

# Climate Change, Water Law, and the Anthropocene: Insights from Amitav Ghosh

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## Abstract:

Climate change and water issues are fundamentally interconnected, influencing the lives of communities, ecosystems, and legal systems globally. Increasing temperatures aggravate water scarcity, heighten flood risks, and destabilise conventional governance frameworks, necessitating immediate legal and policy interventions. Amitav Ghosh's oeuvre, especially *The Great Derangement: Climate Change and the Unthinkable*, underscores the inadequacy of contemporary narratives in confronting the seriousness of climate change. His literary works, such as *The Hungry Tide* and *Gun Island*, emphasise water-related conflicts, displacement, and the deficiencies of legal frameworks in addressing environmental disasters. Ghosh elucidates the human and ecological ramifications of water misuse through a literary perspective. *The Hungry Tide*, situated in the Sundarbans, examines the vulnerability of coastal populations confronted with escalating sea levels and legal marginalisation. *Gun Island* similarly illustrates climate-induced migration and transboundary water conflicts, highlighting the inadequacies of current water legislation in addressing these challenges. These narratives contest traditional legal frameworks that emphasise commercial and national interests at the expense of environmental justice. Integrating Ghosh's findings into water law allows for a reevaluation of legal structures to better equitably address climate-induced water problems. Transboundary water agreements must consider evolving hydrological conditions instead of depending on obsolete treaties. Climate refugees demand legal acknowledgement as migration resulting from water issues escalates. Ghosh's literary viewpoint urges legal scholars and politicians to conceive a global legal framework that is flexible, inclusive, and responsive to the changing issues of climate change and water management.

**Keywords:** Climate Change, Water Law, Amitav Ghosh, Environmental Justice, Climate Refugees, Transboundary Water Governance.

## Introduction

Climate change and water-related challenges are intrinsically linked, influencing ecosystems, livelihoods, and legal frameworks worldwide. Rising global temperatures aggravate water scarcity, heighten flood risks, and undermine traditional governance frameworks. Water scarcity results in agricultural deterioration, food insecurity, and economic instability, whilst increasing sea levels and harsher storms displace at-risk people. The management of water resources, frequently governed by antiquated legal structures, faces difficulties in adapting to these escalating concerns. Numerous international and national water laws were formulated before to the emergence of climate change as a critical global concern, rendering them inadequate for confronting contemporary environmental challenges. Conventional legal

mechanisms predominantly emphasise political boundaries and economic interests, neglecting ecological sustainability and human rights. The unequal effects of climate change on marginalised populations, especially in low-lying coastal areas and desert regions, necessitate immediate legal reforms. This research analyses Amitav Ghosh's literary contributions on climate-induced water challenges, investigating how his works critique prevailing legal frameworks. In novels like *The Hungry Tide* and *Gun Island*, Ghosh articulates gripping themes that underscore the socio-legal issues posed by climate change. This study contends that incorporating literary perspectives into legal discourse might enhance the responsiveness and equity of water laws by examining representations of water conflicts, displacement, and governance failures.

### **Climate Change and Water Crises**

Water is pivotal in climate change discourse, as increasing temperatures modify precipitation patterns, disturb hydrological cycles, and incite catastrophic weather phenomena. Communities reliant on consistent water supply for agriculture, fishery, and everyday use are especially susceptible. Legal structures regulating water usage, frequently instituted decades prior, do not accommodate these changing climatic conditions (Gleick 3). With the escalation of global temperatures, the hydrological cycle grows ever erratic. Certain locations endure extended droughts, exhausting groundwater supplies and diminishing river flows, whilst others face excessive precipitation resulting in catastrophic floods. This inconsistent water distribution jeopardises food production, as crops depend on reliable and consistent water supply. In coastal areas, elevated sea levels result in saltwater encroachment into freshwater resources, rendering potable water progressively limited (Bates 25). Communities reliant on agriculture and fisheries encounter livelihood disruptions, compelling people to migrate in pursuit of sustainable living conditions. Climate change further intensifies pre-existing water conflicts. Numerous transboundary rivers are regulated by agreements that fail to account for the realities of shifting precipitation patterns and glacial melt. Treaties distributing water between nations frequently depend on obsolete hydrological data, neglecting to consider diminishing water availability resulting from climate-induced changes. Rigid legal systems exacerbate tensions among governments and communities vying for scarce resources (Werner 82). Moreover, extreme weather phenomena, including hurricanes, cyclones, and severe storms, are increasingly common and intense as a consequence of climate change. These calamities inundate current water management systems, impairing infrastructure, polluting water sources, and resulting in extensive displacement. Marginalised communities, especially in developing countries, are disproportionately impacted, as they frequently lack the means necessary for adaptation or recovery from such crises (Boer 53). Existing water governance models insufficiently tackle these rising concerns. Numerous water regulations prioritise distribution management according to historical precedents instead of current requirements, disregarding the evolving impact of climate change. Legal institutions must integrate climate resilience methods into water governance, acknowledging the need for adaptable regulations that address changing environmental conditions. Integrating scientific findings into legislation and promoting international collaboration can enhance the adaptability and equity of water governance (Hulme 110).

### **Amitav Ghosh and Climate Narratives**

Amitav Ghosh's *The Great Derangement: Climate Change and the Unthinkable* examines the inadequacy of current literature in addressing climate change substantively. He contends that the constraints of literary and cultural narratives hinder society's capacity to respond effectively to climatic problems (Ghosh 30).

He asserts that contemporary writing has predominantly overlooked climate change, regarding it as an abstract or peripheral issue rather than an urgent and existential threat. Ghosh attacks the prevalence of individualistic, anthropocentric narratives that inadequately represent the global magnitude of climate changes. In *The Great Derangement*, Ghosh contends that the inability to incorporate climate change into literary and cultural narratives signifies a wider societal failure to confront the situation. He contests the separation between scientific discourse and the humanities, asking writers, artists, and scholars to recognise the influence of literature on public comprehension and policy formulation. His novels, such as *The Hungry Tide* and *Gun Island*, eloquently illustrates the human and ecological ramifications of climate-induced water issues. These novels illustrate how climate change undermines environmental systems as well as legal, economic, and cultural frameworks. Through the integration of environmental history, mythology, and current socio-political contexts, Ghosh constructs narratives that reveal the deficiencies of current legal and governance frameworks in addressing climate-induced water issues.

### ***The Hungry Tide: Water Conflicts and Legal Marginalisation***

Set in the Sundarbans, *The Hungry Tide* explores the precarious existence of coastal communities confronting rising sea levels, cyclones, and legal exclusion. The novel highlights the limitations of rigid legal frameworks that fail to accommodate the complexities of environmental displacement. The resettlement of refugees in protected ecological zones raises critical questions about the intersection of environmental conservation and human rights (Mukherjee 72). Ghosh's narrative follows Piya, a marine biologist studying river dolphins, and Kanai, a translator, as they navigate the fragile ecosystem of the Sundarbans. The novel illustrates how colonial-era conservation laws and rigid governmental policies marginalize local populations. The eviction of settlers from protected zones underlines the tension between ecological preservation and human survival. While environmental conservation is crucial, *The Hungry Tide* questions whether legal frameworks prioritize nature at the expense of human dignity and survival. The novel also examines the impacts of climate disasters, such as cyclones that repeatedly devastate the Sundarbans. These extreme weather events force people to migrate, yet legal systems fail to recognize them as climate refugees. Ghosh critiques the lack of formal legal recognition for displaced populations, illustrating how bureaucratic indifference exacerbates their vulnerability. By centering his narrative on these displaced communities, Ghosh highlights the urgent need for inclusive legal reforms that address both environmental conservation and human rights.

### ***Gun Island: Climate-Induced Migration and Transboundary Water Conflicts***

Amitav Ghosh's *Gun Island* amplifies his condemnation of climate migration through a captivating narrative that interweaves environmental deterioration, water governance, and involuntary displacement. The novel examines climate-induced migration, emphasising the shortcomings of current legal systems in resolving the challenges faced by those displaced by environmental catastrophes. In the narrative of the protagonist, Deen Datta, Ghosh emphasises the imperative of acknowledging climate refugees and the escalating conflicts over transboundary water supplies intensified by changing climatic patterns. A primary theme of *Gun Island* is the influence of climate change on human migratory patterns. Deen, a rare book dealer, embarks on a journey from India to Venice, encountering folks whose lives have been disrupted by environmental instability. The novel depicts migration not merely as a socio-economic occurrence but as a result of deteriorating environmental conditions, especially in areas susceptible to rising sea levels, unpredictable weather patterns, and water scarcity. Climate change has displaced

numerous individuals; nevertheless, existing international immigration laws do not recognise climate-induced displacement as a valid basis for asylum claims. This legal vacuum leaves numerous climate refugees unprotected, compelling them to undertake hazardous voyages and face unknown futures. Ghosh's narrative further explores the deficiencies of current immigration regulations that do not recognise climate change as a legitimate grounds for refuge. Conventional frameworks emphasise political persecution, warfare, and economic adversity as the main catalysts for migration, neglecting the fact that environmental catastrophes—such as floods, droughts, and cyclones—compel individuals to abandon their residences. The novel critiques the inflexibility of legal frameworks by demonstrating how climate migrants are frequently criminalised, marginalised, or overlooked in international discussions. Through Deen's interactions with displaced persons, Ghosh advocates for a reassessment of legal definitions and procedures to support individuals escaping environmental disasters. Moreover, *Gun Island* underscores the escalating disputes around transboundary water supplies, especially as climate change amplifies hydrological instability. Numerous significant rivers globally traverse national boundaries, and antiquated water-sharing treaties do not include evolving climatic conditions that affect water supply. Ghosh attacks the rigidity of these agreements and the political conflicts that emerge as states endeavour to obtain water for their citizens. In the story, water is portrayed as a vital yet contentious resource, mirroring global conflicts where countries are compelled to renegotiate treaties that no longer align with current hydrological conditions. The increasing struggle for water further marginalises poor groups reliant on these resources for existence, exacerbating existing socio-political inequities. In *Gun Island*, Ghosh implores governments and global leaders to recognise the legal and humanitarian deficiencies in managing climate migration and transboundary water governance. The story provides a compelling critique of the inadequacy of inflexible legal systems in addressing modern environmental issues. Through the integration of mythology, historical context, and contemporary ecological issues, Ghosh constructs a narrative that condemns current systems while advocating for proactive responses to the severe challenges posed by climate change. *Gun Island* engages with the wider dialogue on climate justice, migrant rights, and the necessity for an international legal framework that acknowledges the significant effects of environmental changes on human displacement.

### **Rethinking Water Law through Ghosh's Lens**

Ghosh's narratives contest traditional legal frameworks that favour economic and national interests at the expense of environmental and social justice. His works indicate the necessity of modifying transboundary water agreements to account for dynamic hydrological alterations. Numerous extant treaties were formulated decades ago amidst rather stable climatic conditions, neglecting to include current and prospective alterations in water flow, precipitation patterns, and glacial melt. Ghosh's approach compels policymakers to reassess these agreements, emphasising adaptive, sustainable, and equitable resource management. Moreover, *Gun Island* underscores the imperative of securing legal acknowledgement and safeguards for climate refugees. The lack of a definitive legal framework renders displaced individuals in a state of uncertainty, susceptible to exploitation and political marginalisation. Ghosh advocates for an immediate revision of refugee status to encompass anyone displaced by environmental changes by highlighting the human cost of climate migration. This transition would require global cooperation, as climate migration is an international issue that surpasses national boundaries. Ghosh emphasises the necessity of enhancing international collaboration to guarantee fair water allocation in the context of climate crises. As nations increasingly vie for scarce water resources, collaborative governance is crucial

to avert disputes and guarantee sustainable management. Ghosh's narratives indicate that water-sharing agreements should transcend inflexible political boundaries and prioritise enduring environmental stability and humanitarian factors. In *Gun Island*, Ghosh emphasises the urgent necessity to amend water legislation and migration laws in light of climate change. His work functions as a critique of current legal frameworks and a call to action, promoting policies that align with modern ecological and humanitarian realities. Ghosh engages in a crucial dialogue on climate justice, prompting world leaders to reconsider legal frameworks amid environmental instability.

## Conclusion

Amitav Ghosh's literary oeuvre offers a poignant indictment of the prevailing legal structures that regulate climate-induced water issues. His novels emphasise the shortcomings of inflexible water governance frameworks, illuminate the struggles of climate refugees, and challenge antiquated transboundary water treaties. Integrating Ghosh's literary insights into environmental law and policy enables legal scholars and policymakers to create more flexible, inclusive, and equitable frameworks. Confronting climate change necessitates a multidisciplinary strategy, with literature acting as an essential instrument in broadening legal viewpoints to incorporate environmental justice. In the absence of such a development, water law would persist in trailing the reality of climate change, intensifying inequality and global environmental disasters. Ghosh's work underscores the interrelation of environmental sustainability and human rights, asserting that legal and policy reforms must be grounded on ecological reality and ideals of social justice. As climate change intensifies, the necessity to reevaluate legal systems becomes increasingly urgent. Recognising the significant influence of environmental degradation on migration and water governance enables policymakers to develop innovative solutions that emphasise environmental stability and human dignity. In this context, literature such as *Gun Island* transcends mere storytelling; it serves as a catalyst for rethinking the regulations that govern our world amid climate challenges.

## References

1. Amitav Ghosh, *The Great Derangement: Climate Change and the Unthinkable* (University of Chicago Press 2016).
2. Amitav Ghosh, *The Hungry Tide* (Houghton Mifflin Harcourt 2005).
3. Amitav Ghosh, *Gun Island* (Penguin Random House 2019).
4. Peter H. Gleick, 'Water and Climate Change: Understanding the Risks and Making Climate-Smart Water Choices' (2019) 4(1) *Environmental Research Letters* 3.
5. Bryan L. Bates, *Climate Change and Freshwater Resources: A Global Perspective* (Cambridge University Press 2018).
6. Detlef P. Werner, 'Transboundary Water Conflicts in the Era of Climate Change' (2020) 12(2) *Journal of Water Law* 82.
7. L.J. Boer, 'The Impact of Climate Change on International Water Law: Revisiting Legal Principles' (2021) 45(3) *International Environmental Law Review* 53.
8. Mike Hulme, *Why We Disagree About Climate Change* (Cambridge University Press 2009).
9. Dipesh Chakrabarty, 'The Climate of History in a Planetary Age' (2021) 36(4) *Critical Inquiry* 1.
10. Sumit Mukherjee, 'Climate Change, Displacement, and Legal Frameworks: A Study of the Sundarbans' (2019) 14(2) *South Asian Environmental Studies Journal* 72.