

Environmental Justice

Tee L. Guidotti

The George Washington University
Medical Center

Outline of this presentation:

- What is environmental justice?
- Dimensions of social justice:
 - Environmental equity
 - Community empowerment
 - Health disparities
- “Right” to a clean and safe environment

What is “Environmental Justice”?

- The “right to a safe healthy, productive and sustainable environment for all”
- Fair treatment for all people with respect to environmental protection
- The pursuit of equal justice and protection under law for all environmental laws
- Correction of historical patterns of discrimination, opportunism

EPA's Definition

Environmental Justice is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations and policies.

Fair treatment means that no group of people, including a racial, ethnic, or socioeconomic group, should bear a disproportionate share of the negative consequences resulting from industrial, municipal, and commercial operations or the execution of federal, state, local and tribal programs and policies.

Dimensions of “Environmental Justice”

- Environmental equity
 - Environmental racism
 - Environmental “classism”
- Community empowerment
 - NIMBY
 - “People of color” communities
 - EcoPopulism
- Health disparities

Environmental Equity

Environmental Equity

- Observed for many years that pollution tended to be worse in areas of:
 - low socioeconomic status, education
 - low income
 - communities of people of color
 - politically disadvantaged
- Conclusion that affected communities had environmental hazards imposed upon them

Environmental Equity: Situation in the 1980's

- Seminal study by US GAO, responding to request by Walter Fauntroy (DC)
 - 3/4 of landfills located near predominantly minority communities
 - 3/5 of African Americans and Hispanics lived in communities with toxic waste sites
- EPA took 20% longer to cite abandoned sites in minority communities
- Companies convicted of pollution paid fines 54% lower than in white communities

Environmental Equity

- Conclusion: “race was in fact the most significant factor in determining the siting of hazardous waste facilities”
- No question that communities of color were disproportionately affected. But why?
 - Lives of people of color were “worth less”?
 - People of color would not resist?
 - Discriminatory assumptions about education, intelligence and ability to understand the risk?

Environmental Equity

- Reality a bit more complicated
 - Communities often grew up around a polluting industry or site which employed residents
 - Race/ethnicity, low income, low education, lack of mobility and political disenfranchisement tend to go together
 - Low land prices also attracted such sites
 - Communities sometimes welcomed polluting industries for economic development

Environmental Equity

- So, true situation is complicated:
 - past legacy of racial and ethnic discrimination, poverty and lack of opportunity
 - economic depression fuels opportunism and desperation
 - few resources to document, cope with problem
 - no political clout to resist or to insist on remediation

Environmental Equity

- Attempt to site a hazardous waste landfill, to receive PCB-contaminated soil, in Warren Co., NC, in 1980's sparked movement
- Environmental justice was movement to achieve environmental equity
- Executive Order 12898, Pres. Clinton in 1994 committed EPA to enviro justice

Community Empowerment

Community Empowerment

- Communities organize to resist “locally undesirable land use” (LULU’s)
 - “not in my back yard” (NIMBY)
 - LULU’s may bring economic benefit to some but are perceived as degrading quality of life for rest: inequity!
 - Local examples: siting of waste transfer station in NE DC
- Often they are very right to do so

Community Empowerment

- NIMBY movements have succeeded often
 - facilitate efforts by community to organize for other purposes
 - launch local political and activist careers
 - present local leaders with serious problem: where to site anything?
 - Eco-activist response is that denying easy siting pressures “system” into sustainable development

Community Empowerment

- NIMBY, main strategies to oppose sitings
 - populated areas: places too many people at risk
 - unpopulated areas: unfair to locals
 - ideal geological siting: may conflict with human uses
 - engineered secure siting: technology may fail
 - property values
 - safety for children

“People of Color” Communities

- Communities that are “>25%” the home of people of color
- How communities are defined matters: towns or neighborhoods
- Some communities may be historical remnants where employment in hazardous industries used to be high
- People of colour are disproportionately represented in high-risk industries

“People of Color” Communities

- Historical legacy from discrimination
- May have other problems:
 - poverty, lack of economic opportunity
 - language and acculturation barriers
 - limited educational opportunities and models
 - generational conflicts
 - schisms based on local issues
 - governance and political structures
- Real issue is marginalization!

Marginalized Communities: An Example

- Special case: tribal communities
 - often geographically isolated
 - often impoverished or in boom/bust economies
 - often in difficult cultural transition
 - small group political behavior is intense
 - close personal and family interrelationships perpetuates schisms and factions
 - frequency legacy of economic dependence

Marginalized Communities

- Environmental inequities interfere with healing of these communities:
 - exploitive, often allegations of corruption
 - denies alternative economic development options
 - aggravates internal schisms
 - perpetuates poor community self-esteem
 - perpetuates marginalization of communities

EcoPopulism

- Roots of issues often include:
 - perceived lack of direct participation by the community in planning and approval
 - perception of lack of respect for residents
 - inequity: who gains, who loses?
 - position that pollution should not be generated at source and that disposal perpetuates problem
 - perceived right to safe and health environment

EcoPopulism

- Popular (meaning grassroots) ecological movements require:
 - an aware and educated community
 - strong community sense of self-determination and democracy
 - past or present grievance
 - object of opposition, preferably stereotyped
 - basis for opposition rooted in fact or logic

Community Empowerment

- Other aspects of NIMBY
 - NIMBY battles tend to follow a script, in which there is no incentive for compromise or reengineering
 - NIMBY battles draw on and in turn aggravate existing schisms and agendas in communities
 - Following a NIMBY battle, community tends to move on to another, successor issue

Health Disparities

Health Disparities

- Health disparities are differences in health status among communities that are not the result of natural or biological factors, that could be overcome or prevented
- Great interest in health disparities in public health community, focus on:
 - income, economic development
 - access to health care
 - hierarchy, social status and class

Health Disparities

- Canadian contribution to this debate: the “population health model”:
 - denies that environment plays much role
 - places greatest emphasis on income distribution and strength of social hierarchy
 - some empirical data to support this
- Environmental movement
 - attributes health disparities to environmental causes

Health Disparities

Asthma	Not caused but aggravated	Air pollution
Childhood cancer	Rare, may be multifactorial	X-rays, carcinogens
Brain development	Directly affected, subtle	Lead, PCBs, mercury

Health Disparities

- Health and environment: medical model
 - most “environmental” diseases are rare and result from specific toxic exposures
 - common disorders may be aggravated by environmental exposures but then are usually not recognized as “environmental” disorders
 - more subtle environmental disorders are hard to document and harder for society to accept
 - “environmental sensitivity” and other junk science has complicated this

Health Disparities

- Health and environment: epidemiological model
 - disease is often caused by many factors
 - environmental exposures have influence
 - they are a major factor in some disorders, e.g. asthma
 - they are a minor factor in others, e.g. lung cancer
 - environmental exposures frequently bring out expressions of existing disease

Health Disparities

- Health and environment: ecosystem model
 - people and environment must be in balance
 - health includes mental and spiritual well-being
 - health is affected by environmental disturbance
 - directly: climate change
 - anticipation of chronic illness and risk
 - social disruption, anomie and loss of vitality
 - need to restore balance for people to feel good and communities to heal

Health Disparities

- Despite intriguing arguments, it has been hard to demonstrate that environmental degradation directly affects human health in the absence of toxic exposures:
 - Eastern Europe after Communism
 - traditional societies disrupted by technology or new economy
 - globalization

Right to a Safe and Clean Environment

Is there a Right to a Safe and Clean Environment?

- The UN believes so
 - UN Charter (1945)
 - International Covenant on Economic, Social and Cultural Rights (1966)
- Right to social security, quality of life, material necessities of life
 - a major theme in social democracy
 - mostly rejected by US as one of “inalienable rights” Why?

Right to a Safe and Clean Environment

- In American history, law and tradition, freedom implied freedom of opportunity and therefore the freedom to fail.
- In Continental history, freedom implied freedom from privation.
- Amartya Sen described economic development as “freedom” to make choices without the constraint of want or force

Right to a Safe and Clean Environment

- American tradition has converged with social democracy model twice in history:
 - Franklin Delano Roosevelt’s Four Freedoms, in which he specified “freedom from want”
 - this included “a healthy peacetime life”
 - Now, during rapid globalization: economic freedoms are being recast as social rights
- Environmentalists assume a natural right because of doctrine of custodianship

Franklin D. Roosevelt's Four Freedoms

In the future days which we seek to make secure, we look forward to a world founded upon four essential human freedoms.

- The first is **freedom of speech and expression** --everywhere in the world.
- The second is **freedom of every person to worship** God in his own way-- everywhere in the world.
- The third is **freedom from want**, which, translated into world terms, means economic understandings which will secure to every nation a healthy peacetime life for its inhabitants --everywhere in the world.
- The fourth is **freedom from fear**, which, translated into world terms, means a world-wide reduction of armaments to such a point and in such a thorough fashion that no nation will be in a position to commit an act of physical aggression against any neighbor --anywhere in the world.

That is no vision of a distant millennium. It is a definite basis for a kind of world attainable in our own time and generation.

Right to a Safe and Clean Environment

- Rights are human constructs that arise from social utility:
 - when one party interferes with another, there is a social benefit to a “right”: *applies to an environment free of harmful pollution*
 - when behaviors are needed so that society will self-correct (speech) or to promote progress (property): *applies to safe environment*
- If human beings are custodians, not owners, of the planet, such a right also makes sense.