



Geographies of race and ethnicity II: Environmental racism, racial capitalism and state-sanctioned violence

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Abstract

In this report I argue that environmental racism is constituent of racial capitalism. While the environmental justice movement has been a success on many levels, there is compelling evidence that it has not succeeded in actually improving the environments of vulnerable communities. One reason for this is because we are not conceptualizing the problem correctly. I build my argument by first emphasizing the centrality of the production of social difference in creating value. Second, I review how the devaluation of nonwhite bodies has been incorporated into economic processes and advocate for extending such frameworks to include pollution. And lastly, I turn to the state. If, in fact, environmental racism is constituent of racial capitalism, then this suggests that activists and researchers should view the state as a site of contestation, rather than as an ally or neutral force.

Keywords

environmental racism, racial capitalism, state violence

I Introduction

We need to rethink environmental racism. The environmental justice (EJ) movement arose in the early 1980s and over the last 35 years activists have succeeded at blocking both new projects and the expansion of existing ones. However, it is questionable if the environments of vulnerable communities have actually improved through EJ. There is compelling evidence that environmental disparities between white and nonwhite communities, what I call the environmental racism gap, have not diminished and that the situation may have worsened (Bullard et al., 2007). EJ scholars have hinted at why the movement has failed to achieve substantive results, including industry capture

of the state (Faber, 2008; Lievanos, 2012; Holfield, 2007); state co-optation of EJ activists (Harrison, 2015); and a less oppositional EJ movement (Carter, 2014; Benford, 2005). Yet, I argue a fundamental problem characterizing both EJ activism and research is the failure to theorize environmental racism as a constituent element of racial capitalism. Numerous problems stem from not conceptualizing the problem accurately, including not giving sufficient weight to the ballast of past racial violence, and

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assuming the state to be a neutral force, when, in fact, it is actively sanctioning and/or producing racial violence in the form of death and degraded bodies and environments.

My goal in this essay is to reposition environmental racism so that it is recognized as fundamental to contemporary racial capitalism. Although the environmental justice movement is global, I focus on the US. Besides originating in that country, it is in the US that EJ has most fully articulated a racial framework and relied heavily on the state. Hopefully other researchers will apply and modify this framework to other parts of the world as appropriate. Developing a more radical analysis of EJ places it in closer conversation with political ecology (Holifield, 2015; Heynen, 2015), the environmentalism of the poor (Nixon, 2011), and other radical streams emanating from the Global South. In addition, I hope to further acquaint geographers with research on racial capitalism coming from critical ethnic studies scholars, such as Jodi Melamed, Lisa Cacho, and John Marquez, as well as geography's own Ruth Wilson Gilmore. Although I focus on environmental racism, I believe other parts of the social formation share structural parallels that might benefit from a similar analysis.

In order to build my argument I first briefly demonstrate the limited gains of the EJ movement. I then consider how racial capitalism produces environmental racism by elaborating on three points. First, I emphasize the centrality of the production of social difference in creating value. Second, I review how the devaluation of nonwhite bodies has been incorporated into economic processes and advocate for extending such frameworks to include pollution. And lastly, I turn to the state. If environmental racism is indeed a function of racial capitalism, then the state immediately becomes problematic in new ways. This is crucial because in the US most activists and researchers are steeped in a liberal politics in which they work *with* the state. Instead, the state must become a site of

opposition, as it sanctions racial violence. In order to move forward both as a movement and scholarly field, we must rethink environmental justice.

II The environmental racism gap

While nobody has compared the difference in environmental quality between white and non-white communities, numerous researchers have assessed the efficacy of state-based EJ initiatives. Key to understanding EJ efficacy is what I call the 'environmental racism gap'. Recent scholarship has called attention to 'environmental privilege', which seeks to problematize the environmental quality enjoyed by more privileged populations (Park and Pellow, 2011). In contrast, the environmental racism gap highlights the persistent *inequality* between white and nonwhite communities. This gap, which is manifest in practices, regulations, and outcomes, requires discerning between universal and EJ regulations. Universal regulations seek to improve the environment across the board, such as the Clean Air Act. Despite neoliberal deregulation (Faber, 2008), there has been some progress over the last 40 years. For example, researchers have documented significantly increased lung function in youth as air pollution has declined (Gauderman et al., 2015). In contrast, EJ initiatives are intended to protect vulnerable populations and address the problem of differential exposure, especially concentrations (Noonan, 2015). This requires different tools, often called environmental justice.

Below, I present some of the key avenues in which EJ activists have sought relief from the state (see Pulido et al., 2016, for a fuller discussion). Studies typically are narrowly focused in order to produce a rigorous and detailed analysis. Though such an approach is the norm and entirely appropriate, seen individually it obscures larger patterns. Seen collectively, however, it is difficult to escape the conclusion of failure.

The first arena in which activists have appealed to the state is through lawsuits. To date, eight EJ lawsuits have been filed based on the Equal Protection clause of the 14th amendment to the US Constitution. All have failed. The primary problem is the inability to prove discriminatory intent – a requirement of a 2001 Supreme Court decision (*Alexander v Sandoval*), which contracted the definition of discrimination. A second register is Title VI Complaints. Under the Civil Rights Act, public agencies receiving federal funds are prohibited from discriminating. As of January 2014, activists had filed 298 Title VI complaints with the EPA, yet only one has been upheld – a success rate of 0.3% (see also Deloitte Consulting, 2011; Mank, 2008; Gordon and Harley, 2005).¹ A third and distinct sphere of state engagement is Executive Order 12898. This order, issued by President Clinton in 1994, requires all federal agencies to consider the EJ implications of their activities. A 2003 Civil Rights Commission evaluation of the implementation of EO 12898 by the EPA, Housing and Urban Development, and the Departments of Transportation and Interior found that all four agencies had failed to fully incorporate EJ into their activities (see also Gross and Stretesky, 2015; Guana, 2015; Noonan, 2015).

A fourth site for the reproduction of environmental racism is regulatory enforcement. Though definitive assessments cannot yet be made, there is strong evidence to suggest discriminatory enforcement along racial lines, especially in Latina/o communities (Konisky, 2009; Konisky and Reenock, 2013; Lynch et al., 2004; Mennis, 2005).² Finally, EJ initiatives have been developed in over 30 states (Targ, 2005). These offer a microcosm into the consistent refusal and/or inability to reduce the environmental racism gap. This was apparent, for example, in California's Global Warming Solutions Act (AB 32), in which it was knowingly decided to continue allowing pollution concentrations' in vulnerable communities as part of a

larger effort to reduce global warming (London et al., 2008, 2013; Lievanos, 2012).

III Environmental racism and racial capitalism

Failure on such a scale cannot be resolved by tinkering with policy. While geographers typically attribute such dynamics to neoliberalism (Faber, 2008; Holifield, 2007), this is only part of the story. For instance, what is the connection between court decisions that contract the definition of discrimination and neoliberalism? Pellow (2007) is one of the few to combine political economy and race in his analysis of transnational pollution, although Heynen (2015) has made some important moves in this direction. I build on Pellow's work as well as research from critical ethnic studies to argue that environmental racism is part of racial capitalism.

Ethnic Studies scholars have long grappled with the relationship between racism and capitalism (Barrera, 1979; Marable, 1983; Almaquer, 1994). Cedric Robinson coined the term racial capitalism in *Black Marxism: The Making of the Black Radical Tradition*. First published in 1983, he argued that racism was a structuring logic of capitalism. His work did not initially circulate beyond a small circle of scholars (e.g. Kelley, 1990; Gilmore, 2007), but the rise of critical ethnic studies (Márquez and Rana, 2015) has introduced a new generation to it. While this is new to some (Bonds and Inwood, forthcoming; Driscoll Derickson, 2014; Ruiz, 2015), there is, in fact, older geographic scholarship that sees capitalism as deeply racial (Wilson, 1992; Blaut, 1993; Woods, 1998; Gilmore, 2002). Thus, the ideas are not necessarily new. What *is* new is the term, the intellectual moment, and the political urgency. The time is ripe for a deep engagement with racial capitalism.

A focus on racial capitalism requires greater attention to the essential processes that shaped the modern world, such as colonization, primitive

accumulation, slavery, and imperialism. As McKittrick notes, ‘the geographic management of blackness, race, and racial difference (and thus nonblackness) hinges on a longstanding but unacknowledged plantation past’ (2011: 953). By insisting that we are still living with the legacy of these processes, racial capitalism requires that we place contemporary forms of racial inequality in a materialist, ideological *and* historical framework.

Dominant historical narratives of racism locate its origins in European colonization. Robinson (2000) challenges this notion by documenting its prior roots in Europe. This is key, because although he and others, such as Melamed (2015: 77), insist that, ‘capitalism *is* racial capitalism’, this historicization suggests that racism predates capitalism and therefore can be used by diverse economic systems, including colonization and slavery. Indeed, to treat colonization, for example, as solely an economic process is not to fully grasp its human impact, logic, or legacy (Said, 1979; Blaut, 1993; Fanon, 1965; Galeano, 1973; Blackhawk, 2008). We can never overlook the fact that racial ideology (along with guns) enabled colonization. Though conquest and domination were not always the sole motives, the elaborate ideology that constructed indigenous people as less than fully human was entirely necessary for the colonial project. Indeed, Smith (2012) has suggested the genocide is the core logic driving colonization. In the case of the US and other settler societies, colonization led to massive land theft, which was not only a form of primitive accumulation, but also became the basis of those countries’ national territories at the cost of native nations (Hixson, 2013).

Earlier debates sought to reconcile racism and capitalism (Wilson, 1992; Barrera, 1979; Almaguer, 1994), but critical ethnic studies and its precursors insist that race cannot always be contained by capitalism (Omi and Winant, 1986; HoSang et al., 2012; Roediger, 2008; Lipsitz, 2006). Though racism has been and is

deployed to facilitate maximum accumulation, racism can also exceed the desires of various fractions of capital. Consider the overt racism of the contemporary US Republican Party, which is arguably counter to the desires of much of multicultural corporate America (Melamed, 2011). Given the variability of racism to capitalism, I consider the production of difference and value as the most fundamental point of connection. Accordingly, this should be the starting point for EJ analyses.

I Producing difference and value

The centrality of value to capitalist production is well-known. But there are multiple ways of conceptualizing value, and by extension, differential value. Differential value refers to the production of recognized differences that result in distinct kinds of values. These differences in value become critical in the accumulation of surplus – both profits and power (Cacho, 2011; see also Gilmore, 2002). Just as uneven space is essential to the unfolding of capitalism (Harvey, 2001), human difference is essential to the production of differential value.

Relationality is key to the production of differential value (Cacho, 2012: 13). For example, whiteness derives its meanings and value from various forms of nonwhiteness, which Cacho and Barrett call a kind of negativity. Negativity is important because it ‘forms the ground of possibilities for value’ (Barrett in Cacho, 2012: 13). While this is familiar terrain for critical human geographers (Anderson, 1987; Kobayashi and Peake, 1994), it is rarely reflected in empirical geographic work. Instead, most of us examine racial outcomes without considering racial production. Analyzing racial production is not merely a theoretical exercise however. Rather, it informs how a problem is conceptualized, and thus shapes political strategy. Indeed, focusing on a particular racial/ethnic group, rather than racial capitalism, per se, may lead to improved conditions for some,

while overlooking capitalism's incessant need to actively produce difference *somewhere*.

Capital can only be capital when it is accumulating, and it can only accumulate by producing and moving through relations of severe inequality among human groups – capitalists with the means of production/workers without the means of subsistence, creditors/debtors, conquerors of land made property/the dispossessed and removed. These antinomies of accumulation require loss, disposability, and the unequal differentiation of human value, and racism enshrines the inequalities that capitalism requires. (Melamed, 2015: 77)

By theorizing the racialized production of differential value, racial capitalism illuminates not only the inevitability of environmental injustice, but the structural challenges facing activists.

2 Operationalizing nonwhite devaluation

Theories of racial capitalism highlight how racial difference is produced and how that relative valuation gets operationalized. This means not only how ideas and practices of devaluation circulate, but how they become institutionalized, and the implications for the racially subordinate and dominant. There are many ways racism can be harnessed by economic processes. I will mention two that are widely-acknowledged as manifestations of racial capitalism: land and labor.

Land is thoroughly saturated with racism. There are at least two primary land processes to consider: appropriation and access. Appropriation refers to the diverse ways that land was taken from native people, as previously mentioned. Once land was severed from native peoples and commodified, the question of access arose, which is deeply racialized. Numerous laws and practices reserved land ownership for whites. Indeed some groups, such as Asians, actually lost land they once owned (Ruiz, 2015; Curry, 1921).

Differential value is also produced and extracted via racialized labor systems – black chattel slavery being one of the most profound examples. Smith (2012) asserts that slavery is one of the key logics of white supremacy: the ability to commodify human beings. Understanding slavery's history and ballast enables us to appreciate the extent to which devalued black bodies, to paraphrase Ta-Nehisi Coates, have financed both whiteness and the American Dream (2015: 132), and I would add global white supremacy (da Silva, 2007). Recent research reveals the economic contributions of slavery to the US economy and infrastructure, as well as the extreme violence necessary to maintain such a system (Baptist, 2014; Johnson, 2013; Wilder, 2013; for a critique, see Hudson, 2016). Upon slavery's conclusion, numerous legal and de jure forms of labor discrimination and exploitation limited the life chances of non-white workers while boosting the opportunities and status of white ones (Roediger, 1991). Dual-wage systems, racially-exclusive labor unions, racialized divisions of labor, share-cropping, and related practices ensured a vulnerable supply of low-wage workers (Barrera, 1979; Saxton, 1995; Almaguer, 1994; Kelley, 1990; Woods, 1998). Racialized economic policy has amplified these effects, as seen in the 1935 National Labor Relations Act's limited protections for occupations dominated by African American, Mexican, and Asian workers. More recently, Gilmore (2007) has shown how the problem of surplus labor, which is disproportionately nonwhite, has been 'solved' by the rise of the prison industrial complex.

Just as labor arrangements and economic and social policy are constitutive of economic formations, so too are ecologies of resource extraction, processing, and disposal. Many EJ policies and scholarship conceptualize both racism and waste practices as externalities, rather than as fundamental to the very fabric of racial capitalism. Yet if racism is continually creating differential value, it is only logical that capital (and

other nondemocratic economic systems) would incorporate this uneven geography of value into its calculus. As Pellow has noted,

the production of social inequalities by race, class, gender, and nation is not an aberration or the result of market failures. Rather, it is evidence of the normal, routine, functioning of capitalist economies. Modern market economies are supposed to produce social inequalities and environmental inequalities. (2007: 17)

Industry and manufacturing require sinks – places where pollution can be deposited. Sinks typically are land, air, or water, but racially devalued bodies can also function as ‘sinks’. Taking this a step further, Moore (2015) has argued that capitalism is a way of organizing nature. Specifically, capitalism functions by restructuring nature. And since humans are nature, we must recognize that capitalism is reproducing itself by restructuring humans on a cellular level. This has nothing to do with malicious intent (Pulido, 2000) and other liberal conceptions of racism. Rather, this is capital acting upon a larger differential valuation (Pellow, 2007), or, in the recent case of lead-contaminated water in Flint, Michigan, the neoliberal state, both of which are part of the ‘ecology of capitalism’ (Moore, 2015).

3 Environmental racism as state-sanctioned racial violence

This brings us to the state. If environmental racism is part of racial capitalism, then its regulation becomes the province of the state. Kurtz (2009) has observed that the racial state has been overlooked by EJ scholars. Fortunately, researchers have begun analyzing state programs and practices, showing how the state needs to be problematized (Holifield, 2007; Harrison, 2015; Konisky, 2015). Earlier I presented literature indicating that the state has not seriously sought to intervene in the environmental racism gap. Indeed, the state is deeply

invested in *not* solving the environmental racism gap because it would be too costly and disruptive to industry, the larger political system, and the state itself. Instead, the state has developed numerous initiatives in which it goes through the motions, or, ‘performs’ regulatory activity, especially participation (London, Sze, and Lievanos, 2008; Kohl, 2015), without producing meaningful change. The problem is not a lack of knowledge or skill, but a lack of political will that must be attributed to racial capitalism. Environmental racism must be seen in the context of a long line of diverse forms of state-sanctioned violence that facilitates racial capitalism.

The fact that it is disproportionately people of color who are bearing the burden of industrial pollution enables industry to continue despite a mounting death toll. Márquez calls this devaluation of people of color a ‘racial state of expendability’, which he describes as ‘[a] fundamental and existential life devaluation, a perpetual susceptibility to obliteration with legal impunity’ (2013: 44). This concept illuminates how racism underwrites industrial activity not only through profits, but also through subsidized goods and services for all. Legal impunity is key, as it helps explain why there is no meaningful action to address the environmental racism gap which, in turn, underscores the centrality of environmental racism to racial capitalism. As scholars are beginning to show – the state refuses to implement *meaningful* initiatives in order to maintain racial capitalism. Capital does not have to actually address environmental justice issues because it knows there will be minor, if any, sanctions. Indeed, bureaucrats seek to avoid the anger of conservatives by not enforcing the law (Kates, 2014). The state is not about to dismantle this ‘ecological service’ that allows firms to remain competitive in the global marketplace. When we put together these two facts – the devaluation of people of color, plus capital acting with legal impunity – environmental racism must

be understood as state-sanctioned racial violence.

So what does this mean for EJ? There are implications for both scholars and activists. In terms of activism we need to change how we view the state and our relationship to it. Far too often the state is seen as an ally, or neutral force. Indeed, even when people lose faith in the state, they often still turn to it because there is no other apparent alternative. Much of the EJ movement has become too implicated in the state itself. What is needed is to begin seeing the state as an adversary that must be confronted in a manner similar to industry. This suggests a two-pronged struggle, against both polluters and the state, which will certainly not be easy.

For researchers, our task is not only to develop a research agenda that recognizes the degree to which environmental racism is a function of racial capitalism, but one that is also linked to the needs of vulnerable communities. Environmental racism will not be solved by a research agenda that reaffirms the boundaries and frameworks established by the Environmental Protection Agency. Indeed, we should help expose the fraudulent nature of the state, how it has sought to co-opt EJ communities, its support of racial capitalism and its willingness to forsake poisoned communities. Together, we can generate new strategies to rebuild a movement that truly works towards environmental justice.

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1. Calculated from the EPA website, 'Complaints Filed with EPA under Title VI of the Civil Rights Act of

1964'. Available at: <http://www2.epa.gov/ocr/complaints-filed-epa-under-title-vi-civil-rights-act-1964> (accessed 15 July 2015).

2. For contrasting views see Ringquist (1998); Atlas (2001).

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