

# The Fight Against Environmental Racism

By Richard W. Franke

*This is the latest installment in our Signs of Sustainability series, organized by Sustainable Tompkins. Visit them online at [www.sustainabletompkins.org](http://www.sustainabletompkins.org).*

This is the third essay on the topic of environmental racism in this series. The first appeared in Tompkins Weekly on Dec. 8, 2014, and the second on Jan. 26, 2015. Both were based mostly on the United Church of Christ's reports linking toxic waste and race, the first one published in 1987, then updated in 2007.

We saw that the UCC's 2007 update report, titled "Toxic Wastes and Race at Twenty: 1987-2007," had observed local progress where activists had built strong organizations but overall a stagnating, possibly even worsening over representation in exposure to harmful chemicals by people of color in the U.S. The 2007 report statistically confirmed one of striking findings of the initial document: race remained a strong predictor of the location of toxic waste sites even after other variables were taken into account.

It is likely that most environmental justice activists were not surprised by the findings in either report. Decades of segregation in housing and jobs, and racism in the criminal justice system were weighing down on efforts to fight local power structures. Some white allies had begun drifting away after the success of the Civil Rights Act of 1964 and the Voting Rights Act of 1965. The movement needed powerful support from forces bigger than local community activism alone.

Local activists of color had acquired some support from Title VI of the 1964 Civil Rights Act that forbids discrimination in local government agency projects or actions involving federal funds. But in April 2001, the U.S. Supreme Court effectively gutted Title VI. In an Alabama case called *Alexander v. Sandoval*, the court ruled 5-4, with Justice Scalia writing the majority opinion that claims of discrimination require proof of intent. Since intent is difficult to prove, often requiring explicit racist statements, Scalia and the other conservative justices drastically reduced the potential for anti-discrimination court action.

Environmental justice advocates, nevertheless, made some progress through political alliances and pressure in pushing for more action from the Environmental Protection Agency (EPA). In 1994 President Clinton issued Executive Order 12896, mandating federal agencies to incorporate environmental justice into all their work. Although not all federal agencies rallied immediately to the order, many state governments did issue various environmental justice calls, established statewide monitoring units and engaged in other actions. Today all 50 states have some form of environmental justice law, executive order or other policy document.

In 2005 Bush era EPA Administrator Stephen Johnson attempted to undue most of the potential of the Clinton executive order by dropping race as a factor in identifying priorities—an action directly in conflict with the overwhelming statistical and scientific data turning up in reports such as those by the UCC. A storm of criticism forced Johnson to back off, but the Bush era EPA continued its weak approach to racial equity in enforcement.

President Obama began resuscitating the agency after his election in 2008 by appointing African-American chemical engineer and experienced environmental official Lisa Jackson as EPA Administrator. She immediately announced that environmental justice would be a high priority for the agency which then developed a set of guides and guidelines for identifying and mitigating environmental

injustice. Current administrator Gina McCarthy has renewed that pledge. The weight of the EPA now pushes towards federal action but community activists remain critical of the slow pace of change.

On Feb. 10, 2014, President Obama issued a proclamation celebrating the 20th anniversary of Clinton's executive order. In a paper on "Milestones and Accomplishments: 1964-2014," Texas Southern University re-searcher and Dean Robert Bullard and colleagues noted many accomplishments of the environmental justice movement but concluded nonetheless that "much more is needed to ensure that all Americans enjoy healthy, livable and sustainable communities." Bullard is one of the creators of the term "environmental racism" and a long-time advocate for ending this injustice.

The connection between fighting against environmental racism and fighting for all Americans has always been central to environmental justice activism despite the need to emphasize eliminating racial disparities in exposure to toxic chemicals. In 2013 four economists at the University of Massachusetts, Amherst and Hampshire College published a paper in the *Social Science Quarterly*, a mainstream journal in which they reported results of an EPA grant-funded study of some patterns of inequality in exposure to industrial air toxics in urban America. Their study compared census data with location based toxic exposure data from the EPA. They found that exposure to industrial air toxics among

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the best elements of the original Broadway show: the boys and girls of “Spring Awakening” are both helpless children and undercover rock stars, stepping out of the formal narrative scenes to wail and writhe with the kind of recklessness that can only emerge when adults aren’t watching.

Spring Awakening plays through July 11. Visit [www.hangartheatre.org](http://www.hangartheatre.org) for tickets and more information.

## *Racism*

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whites was greater where racial

inequality in exposure was greater, concluding that environmental justice would be good for whites, especially low-income whites.

Their findings are academically interesting but also significant for all of us, especially children. Recent studies in Texas, Michigan, Los Angeles and Louisiana show strong connections between air pollution and low student test scores—sometimes partly explained by asthma and its impact on attendance. Research indicates that pollution induced asthma effects have been underestimated and that much more needs to be learned. Other recent studies have found links between air pollution and

autism, attention-deficit hyperactivity disorder, dyslexia and other cognitive impairments. These are tentatively explained by exposure to neurotoxins (including lead).

Overcoming environmental racism will help ensure that all of our children will be free of chemicals that harm their development and that all Americans will be more likely to enjoy healthy, livable and sustainable communities.

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