law in developing countries, identifying key trends, challenges, and transformative practices. Specifically, it aims to assess how legal reforms, institutional frameworks, community participation, and international norms converge or conflict in the pursuit of equitable environmental governance. The review also evaluates how global legal standards have influenced domestic environmental laws and the extent to which developing countries have succeeded or struggled to implement these norms.

The scope of this review is focused on developing countries, particularly those in Southeast Asia, Sub-Saharan Africa, and Latin America, where the challenges of environmental justice are most acute. The review considers a diverse set of empirical case studies, legal analyses, and policy evaluations to present a comprehensive understanding of the structural and contextual dynamics that shape environmental governance in these regions. It is hoped that by synthesizing this body of knowledge, the review will contribute to more informed strategies for legal and institutional reform, community empowerment, and global cooperation in environmental justice.

## **METHOD**

This study adopted a comprehensive and systematic narrative review methodology to examine the literature on environmental justice and environmental law in developing countries. A rigorous approach was utilized to ensure the transparency, relevance, and validity of the sources selected, based on scholarly best practices and internationally recognized standards. This section outlines in detail the data sources, keyword strategies, inclusion and exclusion criteria, literature selection process, and methodological considerations applied throughout the review.

To identify relevant literature, the researchers utilized three main academic databases: Scopus, Web of Science, and Google Scholar. These databases were chosen for their extensive indexing of interdisciplinary, peer-reviewed publications that cover environmental science, legal studies, and social policy. Scopus and Web of Science were selected due to their advanced filtering capabilities and structured indexing, while Google Scholar was employed to access gray literature and open-access documents often excluded from commercial databases. The integration of these three sources was aimed at ensuring comprehensive coverage and minimizing publication bias.

Scopus provided advanced tools for bibliometric mapping and citation tracking, enabling the researchers to identify clusters of scholarship in environmental law and justice. Web of Science complemented this with its standardized citation indexing and robust search filters, supporting precise disciplinary categorization. Google Scholar, although less structured, served as a supplemental platform for capturing local publications, policy reports, and doctoral theses related to environmental governance in developing regions.

The literature search was structured using carefully selected keywords and Boolean operators. The following core search terms were employed: "environmental justice," "environmental law," and "developing countries." These were combined with Boolean operators such as AND, OR, and NOT to refine the search results. For instance, the combination "environmental justice" AND "environmental law" AND "developing countries" was used to capture sources that addressed all three dimensions. The operator OR was applied to include synonymous or related terms, such as "environmental equity" OR "social justice in environmental management," while NOT was used to exclude publications focused solely on developed nations.

The use of quotation marks was implemented to ensure the retrieval of exact phrases, reducing the retrieval of irrelevant results. Additionally, advanced search filters in Scopus and Web of

Science were applied to limit the search to journal articles, peer-reviewed content, and specific subject categories such as Environmental Science, Law, and Social Science.

To further enhance the precision of the search, keyword co-indexing and proximity operators (e.g., NEAR, ADJ) were used when available. These techniques facilitated the identification of documents where key terms appeared in close contextual proximity, thereby indicating a stronger thematic relevance. This was particularly useful for retrieving articles that explored the intersectionality of legal frameworks and environmental justice in specific geographic or policy contexts.

Inclusion criteria were established to ensure that only the most relevant and rigorous studies were analyzed. Articles were included if they (1) discussed both environmental justice and environmental law; (2) focused on the context of developing countries; (3) were published in peer-reviewed journals or reputable conference proceedings; and (4) were written in English or other widely accessible academic languages. Exclusion criteria involved discarding studies that (1) exclusively focused on developed countries, (2) lacked a clear methodological basis, (3) were duplicates, or (4) did not substantively address the relationship between legal systems and environmental justice.

The selection process for the literature involved both automated database queries and manual screening. After the initial search results were obtained, duplicate entries were removed using reference management software such as Mendeley and Zotero. Titles and abstracts of the remaining documents were then screened for relevance. Full-text reviews were conducted for articles that met the initial screening criteria to assess their methodological quality and thematic alignment. Where necessary, backward and forward citation tracking was used to identify additional relevant studies.

The types of studies included in this review varied across qualitative, quantitative, and mixed-method designs. The most common were case studies, policy reviews, systematic reviews, and empirical studies involving legal analysis or socio-environmental assessments. Randomized controlled trials and purely experimental studies were rare, given the nature of the topic, but were included when they met the criteria and added value to the theoretical discourse.

To facilitate the synthesis of findings, the selected articles were categorized according to thematic clusters. These clusters included access to environmental justice, implementation of environmental laws, barriers to legal enforcement, community participation, and the role of international legal frameworks in shaping national environmental policies. This thematic grouping supported the construction of a coherent narrative that connected legal mechanisms with social justice outcomes in developing countries.

A critical appraisal of each selected study was conducted using established criteria, including the credibility of the publication outlet, clarity of research objectives, methodological rigor, and relevance to the research questions. The assessment was carried out independently by two researchers and validated through peer review to reduce selection bias and enhance inter-rater reliability.

Finally, the entire methodological process was documented in detail, including search strategies, keywords, database settings, and evaluation protocols. This documentation serves both as a transparency mechanism and as a foundation for potential replication or extension of the review in future research. The methodology adopted here ensures that the findings presented in the subsequent sections are grounded in a robust and replicable process of literature synthesis, contributing to the evolving discourse on environmental justice and legal reform in developing nations.

## **RESULT AND DISCUSSION**

This section presents an integrated synthesis of empirical findings related to the transformation of environmental law, community participation, institutional capacity, and the comparative approaches to environmental justice between the Global South and the Global North. The analysis highlights how legal reforms, grassroots engagement, and institutional readiness have influenced the effectiveness of environmental justice implementation in developing countries. Each thematic subsection is grounded in empirical evidence and theoretical insights sourced from cross-country studies.

### **Legal and Regulatory Systems**

Legal reforms in environmental governance across developing countries have reflected systematic efforts to integrate environmental justice principles into national legislation. These reforms are influenced by international norms and evolving sustainability paradigms (McIntyre, 2022). Research indicates a growing understanding of environmental justice not merely as environmental harm mitigation but also as fair distribution of environmental burdens and equitable access to natural resources (Saputra et al., 2023). This shift is driven by global institutional pressures and the adoption of transparency and participation standards (Magraw & Hawke, 2012). The findings suggest that developing countries are internalizing ecological justice through more inclusive and participatory legal frameworks, marking a transition toward modern environmental governance.

Empirical evidence from countries such as Indonesia shows that legislative frameworks now incorporate detailed procedures to safeguard affected populations, highlighting the convergence of environmental and human rights concerns (Saputra et al., 2023). This movement reflects a shift from growth-centered models to environmentally conscious development paradigms (Magraw & Hawke, 2012). The legal domain increasingly demands transparency and participatory rulemaking to achieve broader social equity (McIntyre, 2022). The integration of mitigation and compensation mechanisms for environmental impacts demonstrates governments' commitment to aligning economic growth with ecological sustainability.

Conceptually, legal changes in developing countries signal a normative evolution, transforming environmental law into an instrument for redistributing environmental benefits and harms (Magraw & Hawke, 2012). Empirical studies reveal new legal clauses that strengthen public oversight and enforcement capabilities (McIntyre, 2022). Stakeholder engagement across public, private, and civil society sectors has increased, enhancing the co-creation of legal frameworks

(Saputra et al., 2023). This trend is reinforced through increasingly stringent environmental management standards embedded within human rights principles.

Increased public consultations and stakeholder forums signal the institutionalization of participatory governance. Countries in the Global South have institutionalized public dialogue during lawmaking processes, enhancing legitimacy and fostering continuous policy improvements (McIntyre, 2022; Saputra et al., 2023). These participatory mechanisms are supported by international agreements promoting environmental transparency and procedural fairness (Magraw & Hawke, 2012). This evolution underlines how developing countries adapt their legal frameworks in response to climate change and environmental degradation challenges.

Quantitative assessments show a significant rise in the number of environmental law amendments and localized justice-driven regulations over the past two decades (Saputra et al., 2023). This legislative uptick correlates with enhanced public engagement and more frequent policy performance evaluations at the national level (Magraw & Hawke, 2012). Sustainability and transparency indices across developing countries demonstrate marked improvements, reflecting stronger governmental commitments to systemic environmental justice (McIntyre, 2022).

International organizations and donor agencies have played a catalytic role by requiring environmental governance frameworks that reflect human rights and sustainability principles (McIntyre, 2022). These external pressures have incentivized institutional reform, particularly in natural resource management. Data shows that such international involvement enhances the quality of legislation and reduces the gap between policy design and enforcement (Magraw & Hawke, 2012).

Cumulatively, the transformation of environmental law in developing nations demonstrates the incorporation of justice-based principles into national legal structures. Legislative revisions have expanded the scope of ecological justice, reinforced participatory mechanisms, and improved legal accountability (Saputra et al., 2023). Reform efforts are driven by international norms, community activism, and the pressing need for innovative environmental policy approaches. Empirical findings confirm that legal reforms play a pivotal role in realizing environmental justice for vulnerable populations (McIntyre, 2022).

Despite legal advancements, cross-national studies highlight significant implementation challenges, particularly due to limited institutional enforcement capacity (Saputra et al., 2023). Data reveals a pronounced gap between written law and operational enforcement, especially in resource-constrained regions (McIntyre, 2022). These challenges are exacerbated by political interference and economic pressures that compromise regulatory integrity (Magraw & Hawke, 2012). Corruption and bureaucratic inefficiencies undermine public trust and legal accountability.

Empirical findings show that weak interagency coordination, procedural ambiguity, and resource shortages severely constrain legal enforcement efforts (McIntyre, 2022; Saputra et al., 2023). Overlapping mandates between legislative and executive bodies create legal ambiguities that polluters exploit. Limited training and poor technical capacity among enforcement officials further reduce oversight capabilities.

Economic and industrial interests wield substantial political influence, which often obstructs rigorous enforcement (Magraw & Hawke, 2012). Empirical studies show that political

compromises dilute enforcement efforts, perpetuating pollution and environmental degradation (McIntyre, 2022). Moreover, efforts to attract foreign investment have sometimes discouraged governments from imposing strict environmental sanctions (Saputra et al., 2023).

These complex institutional, political, and resource-related challenges necessitate comprehensive structural reforms. Institutional strengthening, investment in monitoring infrastructure, and political neutrality in enforcement are critical for effective environmental justice implementation (McIntyre, 2022). Empirical studies recommend enhancing community monitoring mechanisms and leveraging public participation to improve transparency and accountability (Saputra et al., 2023).

Overall, the legal evolution in developing countries presents a dual narrative of progressive reform and persistent enforcement limitations. While normative frameworks increasingly embody environmental justice, operational weaknesses continue to hinder the realization of fair and sustainable environmental governance (Magraw & Hawke, 2012).

The findings of this review indicate a complex interplay between institutional dynamics, public policy, and environmental inequality in developing countries. Drawing from the literature, this discussion examines how systemic institutional weaknesses contribute to environmental injustice, evaluates implications for legal reform and governance, and proposes models for more equitable and sustainable policy frameworks. The analysis also identifies the limitations of existing institutional arrangements and suggests future research directions to strengthen environmental justice outcomes.

Institutions in developing countries often suffer from capacity limitations and resource deficiencies, which directly hinder their ability to enforce environmental regulations effectively (McIntyre, 2022). These limitations lead to uneven enforcement and exacerbate disparities in environmental burden across different social groups. According to Kingston et al. (2021), public policy decisions frequently emerge from governance structures lacking coordination and transparency, which undermines the inclusiveness of environmental policymaking. The literature highlights that environmental injustice tends to arise in regions where public institutions are weak, leading to policies that fail to account for the needs of vulnerable populations (Pérez et al., 2015).

Environmental inequality is further reinforced by asymmetrical power dynamics within institutional frameworks. As noted by Magraw and Hawke (2012), policies crafted in fragile institutional contexts are susceptible to elite capture, allowing powerful actors to exploit regulatory loopholes to the detriment of marginalized communities. These disparities are especially prominent in economically disadvantaged areas where residents are disproportionately exposed to pollution and resource depletion. The inability of legal frameworks to adapt to spatial and social variations in environmental risk results in systemic environmental injustice (McIntyre, 2022). Atta and Sharifi (2024) emphasize that while public participation mechanisms can mitigate these gaps, entrenched institutional barriers often inhibit meaningful engagement.

The role of civil society becomes crucial in such contexts. Pérez et al. (2015) observe that grassroots activism frequently emerges in response to institutional failure, often serving as the catalyst for legal reforms. However, these reforms tend to be fragmented and inconsistent across jurisdictions. Kingston et al. (2021) argue that decision-making processes that exclude public input



fail to embody principles of environmental justice, reinforcing governance patterns that privilege economic over ecological considerations. Thus, environmental injustice reflects a deeper systemic dysfunction within institutional and policy-making processes.

Strengthening institutional accountability and transparency is essential for reducing environmental disparities. Literature shows that when governance structures are reinforced with mechanisms for public oversight, environmental benefits and risks are more equitably distributed (McIntyre, 2022; Kingston et al., 2021). Pérez et al. (2015) advocate for the incorporation of participatory governance models that balance power among stakeholders and embed environmental equity into the core of public policy design. Responsive and decentralized institutions are more likely to accommodate community-based advocacy, enabling fairer distribution of environmental burdens.

The findings highlight that institutional reform must address multi-level governance challenges. Magraw and Hawke (2012) stress the importance of structural recalibration to realign institutional mandates with justice-oriented outcomes. This includes empowering environmental oversight agencies and facilitating public involvement throughout the policy cycle. According to Atta and Sharifi (2024), international accountability frameworks and civil society engagement can act as external pressures to promote environmental justice reforms. Community monitoring initiatives add a layer of scrutiny that often leads to more balanced enforcement practices and a broader sense of environmental ownership among stakeholders (Kingston et al., 2021).

These findings have significant implications for legal and policy reform in developing countries. McIntyre (2022) underlines the necessity of designing legal frameworks that are not only technically robust but also socially inclusive. The deployment of innovative monitoring technologies and independent auditing mechanisms could enhance regulatory enforcement and bridge the implementation gap. Pérez et al. (2015) argue that procedural reforms and increased public participation are critical to closing the divide between legislation and ground-level realities.

A fundamental shift is needed in how environmental law is conceptualized and applied. Magraw and Hawke (2012) argue for integrating principles of ecological justice into all stages of policymaking. Atta and Sharifi (2024) further assert that while international standards should inform policy design, adaptation to local contexts is essential for effectiveness. This means that institutional reform must go hand-in-hand with community empowerment and legal capacity building, as emphasized by Kingston et al. (2021). Legal frameworks must move beyond technocratic management to embrace participatory and distributive dimensions of environmental governance.

A transparent and accountable environmental governance system requires robust institutional oversight. Pérez et al. (2015) emphasize that developing countries need to implement transparent reporting systems and regular environmental audits to uphold institutional accountability. Harmonizing national policy with international environmental norms will facilitate legal convergence and promote policy coherence (McIntyre, 2022). Magraw and Hawke (2012) advocate for decentralized governance structures that empower local governments and communities to enforce environmental regulations more effectively.

The literature supports the development of multidimensional policy models that integrate national and local strategies. Atta and Sharifi (2024) propose the establishment of independent

environmental watchdog agencies equipped with the mandate to conduct periodic audits. Such models must empower local communities, including Indigenous peoples, to engage meaningfully in decision-making processes (Pérez et al., 2015). Public participation emerges as a crucial mechanism for reducing environmental disparities and ensuring regulatory compliance (Magraw & Hawke, 2012).

The proposed models should also prioritize sustainability and mitigate the adverse effects of unbalanced economic growth. McIntyre (2022) emphasizes that policies should aim to preserve ecological integrity while ensuring social equity. Evidence-based policymaking and transparent evaluation processes are crucial in achieving this dual objective (Atta & Sharifi, 2024). The integration of legal, institutional, and community-driven approaches is fundamental to achieving fair environmental outcomes. Regulatory instruments should hold industries accountable for environmental harm through clear penalties and compensation schemes (Pérez et al., 2015).

Innovative technologies can improve environmental monitoring and enhance policy implementation. Magraw and Hawke (2012) advocate for the use of information technologies to enable real-time tracking of environmental violations. Public feedback mechanisms and third-party evaluations could serve as dynamic tools to iteratively improve policy performance (Atta & Sharifi, 2024). Kingston et al. (2021) recommend that governments provide incentives to industries that adopt environmentally responsible practices, fostering alignment between economic development and environmental protection.

Despite the promise of these solutions, existing research faces limitations. Much of the current literature focuses on case studies from specific regions, limiting generalizability. Furthermore, data on institutional capacity and policy effectiveness remain fragmented, constraining comprehensive analysis. Future research should explore cross-national comparative frameworks and develop metrics to assess environmental justice outcomes more rigorously. Studies should also investigate how informal institutions and social norms interact with formal governance systems to influence environmental outcomes.

The findings of this review reinforce the argument that environmental injustice in developing countries is largely driven by systemic institutional weaknesses and fragmented public policy. Addressing these challenges requires a coordinated reform agenda that strengthens legal frameworks, empowers civil society, and enhances institutional capacities. Through adaptive, transparent, and participatory governance, it is possible to move toward more equitable and sustainable environmental outcomes.

## **CONCLUSION**

This study has demonstrated that environmental justice in developing countries remains heavily influenced by institutional fragility, uneven public policy implementation, and limited participatory mechanisms. The review of empirical findings and comparative analyses underscores that legal reforms in environmental governance are only as effective as the institutions that implement them. While many countries have embraced normative changes reflecting international standards, the actual enforcement and inclusiveness of these legal frameworks are often undermined by weak coordination, corruption, and insufficient resources.

It is evident that addressing environmental inequality requires more than reforming laws. Strengthening institutional capacity, expanding community-based monitoring systems, and ensuring transparent policy implementation are crucial strategies to reduce the environmental burdens disproportionately experienced by marginalized populations. Moreover, embedding principles of ecological justice into public policy, coupled with adaptive governance models, has been shown to improve accountability and sustainability. Cross-sectoral cooperation, decentralization, and public engagement must be seen not as supplements but as pillars of effective environmental justice systems.

Future research should further investigate the impacts of digital governance tools and real-time environmental data in facilitating policy transparency. Comparative case studies focusing on community-led litigation and independent audit mechanisms may also provide scalable models for reform. Above all, the transformation of environmental governance systems must prioritize equity, responsiveness, and participation to ensure that reforms are not only enacted but meaningfully implemented. The integration of participatory mechanisms, as highlighted in this study, remains the key strategy for overcoming the entrenched barriers to environmental justice in the Global South.

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