

Beneath the Surface: The Fight for Environmental Justice

by Max Miniewicz

Warren County, North Carolina: September 15, 1982. In the town of Afton, a majority-African American community, one quarter of whom lived in poverty, dozens of protestors lay down on the streets to block the disposal of over sixty thousand tons of carcinogenic PCB-tainted soil in their town. Fifty-five people were arrested over the six-week protest, and eventually the delivery of the soil proceeded. The landfill in Warren County was built as planned. Nevertheless, the event gathered attention. Across the United States, communities of color begin to publicly express their concern about discriminatory environmental policymaking – or “environmental racism,” as Benjamin F. Chavis called it when addressing the Warren County protests (McGurty 313-14; Chavis qtd. in McGurty 313). The General Accounting Office, pressured to act, conducted a study the following year that validated the nationwide concern, finding that ethnic and racial minorities were exposed to hazardous pollutants at disproportionately high rates compared to non-Hispanic White Americans (United States General Accounting Office 2). Calls for action became urgent; the fight for environmental justice was truly born (McGurty 317).

After nearly forty years, the complex history of environmental discrimination is increasingly recognized and understood among global political activists and scholarly researchers. However, in contemporary public discourse, it is still too often overlooked. Systemic racism has affected centuries of US environmental policy, linking environmental and racial injustice. This history and its effects need to be more widely understood and reflected on if we are to create new environmental policies that are responsible and equitable. To depart from our flawed history, we must ask: How has the American history of environmental discrimination impacted the physical and mental health of minority communities? What lessons from our past can we draw on to bring the nation closer to environmental justice, especially during times of crisis such as the ongoing COVID-19 pandemic?

Many historical examples of environmental racism stemmed from white Americans' definitions of nature and wilderness, as compared with those of Native and African Americans. Carolyn Merchant, an American ecofeminist and historian, explores these notions in her article "Shades of Darkness: Race and Environmental History," where she describes the "deep-seated connections . . . between the enslavement of human bodies and the enslavement of the land," and how Native and African Americans were subject to oppression that stripped them of the ability to live freely on US soil (380-81). The European-American idea of land, defined mainly in terms of private property, is conceptually opposite to the Native American idea that land is a shared resource that belongs to the community. This dissonance becomes blatant when analyzing nineteenth-century natural resource regulations enacted by white Americans in positions of authority, especially those regulations pertaining to areas designated for tourism. In "wilderness" sites that were to become national parks at the end of the nineteenth century, Indigenous people were removed, so that white tourists would perceive "living Edens" with "'wild beasts,' but no 'wild men' (George Catlin qtd. in Merchant 381-382).

Environmental discrimination against African Americans was comparably severe. Although its roots trace back to centuries of enslavement, it continued well past the adoption of the Thirteenth Amendment in the form of the segregation laws of the Jim Crow Era. Many white Americans started to describe cities, whose neighborhoods were divided along racial lines, as "morally and socially depraved" (Merchant 385). This racist narrative implicitly became part of segregation policy – neighborhoods of color, particularly African American, were concentrated in less preferable lands that became sites of pollution and disposal. As Merchant states, "waste, pollution, landfills, and incinerators have been located in deserts, in inner cities, in ghettos, and on American Indian reservations and are often targeted for the neighborhoods of people of color" (389). These developments created disparities between white neighborhoods and neighborhoods of color which are still visible.

The 1983 report conducted by the General Accounting Office in the aftermath of the Afton protests revealed that, in the eight states reviewed in the report, environmental discrimination was related both to race, since "[Black people] ma[de] up the majority of the population of three of the four communities where the landfills [were] located," and socioeconomic status, as "at least 26 percent of the population in all four communities [had] income below the poverty level and most of this population [was] Black" (United States General Accounting Office 1). However, the impact of these two factors on one's likelihood of being exposed to pollutants is not equal, as shown in the 1987 United Church of Christ study "Toxic Wastes and Race in the United States." Designed to "enable the victims of [environmental racism] not only to become more aware of the problem, but also to participate in the formulation of viable strategies" (Bullard et al. x), the study found race, not income, to be "the most significant among variables tested in association with the location of commercial hazardous waste facilities" (xiii). On a

broader scale, the study's findings are truly troubling: three out of five Black or Hispanic Americans lived near hazardous waste facilities. Despite objective progress, such as the signing of Executive Order 12898 in 1994, which directed federal agencies to implement environmental justice into their programs, a 2007 follow-up study, "Toxic Wastes and Race at Twenty: 1987–2007," based on the 2000 census data, revealed that "racial disparities in the distribution of hazardous wastes are greater than previously reported" (x).

In response to those statistics, one might ask: Why has environmental racism gotten worse, despite the adoption of the Civil Rights Act and other equitable pieces of legislation? The answer lies at a complicated intersection between the legacy of segregation and discrimination in the housing market. The two are closely interconnected. Racist housing policies have prevented minority communities from moving out of the highly segregated areas that are more likely to be subject to dire environmental conditions and into more prosperous neighborhoods. Areas within the city that used to be redlined still face severe consequences from disproportionately low investment over the decades – like heat waves, as explored in Richmond, VA, by *New York Times* columnists Brad Plumer and Nadja Popovich in "How Decades of Racist Housing Policy Left Neighborhoods Sweltering." The lack of tree cover, parks, and higher-quality sidewalks causes hazardous increases in temperature during the summer – from five to twenty degrees Fahrenheit – that white neighborhoods do not face. Wealthier parts of Richmond had more money, leverage, and "clout to lobby city governments for tree-lined sidewalks and parks." By contrast, areas occupied by minorities were treated as "cheap land for new industries . . . [that could be] built with lots of heat-absorbing asphalt and little cooling vegetation" (Plumer and Popovich). This phenomenon is not limited to Richmond: nationwide, neighborhoods of color that were assigned lower grades by the federal government in the 1930s are more prone to extreme heat today, and their residents are more likely to suffer health complications such as asthma and cardiac arrest during heat waves (Plumer and Popovich).

Whether resulting from heat waves, prolonged exposure to toxic waste and other pollutants, or related factors, the actual harms – both physical and mental – caused in communities of color by the legacies of environmental racism are difficult to accurately measure. These injustices were magnified, however, during the COVID-19 pandemic, as suggested by the findings of "COVID-19 and Environmental Racism: Challenges and Recommendations," a research article by Anuli U. Njoku. In an attempt to discern the correlation between coronavirus death rates, race, and environmental policy, the author establishes seven areas of challenge for minority communities during the COVID-19 pandemic: housing, working conditions, food, air, soil, water, and psychosocial stressors. Though these factors can seem disparate, all are related to racial segregation and the events that led to it. One's place of living defines one's access to unpolluted air, soil, and water. Njoku's call for more research "to examine how environmental racism intensifies the COVID-19 pandemic and illuminates racial inequities in exposure to

environmental pollutants” only gains greater urgency in the context of the unsettling findings by the Centers for Disease Control and Prevention that between March 2020 and July 2022 the coronavirus hospitalization and death rates among Black Americans were respectively 2.3x and 1.7x greater than those of White Americans (Centers for Disease Control and Prevention).

The aforementioned studies suggest multiple connections between environmental discrimination and the fight for racial equality. Analyzing the historical background reveals that injustice is deeply ingrained into our nation’s law. Genocide, displacement, and segregation policy enacted by a racially uniform US regulatory system led to unequal distribution of land, structural powerlessness of minority groups, and the systemic inequality which haunt the nation to this day. A study of this history of environmental racism offers a holistic, multidimensional perspective on which to base future action. Uncovering the roots of injustice allows us to more accurately identify structures of power that ought to be changed.

Perhaps the most crucial conclusion that can be drawn from the past is that progress will be sparked by inclusion. Remedying the discriminatory foundations that for so long have formed the core of US socioeconomic structure requires a diverse coalition of policymakers on a national level who speak and act from experience. Such an argument is forwarded by Patrice Lumumba Simms in her article “On Diversity and Public Policymaking.” Institutional resources dominated by white Americans historically have been disproportionately appropriated and directed – even if unintentionally – toward those of the same race and socioeconomic background as their creators. As Simms states, “The problem with a relatively homogenous body of decision-makers is that their range of vision is restricted by their own experience” (17). Resistant to change and difficult to reverse, the poorly constructed environmental legislation of the past often becomes a roadblock for future action, “ossify[ing and] thus preventing invention” (17). Effective policymaking, according to Simms, must be multidimensional, not only redressing “classic environmentalism” but prioritizing the needs of underserved communities. This multidimensional approach also has to be incorporated from the very beginning of the decision-making process, not merely “in response to formal comments submitted after a proposed course of action” (17). Differences in perspective, illuminated by active representation within the environmental mainstream, enable “a robust internal dialogue” that facilitates ideas and legislation that Simms marks as “outside the box of classic environmentalism” (18).

This approach—conceptually born in the 1990s but especially noticeable during Lisa Jackson’s tenure as the Administrator of the Environmental Protection Agency (Jackson was the first African American to hold this position from 2009-2013)—can have a tangible impact. For example, initiatives such as Plan EJ (Environmental Justice) 2014 and the Partnership for Sustainable Communities, led by a racially diverse group of

policymakers (such as Anthony Foxx, Julián Castro, and Gina McCarthy), offer evidence that a more diverse legislature indeed does pay more attention to the struggles of underserved communities and work to transform that attention into action (Simms 19).

Remediating environmental racism is a lengthy and complicated challenge that no individual initiative or policy measure will resolve. However, policymakers today have a unique opportunity to right the injustices of the past and bring tangible benefits to the nation and the environment itself. Doing so will require bold activism as well as transformative measures by policymakers who can think big and are willing to learn from the mistakes of previous generations. As the nation emerges from the deadly pandemic that has exposed many injustices, new possibilities for action emerge. Transformative times call for transformative change. Will we listen?

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