

**Smoke in the Skies,
Bread on the Table**

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Spring 2001

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“Smoke in the skies means bread on the table.” Folk saying, in Timney, 1998

“This facility represents a risk that grownups willingly bear for the common good. It isn’t abusive, or exploitative, it won’t give your children cancer, and we need it. Grow up.” Policy analyst Michael O’Hare, in Rabe, 1994.

“The choice, after all, is ours to make. If, having endured much, we have at last asserted our ‘right to know,’ and if, knowing, we have concluded that we are being asked to take senseless and frightening risks, then we should no longer accept the counsel of those who tell us that we must fill our world with poisonous chemicals. We should look about and see what other course is open to us.” (Carson 1962)

Environmental Justice – a brief history

Although popular concern for environmental quality is commonly believed to have begun only during the past few decades, the roots of environmental protection in the United States are much older. As early as the 1830s, Americans had begun developing zoning and takings laws to protect themselves against urban and industrial activities that threatened their quality of life (Camacho 1998). Nearly a century and a half later, society was reawakened to such risks, with revelations of the problems at Love Canal. Widespread interest in the story helped to fix toxic dumpsites near the top of mainstream American fears.

The modern environmental movement, emerging from an era of concern for civil rights and anti-war protests, began as a reflection of the concerns of middle-class whites. The post-war boom had provided them a measure of comfort and security that many believed should be extended to others. Yet in spite of early political gains, minorities continued to face problems of unemployment, poverty and substandard housing. Few felt they could “afford the luxury” of environmentalism in the face of such immediate concerns (Sandweiss 1998).

Such attitudes gradually changed. In 1979, minorities in Houston filed a civil rights suit to protest a dump siting in their neighborhood, in what has come to be considered “the parent of environmental justice litigation” (Foreman 1998). Three years later, an African American community in Warren County, North Carolina mobilized to protest the placement of a PCB landfill near their homes (Low 1998). Not long afterwards, an EPA study found evidence to support allegations that class and race discrimination existed in the location of commercial waste facilities. The report was first to call disproportionate exposures of poor and minority communities an “environmental inequity” (Sandweiss 1998). When the United Church of Christ (UCC) published their 1987 study on the correlation of toxic waste and minority communities, the concept of “environmental racism” became a rallying point for activists, and the environmental justice movement was officially born (Low 1998). A substantial body of research and commentary has emerged since then, both supporting and contradicting the movement’s central message, that patterns of environmental hazards and risk match those of social inequality.

Justice as a problem for environmentalism

The conventional environmental movement, distanced by both time and experience from the struggles of the 1960s, proved reluctant to embrace these concerns. At a meeting between mainstream groups and local activists in Los Angeles, citizens were told that contamination of their neighborhoods with dioxins and other hazardous chemicals was about community health, rather than the environment (Stephens 1998). Urban environments were considered to exist outside of (or in contrast to) natural ecology, the “real” focus of environmentalism. The

mainstream movement had established its political presence by exploiting images of “charismatic” species and a blue-green earth floating in space. Its intellectual foundations came from ecological science, which was not especially interested in urban areas. Moreover, the movement tended to consider environmental problems in terms of extinction; this led environmentalists to focus on absolute, rather than *distributed* quality (Dobson 1998).

Of course, no movement can be all things to all people. Inevitably, choices must be made to maximize limited economic and political resources. Like any successful movement, environmentalism chose to pursue issues that resonated with the membership. Yet, although the movement drew support from a sense of collective responsibility and risk, it had made little effort to expand membership in terms of either class or race. Its leadership reflected this narrow base, opening the movement to charges of elitism (Collin 1995).

The movement has long been criticized for claiming that “everyone suffers equally from environmental degradation” (Dobson 1998). Though the Brundtland Commission had argued that poverty could be a source of damage, and that relative wealth determined access to environmental quality, the movement itself never addressed such issues (Bullard 1994). As it grew further from the struggles of the 1960s, the base of the movement drifted away from concerns about inequality. This reluctance to reconsider distributional issues, as well as the fact that the movement’s base was itself unlikely to experience inequity, meant that mainstream environmentalism generally ignored issues of justice (Camacho 1998; Dobson 1998).

Another significant factor was the movement’s evolution to large-scale organizing. As environmentalists gained influence over national policy, they tended to move away from grassroots activism. At the same time, a certain ambivalence towards politics began to emerge. One of the central critiques raised by environmentalism has been that ecological realities are largely ignored by policymakers. Many would prefer that environmental scientists be allowed to guide policy, even to the exclusion of economic and social interests, who are seen as inherently biased and self-serving (Lee 1993). This is not an unusual (nor unexpected) attitude – any political actor can be expected to wish for policy agendas that clearly reflect their interests. Yet the mainstream’s shift away from the grassroots also meant that a distance began to emerge between local and national perceptions and goals. Community stakeholders came to be seen as barriers to effective policy, while national environmental groups were often considered to exploit the poor and minorities to further their own agendas (Harvey 1996). While mainstream groups were sensitive to the danger these new activists presented, few seemed aware of the potential they offered to rejuvenate and expand the environmental movement.

Definitions

“Finding justice and doing justice is a continuous human task. It is the activity which in any society gives politics and the law their purpose. ... It has to do with what we are, what we do and what we say” (Low 1998).

Whether founded on faith in divine, natural or conventional laws, justice has been a major concern throughout human history. Concepts such as fate, fairness, harmony, and irony are all based on ideas of “what is due.” Yet when the forces driving events are believed to be outside of human power, they are often easier to accept; as Schopenhauer observed, suffering due to the “arbitrary will of another” is more painful, and therefore resented (cited in Reich 1991). Thus, reform and revolution periodically attempt to redirect the force of law toward a different sense of “just deserts.” Even so, the goal of justice relies on other ideals as well: that contracts, freely

entered, be honored; that justice be meted impartially; or that all are equal before the law (Mill 2000).

The rise of participatory forms of governance and the expansion of suffrage have made issues of justice critical to the function of society, even as they have become more contentious. Justice has come to relate not merely to the workings of a higher order, but to the “distribution of benefits or burdens” between individuals (VanDeVeer 1994). Fairness requires that hardship be shared or minimized, when it cannot be avoided. If costs are shown to be disproportionately borne by a given group or individual, the question becomes to what degree those persons were able to participate in the processes that led to either their distribution or mitigation. Therefore, “environmental justice” relates not only to uneven impacts resulting from the implementation of environmental policy (Kraft 1995), but also to the forms of participation involved in such outcomes (Low 1998).

The phrase “environmental racism” refers to a perceived discrimination in the enforcement of environmental laws and the siting of waste facilities and polluting industries. The 1987 UCC report blamed such patterns on a history of minority exclusion from environmental groups and decisionmaking bodies (Pinderhughes 1996). Yet whether the distribution of environmental hazards follows poverty or race is largely irrelevant. What matters is whether such patterns are equitable or just, and whether those that bear the burdens are able to participate. Because modern environmentalism has developed alongside the global spread of democracy, economic growth and interdependency, environmental equity can refer to distribution domestically, internationally, and even across generations (Kraft 1995). As societies gain experience with participatory government, perceived fairness will become an important factor in the sustainable implementation of environmental protection.

Critiquing the Evidence

Environmental justice advocates face other barriers, as well. Even before studies by the EPA and the UCC, many researchers had tried to establish the extent of environmental inequity (White 1998). Claims of environmental racism have proven most difficult to defend, as the association between race and toxics is generally weaker than that of poverty and hazards (Foreman 1998). Race and poverty are themselves highly correlated, confounding the ability to make clear conclusions, especially considering the important role of economics in siting processes.

Although there have been many claims and counterclaims, clear-cut evidence for either side is rare. One of the most comprehensive critical reviews was completed in 1995 by Christopher Boerner and Thomas Lambert. Their study (itself not without flaws) highlighted several deficiencies in environmental justice research. The first of these related to the way in which minority communities were defined; most studies simply compared the percentage of minority residents to national figures. While the appropriateness of this method may be debated, it meant that many “minority” communities were in fact still predominantly white. Moreover, because status was designated by percentage, the actual number of persons affected could be dramatically different than such labels might indicate.

The authors also argued that the common practice of basing units of analysis on zip codes creates aggregation errors, as the postal system was not developed to reflect socio-economic patterns. A University of Massachusetts study, based on census figures, concluded that waste facilities are more likely to be sited in industrial neighborhoods in which white families outnumber minorities. Unfortunately, Boerner and Lambert did not provide this citation, so that

research designs and results could be reviewed. Still, should the study stand up to scrutiny, it would present a strong contradiction to claims of environmental racism.

Boerner and Lambert also criticized environmental justice advocates for failing to offer evidence that living near a facility results in *actual* risks, pointing out that US environmental regulations are “among the most stringent of any industrialized country in the world.” Again, while this may be true, a central claim of the movement is that environmental regulations have been selectively enforced. Indeed, Boerner and Lambert themselves referred to a 1992 National Law Journal study that verified disparities in EPA penalties in white and minority communities, but presented no studies or evidence to contradict those findings.

The authors also argued that preventing hazardous facilities from being sited in minority communities leads to greater harm, as employment opportunities are reduced. This is a common claim of polluting industries, which typically ignores arguments that poor communities should not be placed in the position where these facilities are the only opportunity available (Harvey 1996; Dobson 1998; Low 1998).

Finally, Boerner and Lambert presented the critique that environmental justice analyses have not considered the population of communities at the *time of siting*. If evidence were to show that minorities moved to those neighborhoods only after the facilities were introduced, the authors may have a solid critique of many environmental justice studies. Yet migration of poor families to such areas (as land values fall after the siting of a facility) still does not address another question – how much of emissions are a function of technological limits, and how much are based on externalizing avoidable costs onto the politically and economically weak? While it is inevitable that the costs of prevention will sometimes genuinely exceed benefits, equity requires extra-economic oversight of the process (White 1998).

Instead, Boerner and Lambert offered that political solutions are “probably not in the best interest of minorities and the economically disadvantaged,” as such groups typically lack political power. This missed a few key points – first, local participation in planning and development processes is one of the central goals of the environmental justice movement; and second, that markets offer even fewer opportunities for the poor to meaningfully participate. By creating “facts on the ground” prior to participation such as litigation (which is often priced out of the hands of the poor), reliance on economic solutions erodes liberal democratic principles.

Although Boerner, Lambert and others appear to present substantial critiques of environmental justice claims, it has been observed that many skeptical studies were in fact funded by waste-related industries” (Goldman 1996; Heiman 1996; Low 1998). Moreover, while the statistics may remain in contention, clear anecdotal evidence showing bias exists. Perhaps most notorious is Cerrell Associates’ 1984 report to the California Waste Management Board, Political Difficulties Facing Waste-to-Energy Conversion Plant Siting. Advocating a policy of identifying communities least likely or able to resist the siting of incinerators, they observed that “[a]ll socioeconomic groupings tend to resent the nearby siting of major facilities, but middle and upper socioeconomic strata possess better resources to effectuate their opposition” (Bullard 1994; Szasz 1994).

In the end, it is largely irrelevant whether any proven injustices are due to conscious or unconscious actions, present or past. The issue at hand is whether and how citizens, businessmen and politicians act to correct such patterns (Camacho 1998; White 1998). Even should they prove to be coincidental, the inability to ensure equal protection is still a failure. No

society founded on the principle of “liberty and justice for all” should be willing to support, or even accept, such inequity.

Siting and Resistance

The most common critique of the environmental justice movement is that it merely represents local self-interest, often pejoratively labeled NIMBYism (Not In My Back Yard¹). For others, the movement is an attempt by ‘chemophobes and environmental fanatics’ to destroy the foundations of the industrial economy (Rabe 1994). These beliefs have led business interests and policymakers to limit citizen participation to the late stages of planning, after most significant decisions have already been made. Even when public input is sought, projects are often presented as “take-it-or-leave-it,” a tactic that has understandably left many with the sense that public hearings are “empty rituals,” more form than substance (Szasz 1994).

Such approaches often end up fulfilling industry’s worst assumptions. Facing limited avenues for participation, community members are left with few alternatives but to try to block facility siting (Rabe 1994). But instead of trying to include local citizens, company reactions have often been to ask state policymakers to preempt local control, taking authority from those institutions most likely to respond to local pressures (Szasz 1994). Using legal instruments such as preemption and eminent domain, siting decisions are imposed, nullifying any opposition (Rabe 1994). Yet even where such tactics have been successful, they have often bred resentment against both industry and government, making later cooperation increasingly difficult.

As mentioned previously, companies have also tried to avoid conflict by identifying communities which are unlikely to resist, due to poor education, lack of political power, or economic necessity (Pinderhughes 1996). But emergence of the environmental justice movement has shown just how tenuous such strategies have become. Moreover, as fears of exposure spread, local resistance is often joined by those living along transport routes with concerns about spills and emergency response planning (Clifford 1998). In today’s social and political climate, strategies based on avoiding people are unlikely to be successful (Szasz 1994).

Another common strategy is for industry to offer side payments and employment guarantees to reduce community resistance. Governments have often supported such efforts, where the costs and risks of site selection, negotiation, and facility operations are borne by private companies (Rabe 1994). Such “market-based” approaches are believed to create fewer distortions and have somehow come to be seen as less political. The reality is that economic strategies have several flaws, each with deep political implications.

First of all, waste facilities do not automatically lead to increased employment – workers may choose to commute, rather than live near the site (Timney 1998). More importantly, compensation packages are discounted almost immediately, as property values typically fall after plants are introduced and local neighborhoods are considered less desirable (Boerner 1995). Because economically optimal site selection is based on lowest costs, local property values tend to be depressed anyway. This exacerbates the challenges faced by residents, who then are less able to “vote with their feet” and leave undesirable neighborhoods (Stephens 1998). Because minority and low-income families are often faced with discriminatory practices such as redlining, their position in “purely” economic siting processes is much weaker than other socio-economic

¹ Many similar terms have been coined as well, including BANANA (Build Absolutely Nothing Anywhere Near Anything), NOPE (Not On Planet Earth), NIMEY (Not In My Election Year), NIMTOO (Not In My Term Of Office), PIITBY (Put It In Their Backyard), and WIMBY (Why In My Backyard) (Boerner 1995) (White 1998).

groups (Bullard 1994). Moreover, even when families are able to sell and move away, they simply shift their misery to those with even fewer resources.

The environmental justice movement is acutely aware of these dynamics. Though economists often describe money as a neutral means of measuring value, the poor and minority know they will lose in any interaction based on its exchange. Because environmental quality is distributed according to the *ability* to pay, petty compensation may be accepted by the poor, but refused by the wealthy, who are unlikely to sacrifice amenities “at any price” (Harvey 1996, Dobson 1998). Choosing sites only according to least-cost criterion means that facilities will be inevitably located in communities which are willing to accept the lowest settlement price (Szasz 1994).

Even if compensation were to more fairly reflect the loss of value, it often involves single-time payments, with little or no consideration of future residents. The inequities resulting from lowered property values and the risk of toxic exposure then reach across generations, adding another dimension to environmental justice concerns (Low 1998). Though wealth, and perhaps poverty, may be ephemeral, many of the substances being produced by industrial society are not. Despite isolation in waste repositories or dilution into the ecosystem, many of these chemicals still pose threats to public health and the quality of life.

Regulation and Risk Assessment

Environmental regulations are not universally seen as positive, even within the environmental justice movement. Some, such as legal activist Luke Cole, believe that siting in marginalized neighborhoods represents a successful implementation of laws which were “designed to protect the ‘haves’ at the expense of the ‘have-nots’ (Foreman 1998). Others have considered regulations as little more than justifications for exclusionary zoning. Regulations are also widely believed to increase costs generally, adding to the challenges of finding affordable housing and employment (Collin 1995).

While such allegations may hold some truth, perceptions of environmental regulations are still problematic. This stems in part from the belief that environmental concerns should not limit “progress” and intervention is appropriate only once damage has occurred (Harvey 1996). It can also lead to situations where those most vulnerable to degraded environmental conditions are effectively used as “canaries in the mines” (Stephens 1998). To avoid such problems, efforts are made to measure hazards *a priori*. Working from dosage responses to probable exposures, scientists in both the public and private sectors make risk assessments, which then inform calculations of expected costs and benefits.

One assumption of this approach is that “the dose makes the poison” – in other words, that all substances are believed to cause harm at certain levels. From this, it follows that distinctions between toxic and nontoxic materials are irrelevant (O'Brien 2000). Yet although it is true that hazardous substances (many naturally occurring) have been used for centuries, the past several decades have seen a dramatic increase in both the number and toxicity of such materials. Industry supporters may argue that public resistance is based on “baroque” understandings of risk (Rabe 1994), but the reality is that chemicals are regularly used without a clear understanding of their interaction with living organisms (Reich 1991).

Because citizen organizations do not typically command resources of the same magnitude as industry, their ability to contest risk assessments is limited. Industry, in turn, faces strong incentives to convince the public that exposure to their chemicals is entirely safe (O'Brien 2000).

The process is made more difficult by the fact that assessments are based on conventions that are in turn based on cultural values and policy decisions, as well as scientific knowledge (Pollak 1995). As it is also often easier to “limit” risk through optimistic assessments than by altering current practices, the importance of oversight and transparency is paramount (O'Brien 2000).

The Right to Know

In 1597, Francis Bacon observed that “knowledge itself is power.” Today, the truth of this is revealed by the effects of right-to-know laws on the behavior of industry (Collin 1995). Even before siting proposals are presented, efforts must be made to raise public awareness of hazardous waste cycles, including the conditions that guide site selection and the range of available options (Rabe 1994). Bringing planning and siting decisions into the public arena requires that choices be *made*, not assumed. By making decisionmaking public, value choices are laid bare, revealing players and their interests. Requiring the disclosure of hazardous materials inventories sensitizes industry to potential liability, forcing them to reconsider, even redesign processes of production and disposal (Timney 1998). Finally, when communities believe themselves to be fully aware of the nature of the trade-offs involved, they may be more willing to participate in constructive dialogue with planners and developers.

That formal legislation was required to force industry to operate more openly reveals a reluctance on the part of companies to engage citizen groups. A history of confrontation has left companies with the belief that community activists are generally bent on preventing change, even when it might offer significant local benefits. Environmental justice has usually been considered as merely another constraint that must be “dealt with” while pursuing other goals (Foreman 1998). As noted earlier, industry has often reacted by attempting to override public opinion, something that only serves to further deepen divisions. The strength of right-to-know and disclosure laws is that they encourage industry to work with citizens to develop consensus based on *dialogue*, rather than simple exchange.

However, though laws may have opened a door, they have not guaranteed that such approaches will be successful. When preferences appear to be threatened, misgivings about the motives or reliability of either party can stall the process (Rabe 1994). Demand for risk reduction can be manipulated through public relations, which may dissolve local resistance without mediating the actual conditions of risk (Low 1998). Achieving equitable development based on the participation of all affected parties requires that procedures be developed to make decisionmaking processes transparent, as well. No matter whether priorities are “well-established, ill-established, transitional, or controversial,” they must still be justified (Wenz 1988).

Participation & Sustainability

Despite the promise offered by increased transparency, establishing a public record is only one step. Without a willingness to make genuine concessions (e.g. damage mitigation and compensation, or ombudsman positions in facilities management), expanded participation is unlikely to be genuinely meaningful. A major difficulty is that what participation actually means is often interpreted differently by different actors. Activists tend to see it as a means to achieve democratic control over their own lives (Rabe 1994), while industry and government consider it a means for creating stable, proceduralized channels for local feedback (Szasz 1994).

At the same time, public bureaucracies have often given greater weight to the opinion of technical specialists. While this is especially true in the United States, similar tendencies have been observed in European nations (Brickman 1985). These governments will typically defer to “expert advisory committees” to establish that policy decisions are taken for technical, rather than political reasons (Reich 1991). This managerialist approach is intended to insulate policymakers by basing regulatory policy on rational, objective knowledge, but critics argue that it is often used as merely a delaying tactic. Confronted with claims of discrimination, both government and industry typically call for further study (Sandweiss 1998). While it is clearly important to establish the validity and extent of a problem before implementing costly remedies, citizen groups have often felt their testimony is marginalized by such processes (Hofrichter 2000).

Shifting to expert domains enables governments to internalize the debate, *depoliticizing* risk assessment and siting decisions by transforming them to administrative issues (Low 1998). Genuine democratic politics are seen as a barrier to “proper, rational, and sensible” regulation (Harvey 1996). Yet reliance on utilitarian approaches also serves to validate the status quo of production and distribution processes. In doing so, it also focuses attention away from critical perspectives, limiting debates about risk to location, rather than necessity. The result is a sort of “organized irresponsibility,” in which both public and private interests continue to rely on industrial processes that have been shown to be both unsafe and unsustainable (Low 1998). Indeed, such practices may be the root of much that is criticized by the environmental justice movement – the distribution of hazards is as likely to be affected by those options that are never considered as by any conscious effort on the part of industry and regulators (Crenson 1971).

If sustainability is to have any real meaning, policymakers must consider not only ecological and economic factors, but stable and equitable social conditions as well. Rather than merely regretting that citizens have lost faith in the system, both industry and government need to develop ways to assure them that their opinions are heard and acknowledged (Pollak 1995). Sustainable environmental planning requires that decisionmaking needs to adapt to include not only broader stakeholder involvement, but ethical management principles, as well (Collin 1995). Perhaps most importantly, governments must use “defensible principles of justice” when imposing burdens on communities and individuals (Wenz 1994). Environmental policies will not endure without continued public support. Guaranteeing a clean and healthy world requires that issues of fairness be addressed.

Justice as an Opportunity for Environmentalism

“Environmental quality is a central aspect of wellbeing for individuals and communities, and it is therefore a critical question for justice.” (Low 1998)

“In the final analysis, much of what animates environmental justice advocacy is an abiding hunger for livable communities.” (Foreman 1998).

These quotes represent two ways in which the interrelation of environmental quality and social justice can be considered. The first argues that our ideas of fairness and equity be expanded to include the distribution of environmental goods and bads. The second may be more directly relevant to the mainstream environmental movement. There are currently about 5,000 grassroots groups that actively protest environmental hazards in their communities (Stephens 1998). Mainstream organizations, having experienced a decline in support since the early 1990s, might regain their lost energy by working harder to incorporate the perspectives and interests of those groups. As noted earlier, environmentalism has long been accused (with some validity) of narrowly representing middle and upper-class interests. If mainstream groups can learn to include (or return to) working class environmental concerns, they may tap into an important source of support for pollution prevention and reduction.

In more than one sense, the environmental justice movement represents a return to origins. As a grassroots phenomenon, it reminds government and mainstream groups that participation is not only essential to democracy, but also critical to the faithful implementation of environmental policy. By re-concentrating attention on the effects of industrial toxins on the quality of human life, the movement revisits the roots of environmentalism itself. Although such grassroots efforts could never be monolithic, it is fair to say that environmental justice activists share the goal of ensuring equal protection from hazards, and a belief that civic participation in planning and development is central to achieving such justice (Sandweiss 1998, Schlosberg 1999).

Even when environmental hazards are shown to be distributed according to the normal function of the economic system, the problem of equity remains. That the system has unintended or unfair consequences should not be merely accepted, but confronted. Institutions that encourage or condone the deterioration of environmental quality and human health by turning them into marketable commodities need to be revealed and reformed (Hofrichter 2000). While society may place great value in the artifacts of modern society, it cannot afford to ignore the other half of the product cycle.

If environmentalism is to offer a genuine critique of the current productive system, it must propose alternatives that do not merely divert or hide damage, but actually prevent it. In the long run, the issue is not about distribution, but of fundamental changes in the systems of production. Relying on economic growth to provide more resources for compensation only reinforces the very processes that generated the hazards to begin with (Dobson 1998). Until society can find ways to achieve economic gains without net environmental or social losses, environmental protection efforts may be little more than rearranging deck chairs on the Titanic.

Caveats

While such a goal may be noble, or even essential to any movement towards true sustainability, dramatic changes are unlikely to appear anytime soon. Toxic substances are ubiquitous in modern life – each year, American industry produces more than a ton of hazardous waste for

every citizen (Rabe 1994). The law of diminishing returns may place real limits on how far effluents can be eliminated without incurring greater costs than benefits. Moreover, because any action can have unintended consequences, reforming the production system may simply exchange today's hazards for a different set of problems. The real challenge for environmental justice reform is to development measures to reduce those second-order consequences (Reich 1991).

There are many within mainstream organizations who fear expanding environmental goals to include justice and equity. Grassroots advocates only seem interested in the environment to the degree that it can be seen in terms of human justice (Dobson 1998). They argue that the environment needs to be redefined in community-based terms – as “the place you work, the place you live, the place you play” (Stephens 1998). But interpreting environment so broadly as to include employment, housing, and education may dilute the force of the movement. There is no evidence as yet to suggest that such social welfare goals can be effectively achieved through environmental policies (Foreman 1998).

Others, critical many environmental justice claims, have asked whether diverting resources from current efforts may cause greater harm (Boerner 1995). To the degree that local activism is inspired by misunderstandings and misrepresentation of actual risks, environmental justice may direct public attention away from critical problems that are eroding health in their communities (Foreman 1998). Though grassroots groups have often focused on the potential for waste spills, the reality is that only five percent of transported hazardous materials are waste products (Clifford 1998). It seems fair to question why activists are less concerned about the potential danger of virgin hazardous materials being used and transported daily.

Including environment in a broader conceptions of equity may have some utility, but may also ignore long-term effects. NIMBY activism that decreases the number of disposal facilities while leaving demand for their services untouched will inevitably result in a shortage of waste processing capacity. Combined with rising real costs (due to cost internalization efforts), current forms of production could be negatively impacted. While this could be seen as a positive environment for the emergence of cleaner technologies, it is unlikely that such a shift would be painless, nor that the patterns of reward would not change. This would doubtlessly generate resistance, despite gains for society as a whole. For those already facing unemployment and poverty, marginal shifts in environmental quality may seem insignificant.

At the same time, grassroots activists may find themselves in a losing battle with wealthier NIMBY groups. While the motive behind such efforts may be to create livable communities, they serve only to shift the location of risk, in lieu of substantial structural change (Stephens 1998). Unless the environmental justice movement is able to generate broad social support for industrial reform, increasing the “risk consciousness” of the middle and upper classes may boomerang (Low 1998). Programs intended to distribute risk uniformly are likely to be vigorously resisted by those who have been able to insulate themselves thus far.

This danger is not restricted to domestic arena, either. Successful local protectionism could be easily converted to increased globalization of waste and risk. Given current favoritism of trade concerns over sovereign protections, this seems a likely outcome; the combination of competition and survival already encourages industrialized states to “trade” waste to developing states with few options but to accept whatever economic “opportunities” present themselves. Both grassroots and national environmental organizations must learn to transcend “politics of place” to push for comprehensive reforms in the production of risk. Parochial NIMBYism,

concerned with the *allocation* of risk, is neither a just nor sustainable solution (Low 1998). Building an inclusive domestic movement is not enough. Activists must take great care that their efforts do not result in merely shifting the externalities of this society onto others. If it is an injustice that certain communities in the United States face greater risks because of a lack of political power, it must also be true when it occurs at the global level. To be successful, the environmental justice movement must address the larger issues of globalization.

In doing so, environmentalists must become sensitive to the cultural and institutional conditions particular to each society. While the principles underlying ideals such as participation and openness may be universal, they are unlikely to be achieved in the same way across all contexts. Transparency laws that may be very effective in wealthy industrialized countries, may not transfer easily to societies with low educational levels and where citizen lawsuits are rare or non-existent. Pursuing environmental justice at the international level requires that the social, political, and economic conditions faced by those most at risk be considered foremost.

In the end, achieving justice with sustainability will require fundamental changes in governance processes, including increased awareness of environmental conditions and the evolution of responsive civil institutions at both domestic and international levels. Local citizen groups must strive to prevent their efforts from being limited to mere protectionism, building solidarity with other communities at risk, at home and abroad. Sustainable environmental justice will also require the integration of ecological principles into systems of extraction, production and consumption, as well as critical review of historical and structural patterns of wealth and inequality, including reform of property rights laws that protect some at the expense of others. Equity is the product of both process *and* outcomes.

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