

# THE ROUTLEDGE HANDBOOK OF ENVIRONMENTAL JUSTICE

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# HISTORICIZING THE PERSONAL AND THE POLITICAL

## Evolving racial formations and the environmental justice movement

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### **Minorities and the environment**

In 1985 I was working on a master's thesis in geography at the University of Wisconsin. Seeking to bridge my interests in Chicana/o Studies and environmentalism, my thesis examined farmworkers' experiences and attitudes towards pesticides in California's San Joaquin Valley using a survey. I struggled to weave together these disparate intellectual traditions, as no one had previously done so. Exacerbating the situation was the fact that I had never heard of environmental justice (EJ). In fact, the concept was just developing in North Carolina at the time and was relatively localized (this was before the internet). Having scoured the library for research that addressed the relationship(s) between people of colour and environmental issues, the most robust literature I found, if one could call it that, explored park usage patterns of various ethnic groups. Unsure what to call my field of study, I framed it as, "Minorities and the Environment".

By the late 1980s the situation had changed remarkably. I had completed my MS and transferred to the Urban Planning programme at UCLA and the idea of environmental justice was spreading rapidly. My dissertation research, building on my thesis, investigated how working class Mexican Americans understood and mobilized around environmental issues. Looking back, I cannot believe my good fortune. Within a few short years my position had changed from being an intellectual outlier to being on the cutting-edge of a new field, environmental justice.

In this chapter I reflect on my engagement with EJ scholarship as well as the literature's minimal attention to racial formation. I first discuss my personal history with EJ, and then argue that ignoring the changing nature of the US racial formation and its implications for the EJ movement is a major oversight. This is because such shifts influence what the EJ movement is (un)able to accomplish. I focus in particular on the degree to which the EJ movement has been able to improve the environments of vulnerable communities, given larger structural changes. While researchers have widely acknowledged the political economic

changes associated with neoliberalism, race has been treated as a stable playing field. Although my chapter focuses on the US, hopefully such an analysis will prove useful to other places. Not only do we live in a global racial formation (da Silva 2007; Winant 2002), but racial dynamics are geographically distinct. Accordingly, more nuanced studies of race at multiple scales are needed.

### Environmental justice

In the late 1980s Los Angeles witnessed several high-profile environmental justice campaigns involving African Americans and Latinas/os (Pulido 1997). I joined the Labor/Community Strategy Center (LCSC), which challenged the oil refineries in the harbour area and focused on air pollution more generally (Mann 1991). The LCSC's roots were in labour and consequently adopted a class-based anti-racist analysis of air pollution, which resonated deeply with me. Collectively, we developed a framework that privileged power and informed my dissertation. It was incredibly exciting to be involved in both building a grassroots movement *and* in building a new field of scholarship. At the time there were only two Chicana/o Studies scholars working on environmental issues, Devon Peña and myself. Although Peña studied very different places and environments, Chicanas/os in the Upper Rio Grande, I learned a great deal from him and was inspired by his intellectual creativity and courage (Peña 1999).

In reviewing my intellectual trajectory, I cannot separate my early scholarly development from the larger EJ movement. Not only did the movement provide a language and framework that I previously lacked, but it gave me energy, confidence, and power. This was important because it was difficult to be in Chicana/o Studies and do environmental work in the 1980s. Most colleagues considered it relatively unimportant compared to labour, poverty, and immigration. The EJ movement affirmed my efforts and offered a sense of belonging.

But the EJ movement also pushed me intellectually. Specifically, it enabled me to engage more directly with other communities of colour. Through the EJ movement I met African Americans, Asian Americans and Native Americans – people and communities that I may not have otherwise met. This had a profound effect on me politically and intellectually and drove my research towards explicitly comparative and relational ethnic studies (Pulido 1997; 2006; Kun and Pulido 2013).

Within environmental justice I have been particularly drawn to two questions. First, how are race and racism conceptualized within the literature, policy and movement (Pulido 2000)? And second, how do working class communities of colour within the US respond to and mobilize around environmental problems (Pulido 1996)? I was drawn to the first issue because I was poorly trained on the subject of race and desperately needed to understand it. In truth, I think few social scientists understood race well at the time (this was just prior to the social construction of race migrating from the humanities into the social sciences), but that did not preclude many researchers from conducting analyses on the subject. For me, this was a huge issue in need of interrogation. How could we possibly move forward if we were not clear on one of the fundamental processes creating environmental injustice? Second, through both my activism and scholarship I came to believe that real social change only comes from below. I admit that I was initially attracted to oppositional struggles through largely romantic ideas (Pulido 2008). While the romance has long since faded, I am more convinced than ever that power concedes nothing without struggle, and that for all their messiness and disappointments, social movements, including massive shifts in political consciousness, are the *only* ways to create meaningful change.

I drifted away from EJ for a number of years, but my passion for the topic, as well as the urgency of climate change, and a new concern with domination (versus resistance), lured me back. As I began to re-immense myself in the world of EJ politics and scholarship, I began questioning the movement's ability to actually improve the environmental conditions of vulnerable communities. Two things triggered this interest. First was the story of Exide Technologies, a Los Angeles area battery recycling facility whose regulatory failure was breathtaking. The facility had been illegally contaminating over 100 000 primarily working-class Latinas/os for decades (Pulido 2015). At roughly the same time, I attended an EJ workshop at UCLA at which Lisa Jackson, then director of the Environmental Protection Agency (EPA), was present. Frankly, I was appalled at the discussion. Nobody was seriously challenging Jackson given the egregious kinds of violations that were occurring. Juxtaposing these two events forced me to reconsider the efficacy of the larger movement. Certainly the EJ movement has accomplished a great deal over the past decades, especially blocking new hazardous projects and the expansion of existing ones, but how has the movement dealt with *existing* pollution?

### Has the EJ movement improved environmental quality?

To my knowledge, there is no clear answer to this question because no one has systematically studied it. Obviously, it is beyond the scope of this chapter to attempt a full answer, but as a first step, I turn to two bodies of literature. The first considers the policy and legal accomplishments of the EJ movement (also see Chapter 12). I have elaborated on this literature more fully elsewhere (Pulido et al. 2016). Here, I review briefly four relevant registers. The first one consists of EJ lawsuits based on the Equal Protection clause of the 14th amendment. To date eight lawsuits have been filed. All have failed. A second register is Title VI complaints. According to the EPA website, as of January 2014, 298 Title VI complaints had been filed. My analysis of the website indicated that only one has been upheld (see also Mank 2008; Gordon and Harley 2005). This is a success rate of .3 per cent. A third arena of activity is the actual implementation of Executive Order (EO) 12898. The EO is supposed to compel all federal agencies to incorporate EJ considerations into their activities. In 2003 the Civil Rights Commission examined the extent to which four critical agencies had done so: the EPA, Housing and Urban Development, the Department of Transportation, and the Department of Interior. It concluded that all four had largely failed to do so. Subsequent studies by Guana (2015) and Noonan (2015) provide more detailed analyses of precisely how environmental agencies fail to address EJ concerns. The fourth area is scholarship that explores the (in)equitable nature of environmental enforcement. While the overall literature is mixed (Ringquist 1998; Atlas 2001), there is compelling evidence that it is not equitable (Konisky 2009; Konisky and Reenock 2013; Lynch et al. 2004; Mennis 2005; Lavelle and Coyle 1992), especially where low-income Latinas/os are concerned.

The second body of literature that is key to assessing the efficacy of the EJ movement is research that analyses the political culture of the movement itself. Though I have always considered the movement to be politically diverse, fractures are increasingly visible. Carter (2016), in his article "Environmental Justice 2.0?", suggests that the EJ movement has become far less oppositional and is now focused on "quality of life" issues, such as parks and other amenities. While I believe that Carter understates the significance of current industrial pollution and environmental violations, he is correct in pointing out the less than oppositional nature of large strands of the movement. Perkins (2015) has documented how California activists, through disruptive tactics, initially achieved access and eventually became part of the state. However,

this has not led to meaningful change in existing environmental conditions, largely because of neoliberal politics. Other scholars have begun documenting co-optation and the extent to which the state, at multiple levels, has increasingly favoured industry (Lievanos 2012; London et al. 2013; Kohl 2014; Harrison 2015; Pulido 2015). In short, this small but critical literature suggests that by participating in state-led processes, the EJ movement has lost much of its oppositional content and character.

There is no doubt that neoliberalism has been the primary force behind these shifts (see Heynen et al. 2007, more generally). Faber (2008, also Chapter 6) has detailed how state agencies have been captured by industry, in what he calls the “pollution industrial complex”. The power of this complex is evident in EPA appointments, its interpretation of regulations and rule-setting, its priorities, and the utter failure of laws like the Toxic Substances and Control Act (Silbergeld et al. 2015). Holifield (2007) has argued that EO 12898 is classic “roll-out” neoliberalism in that it replaces substantive regulatory power with superficial and/or voluntary policies. Indeed, EO 12898 encourages community empowerment, citizen participation, and data collection – with no real teeth or enforcement mechanism. More recently, Harrison’s (2015) study of EJ grant programmes shows the extent to which state bureaucrats have internalized neoliberal ideas regarding EJ and actively discipline activists by funding *non*oppositional projects, preferring instead those that emphasize individual behaviour modification and/or working towards solutions with industry. This research is vitally important as it enables us to discern precisely how neoliberal shifts have been implemented. Missing, however, are detailed analyses of how race and neoliberalism inform each other. Lisa Duggan (2003) has argued that it is impossible to separate race from neoliberalism. As a central power relation in the US, racism creates a textured landscape that capital can exploit in order to accumulate greater power and profits. Thus, it is hardly surprising that racism is deployed to facilitate various economic projects (see, for example, Gilmore 2007; López 2014; Inwood 2015; Pulido 2016). Indeed, this is the essence of racial capitalism – race as a structuring logic of capitalist processes (Robinson 2000). Given the importance of racism to economic relations, we must be cognizant of how the racial formation has shifted under neoliberalism and its implications for EJ.

### The EJ movement and shifting racial formations

To clarify how the racial formation has shifted I draw on the work of Jodi Melamed. She argues that instead of conceptualizing the US state as breaking with white supremacy after World War Two (Winant 2002), we should see it as adopting various anti-racisms. Such forms of racial hegemony have “enabled the normalizing violences of political and economic modernity to advance and expand” (Melamed 2011: 5). Specifically, she identifies three eras of state anti-racisms: racial liberalism (1940s–1960s), liberal multiculturalism (1980s–1990s), and neoliberal multiculturalism (2000–present). According to Melamed’s framework, the EJ movement arose during liberal multiculturalism and continued into neoliberal multiculturalism. So, for example, the 1980s saw the proliferation of multiculturalism not only in the literary canon, but also in environmental politics. Indeed, my first book can be seen as one such example (Pulido 1996), as it illuminated the unique relationships that working class Chicanas/os had to environmental issues. What is important about multiculturalism for our purposes is that it arose as a “counterinsurgency . . . against the materialist anti-racisms of the 1960s’ and 1970s’ . . .” (Melamed 2011: 93). In short, it was meant to “disable . . . effective antiracism . . .” (ibid: 92). It is vitally important to understand the 1980s: this decade contains both the last vestiges of the energy of the Civil Rights Movement

(CRM) – which I believe gave rise to the EJ – and the seeds of its backlash. It is a decade of transition (Johnson 1991).

### ***Environmental justice and the civil rights movement***

The deep connection between the early EJ movement and the CRM has been well documented (Foster and Cole 2001: chpt. 1). The CRM is present in the EJ movement's origin story in Warren County, North Carolina in 1982 when the NAACP assisted local residents fighting a dump and contaminated soil (McGurty 2007). The struggle in Warren County attracted significant attention from African American leaders who had cut their teeth on the CRM, including Benjamin Chavis, Walter Fauntroy, Leon White and Fred Taylor. By 1992 EJ legislation had been introduced by John Lewis, a Democrat congressperson from Georgia. This effort clearly built on earlier civil rights strategies: force the federal government to recognize the problem and demand amelioration. Although legislative efforts never gained traction, President Clinton did issue Executive Order (EO) 12898 in 1994, as previously mentioned.

It is hardly surprising that EJ leaders, especially African Americans, would draw upon conventional CRM strategies. Not only were they steeped in the culture of the CRM, but they had achieved significant change via the state, including the Civil Rights Act (1964), the Voting Rights Act (1965) and the Equal Employment Opportunity Act (1972). Such accomplishments were the result of racial liberalism and contributed to a change in public attitudes and practices. EJ was fuelled by the last embers of the CRM. Already by the 1980s civil rights leaders encountered decreasing levels of support and growing opposition. Indeed, the Bakke decision, challenging affirmative action in university admissions, came in 1978. That EJ united two of the great movements of the twentieth century, environmentalism and civil rights, and refashioned them in a new and politically productive way was a strategic move that partially countered growing opposition to anti-racism. Not only did EJ provide evidence of a whole new realm of inequality, but it also created a bridge to mainstream environmentalism, however rocky at first. These were critical steps in bolstering and expanding anti-racist forces. Nonetheless, it was precisely the twin pillars of EJ, anti-racism and environmentalism, which would be subject to attack in an increasingly neoliberal era.

### ***The resurgence of the white nation and neoliberal multiculturalism***

As the US transitioned from liberal multiculturalism to neoliberal multiculturalism, the moral authority of the CRM was replaced by explicitly racist discourses and projects, such as Black criminalization, the prison industrial complex, the war on drugs, and the criminalization of immigrants. Numerous scholars have detailed the precise economic function of such projects (Gilmore 2007; López 2014; Duggan 2003). Though many racial projects enable neoliberalism, racism cannot be reduced to economic imperatives. A good example of this is the resurgence of the white nation (Bjork-James 2015). The white nation has been instrumental in eroding support for anti-racist initiatives and therefore is essential to understanding the larger racial landscape under which EJ activists labour. Moreover, while the white nation facilitates neoliberalism by rationalizing growing inequality, it is in no way contained by it. As I write, Republican presidential candidate Donald Trump's racist comments against Muslims and Mexicans attract ever more voters – much to the chagrin of the Republican Party.

The white nation refers not just to white racism, but a racism linked to a presumed ownership of the nation (Gerstle 2002). While the US has historically been defined by white

nationalism, as seen, for example, through citizenship (López 1996) and territorial expansion (Horsman 1981), it was seriously challenged by the CRM and more recently by widespread demographic change. Together, these shifts have resulted not only in fewer whites, but whites increasingly feeling that they are losing control of *their* country (Huntington 2004). This, in turn, has led to a massive white backlash that has fundamentally altered the national racial formation. The resurgence of the white nation has become an entrenched part of contemporary political culture and is evident in the daily headlines, including, for example, opposition to Central American immigrant minors; Republican efforts to limit voting rights; the rise of the Tea Party and its desire to “take back” the country; and “birthers” who insist that Barack Obama was not born in the US. Indeed, the current fractures in the Republican Party are in no small part fuelled by the anxiety, anger, and activism of the white nation, in addition to economic insecurity. While some suggest that the anger is a misdirected response to economic precarity, they are only partially correct. At its root such thinking assumes that racism is an aberration or an epiphenomenon to the economy, rather than a formative feature of the US social formation (Dunbar-Ortiz 2014; Smith 2012).

This latest resurgence of the white nation is typically located in the 1980s, but it actually began in the 1950s with the Republican Party’s Southern Strategy. The Southern Strategy, which developed in response to the CRM, sought to revitalize the party by appealing to southern white racism. As the Democratic Party became increasingly associated with racial integration, the Republican Party saw an opportunity to realign national electoral politics. By 1981 Lee Atwater was able to look backwards and explain the movement’s rhetorical evolution:

You start out in 1954 by saying, ‘Nigger, nigger, nigger.’ By 1968, you can’t say ‘nigger,’ that hurts you. Backfires. So you say stuff like forced bussing, states’ rights and all that stuff. You’re getting so abstract now [that] you’re talking about cutting taxes, and all these things you’re talking about are totally economic things and a byproduct of them is [that] blacks get hurt worse than whites ... we are doing away with the racial problem one way or another. You follow me.

(quoted in Woods 2017: 232)

The Southern Strategy accomplished three important things in terms of EJ’s historical context. First, it legitimized the tremendous anxiety and fear that whites, particularly white southerners, felt in response to racial integration. Second, it introduced a new, ‘coded’ way of talking about race (López 2014). And third, it assembled a broad coalition that went far beyond the South (Inwood 2015). According to Woods (2017):

The national Republican party’s Southern Strategy crafted an alliance composed of plantation blocs, major business sectors, white flight suburbs, rural whites, working class white urban Catholics, several unions, and White Citizens Council leaders. The new electoral alliance also supported a restructuring of urban, rural, regional, gender, and class relations. The institutions of national and global capitalism were also reformed under the banners of privatization, deregulation, and neoliberalism.

The ballast of the Southern Strategy has been long and powerful and has been instrumental in distracting attention from growing levels of economic insecurity associated with neoliberalism, especially among whites, as well as endless war (De Genova 2012). Neoliberal multiculturalism is distinguished from its predecessor in that its sphere is increasingly global, it affirms the role of the market in organizing society, it is largely abstracted from specific

groups and their struggles, and invokes a deracialized language. One of the hallmarks of neoliberal multiculturalism is the election of President Barack Obama. His election illustrates the degree to which anti-racism has been deracialized and disconnected from the larger mass of Black people. Mainstream discourse never mentions "racism", rather people talk about "difference", "bias" and "diversity". Those who claim polluters are criminals and racists are not allowed to participate in state initiatives. For instance, the EPA's Environmental Justice Collaborative Problem-Solving (CPS) programme is intended only for communities willing to engage in consensus building and dispute resolution.

Different forms of EJ activism can be discerned under neoliberal multiculturalism. One thread focuses on the cultural and racial diversification of environmentalism. Included are organizations that promote people of colour in mainstream environmentalism, as well as efforts to broaden the contours of environmentalism itself (Carter 2016). This includes highlighting the voices and experiences of those typically cast outside the environmental fold (Angulano et al. 2012). Although this concern has existed from the beginning of EJ, it appears to have grown relative to other sectors of the movement. Such initiatives are entirely in keeping with neoliberal multiculturalism: an emphasis on diversity, racial identities, inclusion and recognition. They are also largely devoid of significant material demands, including improving the actual physical environment.

A different example of neoliberal multicultural EJ can be seen in the American Legislative Exchange Council (ALEC). ALEC is a kind of lobbyist formation that actually brings industry and congressional leaders together to develop neoliberal legislation. It has a standing committee, "Energy, Environment and Agriculture", that has written over 70 pieces of legislation, and has even crafted its own "Environmental Justice Principles" and passed a "Resolution on Environmental Justice". The Principles state that everyone should be treated equally, while also rejecting any additional regulations. "Existing federal, state, and local regulation, properly implemented and enforced, are sufficient to assure protection" (Center for Media and Democracy nd). Of course, this is contrary to the essence of EJ – the idea that some communities are disproportionately impacted. But it exemplifies neoliberal multiculturalism by affirming equality, assuming the market is the best solution, and evincing completely deracinated language. Race is no longer a power relation, indeed, it is not even mentioned. By adopting EJ language, while simultaneously blocking any meaningful change, ALEC is ensuring that vulnerable communities will continue to be polluted, sickened, and die. When a group like ALEC adopts EJ in order to normalize violence, we have to ask, "what does EJ really mean?" Such a question can only be answered by developing critical EJ studies (Pellow and Brulle 2005), which, given its emphasis on power, would enable us to explore the dynamic nature of racial formations.

### **Conclusion**

In this chapter I have argued for the need to analyse changes in the US racial formation. While many researchers have detailed the impact of neoliberalism on EJ, few have considered concomitant shifts in the racial formation. Yet, the EJ movement transcends at least two distinct eras of state anti-racisms, each embodying a distinct set of anti-racist possibilities. The EJ movement arose during liberal multiculturalism in the 1980s, as a last expression of the CRM, and has continued into the neoliberal multiculturalism of the twenty-first century. A close examination of both eras suggests that EJ activists have been labouring in an extremely hostile environment. This may explain why the EJ movement has achieved only limited gains in improving the physical environments of vulnerable communities.



While Melamed offers us a useful framework for understanding recent racial history, I suggest that the US racial formation is shifting once again. There is a resurgence of anti-racist activism as seen in Black Lives Matter, a deepening political consciousness on the part of everyone, including progressives, the left and the many rights. Thanks to Donald Trump, political correctness is a thing of the past, which enables a more honest picture of US racism to emerge. These are significant changes, especially when coupled with growing economic inequality and the fact that global warming can no longer be ignored. A radicalized EJ movement is precisely what is needed to provide critical grassroots leadership to the crisis at hand.

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