

Participatory Democracy in Environmental Practice in Light of Fiqhi Maxims

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ABSTRACT

The right to a healthy environment clearly reflects fundamental values such as life, health, and an adequate standard of living, and it is closely connected with sustainable development and with the interests of present and future generations. Contemporary environmental governance therefore requires informed, structured, and participatory public involvement. Citizen engagement and the activity of environmental non-governmental organizations together provide comparatively low-cost, comprehensive, and socially legitimate means of developing environmental culture and improving environmental protection. Using a descriptive-analytical method, this article accordingly examines participatory democracy as the foundation of environmental rights and analyzes the capacity of citizens and civil-society organizations as non-state actors. It further argues that the growing complexity of environmental problems obliges public authorities to share environmental information and to enable collective knowledge. Participation becomes truly effective through access to information, environmental education, meaningful involvement in decision-making, and access to justice, including remedies and compensation. These modern procedural rights also accord well with fiqhi maxims such as no harm, destruction, causation, and respect for property.

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Introduction

Industrial development, population growth, and transboundary environmental crises increasingly exceed the capacity of centralized administration. The right to a healthy environment, often described as a third-generation human right, cannot be realized solely through commands issued by the state. It requires a transition from a model in which citizens merely receive public services to one in which they participate as informed actors in the formation, implementation, and review of environmental decisions.

The central question is how participatory democracy can protect fundamental rights and sustainable development by incorporating citizens and civil-society organizations into environmental governance. The issue is particularly important in Iran, where Article 50 of the Constitution recognizes environmental protection as a public duty, and where the legitimacy of participatory mechanisms can also be evaluated through established *fiqhi* principles.

Methodology

The study uses critical content analysis based on primary library and electronic sources. It first clarifies the concepts of environmental rights, human rights, and participatory democracy. It then examines international instruments, including the Rio Declaration and the Aarhus Convention, together with Iranian constitutional law. Finally, modern environmental procedures are compared with *fiqhi* maxims to identify common ethical and legal foundations.

Literature Review

Existing scholarship has separately addressed decentralization, local democracy, environmental rights, access to environmental information, public-interest litigation, and the role of non-governmental organizations. Comparative studies of Iran and France have also analyzed the constitutional status of the right to a healthy environment. The present research adds an integrated account of participatory environmental rights and connects them with *fiqhi* rules governing harm, liability, causation, and respect for protected interests.

Findings

Environmental citizenship has three principal procedural dimensions. The first is access to information, without which public knowledge and preventive action cannot develop. The second is environmental education, which supports cultural change and responsible patterns of production and consumption. The third is access to justice, including standing, public-interest litigation, punishment of violations, and compensation for environmental damage. Environmental NGOs can serve as expert intermediaries, represent diffuse interests, and help monitor public authorities and private actors.

The *fiqhi* rule of no harm prohibits activities that inflict public environmental injury. The rule of destruction establishes liability for the loss

of natural resources and environmental assets. The rule of causation extends responsibility to indirect conduct and culpable omissions that contribute to environmental degradation. The rule respecting property supports protection of environmental elements as legally valuable interests, including those held collectively or for future generations.

Discussion

Participatory democracy narrows the gap between government and society by distributing information, voice, and oversight. It does not remove the state's regulatory responsibility; rather, it improves the legitimacy and quality of public decisions. The right to participate must therefore be institutionalized through timely disclosure, consultation before irreversible decisions, reasoned responses to public objections, and judicial mechanisms capable of reviewing environmental action or inaction.

The fiqhi foundations demonstrate that participation is not merely an imported administrative technique. It can be understood as a means of fulfilling public duties to prevent harm, protect common resources, and secure accountability for direct and indirect injury.

Conclusion

Realization of the right to a healthy environment requires a shift from the image of the human being as conqueror of the earth to that of an environmental citizen. Public authorities should recognize the capacities of citizens and NGOs, facilitate access to environmental information, expand environmental education, and strengthen standing and remedies for public-interest litigation. Such reforms would deepen participatory democracy, advance environmental justice, and protect the rights of both present and future generations in a manner consistent with foundational fiqhi maxims.

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