Environmental hazards are inequitably distributed in the United States, with poor people and people of color bearing a greater share of pollution than richer people and white people. This intuitive idea—think for a moment about the most polluted parts of your region—has been borne out by dozens of studies completed over the past two decades. The disparate impact documented in studies has given birth to the term “environmental racism.” When President Clinton signed an Executive Order on Environmental Justice in 1994, the phenomenon of environmental racism gained unprecedented recognition.

Fueling this recognition is a remarkable rise in grassroots activism communities across the country. Thousands of activists in hundreds of communities are fighting for their children, their communities, their quality of life, their health—and for “environmental justice.”

This book is about both the phenomenon of environmental racism and the movement that propelled environmental racism into national consciousness and forced action at the highest levels of government. The events and strategies chronicled here ultimately developed out of an alliance of grassroots activists, lawyers, other professionals, and concerned citizens whose efforts constitute the broad movement for social and economic justice known as the Environmental Justice Movement. The movement continues to shape environmental policy while creating increased opportunities for marginalized communities to speak out about their own disenfranchisement and the social and economic policies that subject them to daily environmental hazards.

We approach the subject from both an external and internal perspective. The internal perspective looks at the movement from the “ground up”—from the experience of communities that struggle daily with environmental degradation and with their disenfranchisement from the institutions and structures that control their living environments. The external perspective casts a critical eye on the political economy of envi-
ronmental degradation, including the structure of environmental decision making in disaffected communities. We believe both perspectives are crucial to understanding the scope of the problem and the shape of solutions.

These perspectives—internal and external—also mirror our respective positions vis-à-vis the Environmental Justice Movement. One of us has spent more than ten years primarily working with, and providing legal representation to, grassroots groups in their struggles for environmental justice in their communities. The other author is a legal academic who has spent more than five years primarily studying and observing the phenomenon of environmental racism. Our goal in writing this book is to bring together, in one place, an analysis that reflects the disparate elements of the movement for environmental justice and that combines our individual and collective insights.

Our Perspective

In bringing our insights to bear on the subject of environmental racism, we are mindful of the lens(es) through which we view this problem. Both of us are lawyers by training, though our combined experience with communities struggling with environmental degradation has broadened our perspective. Our legal background thus undoubtedly colors, but does not unduly constrain, our analysis. We recognize, and call to our readers’ attention, the rich body of existing literature on this subject, written from a variety of disciplines and viewpoints. However, since so much of environmental decision making is structured by legal institutions, it is important to understand the way in which environmental laws can both contribute to and mitigate the injustice experienced by many communities.

The law, however, is part of a larger social structure. Understanding environmental racism and injustice requires a broader, structural perspective. This broader perspective, what we call the “political economy” of environmental racism, is crucial both to framing the issue and to addressing the injustice so many communities experience. This perspective examines the relationship among economic, political/legal, and social forces as they influence environmental decision-making processes and environmental outcomes. Part and parcel of a political economic perspective on the issue of environmental racism is an understanding of the
experience of people in those communities that bear the disproportionate impact of environmental hazards.

**The Importance of Grassroots Experiences**

The stories of communities like Kettleman City (profiled in the Preface) are spread throughout the book. These stories, or case studies, are not intended to be representative of all aspects of the grassroots movement for environmental justice (though we chose case studies with regional, racial, organizational, and strategic diversity in mind). Rather, our case studies are illustrative of some of the facets of this diverse, complex, and evolving movement, which has its roots in previous social justice grassroots movements. In chapter 1, we trace the origins of environmental justice activism to various social reform movements, such as the Civil Rights and the anti-toxics movements. These movements have sought self-determination and power for different groups and communities much like those profiled in this book.

Grassroots experiences are critical to our understanding of environmental racism and justice for both our internal and our external perspectives. For our internal perspective, grassroots accounts tell a crucial narrative that “reveals the particular experiences of those in social locations, experiences that cannot be shared by those situated differently but that they must understand in order to do justice to the others.”³ Grassroots struggles can help us understand, and “unmask,”⁴ the way in which individuals in disenfranchised communities experience the very social and structural constraints upon which, as we argue in chapter 3, the environmental decision-making process relies. For our external perspective, grassroots struggles are a window into the social relations and processes that underlie distributive outcomes. A view from the ground (or the field) allows us to see the many dimensions of power struggles, the relationships of actors within these struggles, and the role of the legal and regulatory framework in structuring those relationships.

Focusing on the structural dynamics of grassroots struggles, particularly as these struggles interact with the state/public apparatus, also shifts the attention away from individual actors and the fruitless search for clearly identified perpetrators. As we explain in chapter 3, the insistence on establishing a linear, causal connection between disproportionate
outcomes and a “single bad actor” permeates our society’s legal and so-
cial understandings of racism and injustice. This prevailing understand-
ing obscures the forces at work in producing environmental racism, how-
ever, by disaggregating communities and institutions and by isolating
them from their social settings. By looking at the political economy of
distributional outcomes, we hope to articulate a broader causal analysis
and understanding of environmental racism. This broader analysis, in
turn, forces us to go beyond framing the problem as merely a distribu-
tive one—certain communities get an unfair environmental burden—
and to reconceptualize grassroots activism as more than an attempt to
disrupt the decisions of private corporations and state agencies. Instead,
grassroots struggles are a crucial arena in which to restructure social re-
lations through systems of localized environmental decision making.

We map out some of the processes of struggle, in chapter 5, as way of
giving context to the grassroots accounts. In mapping these processes,
we do so with both our own experiences working with and observing
grassroots efforts in mind and with the benefit of countless struggles
memorialized in the impressive, and growing, body of environmental
justice literature. The processes of grassroots struggle involve the formal
and informal mechanisms of environmental decision making and the var-
ious obstacles experienced by community residents after they discover
that a private company or government official has made the decision to
locate an environmentally hazardous facility in their neighborhood.
These processes also involve a community’s decision to organize and be-
come involved in the decisions that shape its lives and health. In their ef-
forts to take control of their environment, grassroots groups inevitably
run up against a system of environmental decision making that was not
designed with their full participation in mind, as our case studies in the
following chapters illustrate. Understanding the structure of environ-
mental decision making, particularly on the state and local levels, where
these struggles occur, is crucial to understanding the motivation, stages,
and strategies of grassroots activism.

Transformative Politics

In portraying and analyzing environmental justice grassroots activism,
we do not intend to reduce grassroots struggles to a new consciousness
on the part of the poor and people of color about environmental concerns, even as that term is broadly construed. What is important about the communities that we portray, and the grassroots movement as a whole, is the self-representation and agency inherent in “speaking for ourselves.” As Giovanna Di Chiro writes, what is “new” about the Environmental Justice Movement is not the “elevated environmental consciousness” of its members but the ways that it transforms the possibilities for fundamental social and environmental change through redefinition, reinvention, and construction of innovative political and cultural discourses and practices. This includes, among other things, the articulation of concepts of environmental justice and environmental racism and the forging of new forms of grassroots political organization. These exciting developments are what we call the transformative politics of the Environmental Justice Movement. This transformation takes place on a number of levels—the individual, the group, the community—and ultimately influences institutions, government, and social structure.

Individuals are transformed through the process of struggle by learning about, and participating in, a decision that will fundamentally affect their quality of life. Using lawyers and other technicians, residents in embattled communities both build upon their knowledge of their community’s environmental problems and acquire knowledge about the substantive and procedural aspects of environmental decision making. Their home-grown, and acquired, expertise empowers local residents and helps them to develop a grassroots base to influence environmental decision making.

The community is transformed by the grassroots environmental justice groups established in the midst of environmental struggles. These groups help to transform marginal communities from passive victims to significant actors in environmental decision-making processes. Grassroots groups are often fighting against a decision already made to place a toxic site in their neighborhood without any negotiation or consultation with those most affected by that decision—community residents. The groups rightly challenge, first and foremost, the legitimacy of the decision-making process and the social structures that allow such decisions to be made without the involvement of those most intimately concerned.

Part of what also empowers individuals and communities to demand
participation in decisions that fundamentally affect their lives is the realization that power relationships within a decision-making structure are fluid and open to contestation. Once this realization takes hold, community residents can move from a reactive mode to one in which they take the initiative and decision makers begin to respond to their concerns. In this way, decision-making bodies—government institutions and corporations—are also transformed. This mutually transformative power dynamic in disaffected communities reveals an important facet of environmental justice politics. That disaffected communities are both vulnerable to disproportionate siting practices and, simultaneously, often successful at halting those practices suggests a paradoxical combination of socially oppressive sociopolitical constraints and self-determining capacities at work in these communities.

The transformation of environmental justice participants, and their local communities, ultimately lies in the forging of coalitions and the networking of grassroots organizations across substantive areas. Environmental justice groups are networking with other groups to provide information and technical expertise to grassroots constituencies on various issues of interest to disenfranchised communities, beyond environmental justice. Because of these networks, residents in marginal communities will continue to shape environmental policy, both locally and nationally, as well as create more opportunities for community input into the spectrum of policy making that affects their material conditions.

**Words Have Power: A Note on Our Terminology**

We use the terms “environmental racism” and “environmental injustice” interchangeably in the book. While “environmental racism” is the better-known term, “environmental injustice” is broader and encompasses both the racial and the class aspects of the political economy at work in communities that face toxic assault.7

We use the term “environmental justice” deliberately. Some government agencies and industry groups prefer the term “environmental equity,” because they feel it “most readily lends itself to scientific risk analysis”8 and avoids those sometimes controversial terms “racism” and “justice.” We use the term “environmental justice” because it both expresses our aspiration and encompasses the political economy of environmental
decision making. That is, environmental justice requires democratic decision making, community empowerment, and the incorporation of social structure—for example, existing community health problems, cumulative impacts of preexisting environmental hazards, the effect of segregative housing patterns—in environmental decision-making processes.

Most important in our concept of environmental justice is the element of democratic decision making, or community self-determination. Current environmental decision-making processes have not been effective in providing meaningful participation opportunities for those most burdened by environmental decisions.9 “Meaningful,” in this context, means substantive dialogue among administrators, experts, and affected communities along with the opportunity for affected communities to influence the decision-making process.10 This means early, direct, and collaborative public participation. More important, it presupposes a power-sharing process in which government is but one party to the ultimate decision or agreement.11

We refer to the “environment” in a broader context than many environmental groups traditionally have defined it, using the Movement definition: the environment is where we live, where we work, where we play, and where we learn.12 Historically, poor communities of color have been marginalized within the environmental movement. These communities view traditional environmentalism as associated with the preservation of wildlife and wilderness—concerns that are just not central to the everyday survival of poor communities and communities of color.13 The Civil Rights Movement, the movement most closely aligned with these communities, also has not viewed environmental concerns as a priority. Consequently, until recently there has been a noticeable dearth of knowledge regarding environmental policy and processes of decision making in disaffected communities. Grassroots environmental justice activists recognize this neglect and are constructing a new meaning of “environmentalism” that links environmental preservation to their material environment and community.

The notion of “environment” for environmental justice groups and networks has come to mean home and community.14 These are the places that need to be preserved and protected from pollutants and other harms. This community preservation principle15 recognizes that the harms that result from the disenfranchisement of the most vulnere-
able communities from environmental decision making are not only health related but include other, broader consequences, such as the reduction of community cohesion, the feeling of powerlessness, and socioeconomic damage that result from the loss of businesses, homes, and schools.

A Final Note: The Focus on Waste

The movement for environmental justice seeks much more than merely to stop the siting of waste facilities, and other locally undesirable land uses in low-income communities and communities of color. Waste facility siting battles are but one aspect of the movement for environmental justice, which also concerns itself with the cleanup of contaminated industrial sites, the elimination of occupational hazards, lead abatement, enforcement of existing environmental regulations, and the guarantee of representation in the environmental decision-making process. The movement for environmental justice is also about creating clean jobs, building a sustainable economy, guaranteeing safe and affordable housing, and achieving racial and social justice.16

Given the diversity of various community struggles, and the complexity of issues represented in environmental decision making, it is difficult to capture, in one place, the multifacetedness of the Environmental Justice Movement. We do not pretend to attempt such a feat. Our structural analysis and profiles of grassroots struggles in this book focus, in large part, on decisions regarding commercial waste facilities. The distribution of hazardous, or potentially hazardous, facilities is important enough to environmental justice issues, and central enough to grassroots struggles, that it deserves the focus of our stories and analysis.

Waste facility siting is also the arena in which a great deal of grassroots action takes place. It is no coincidence that some of the first major environmental justice studies to chart disproportionate impact focused on commercial waste facilities. These facilities can pose great risk to human health and the environment and are the subject of ongoing public scrutiny and concern. Moreover, the siting of hazardous waste facilities is at the heart of the anti-toxics movement, a movement that, as we explain in chapter 1, is an important predecessor to the Environmental Justice Movement.
The stories, analysis, and lessons contained here are equally applicable to other types of environmental justice struggles, and indeed to social justice struggles in general. On one level, the issues are the same—community empowerment, the structure of institutional decision making, policy reforms that address our most vulnerable communities. It is our hope that the lessons learned in the communities we profile, and the analysis offered here, can be translated into, and replicated within, other struggles for justice.