

BIVALENT ENVIRONMENTAL JUSTICE AND THE CULTURE OF POVERTY

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ABSTRACT

Can a single analytical theory reconcile environmental justices' conflicting paradigms of redistribution, which focuses on socio-economic status, and recognition, which focuses on historical and present institutional racial discrimination? Robert Melchior Figueroa argues that a bivalent conception of environmental justice can unify these two the two conflicting paradigms. This new conception of environmental justice allows us to better study the effects of environmental values and practices on the ways we treat one another. By focusing on the bivalent nature of environmental justice, theorists avoid trivializing the effects of historical and present institutional discrimination against minorities, which are often overlooked by theorists who focus completely upon socio-economic issues. This bivalent approach encourages theorists to incorporate cultural, economic, and locational relations into the study of our environments, broadening the environmental justice debate to reach more issues than just the fair distribution of environmental burdens and benefits.

This paper presents an exploration of the bivalent approach to environmental justice and its relationship to the culture of poverty in three main parts. The first part illustrates the tensions and implications of the redistribution-recognition problem by examining Nancy Fraser's model for contrasting the paradigms. The second part examines the duality of the environmental racism debate from the bivalent environmental justice perspective. The third part suggests implications that a bivalent approach to environmental justice would have on the culture of poverty, as well as on mainstream culture and on racial and ethnic minorities, given the requirements of environmental justice as a transformative form of justice.

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I. INTRODUCTION

Like many other theorists, I believe recent justice theory is split into two general camps according to two distinct paradigms of justice: distributive justice¹ and justice from the politics of recognition. The distributive justice camp focuses on the fair distribution and redistribution of material goods and burdens in a society. On this account, the cultural characteristics of the society largely follow from the material distributions. The distribution paradigm is the dominant paradigm, so embedded in the philosophical and political tradition of justice that most people could not imagine framing justice otherwise. More recently, we find the justice of recognition, camp emerging from principles of self-determination, identity recognition, and democratic participation. According to this camp, justice requires us to recognize differences among social collectivities through the equal and fair participation in social and political processes. From this viewpoint, cultural institutions and habits determine the conditions for the distribution of material goods and burdens. The project of distinguishing these two paradigms of justice is not as innocuous as describing two phenomena; rather, the causal explanations and descriptions of social phenomena and social collectivities generate an inherent competition between the two paradigms-- the typical approach to this debate being "either distribution or recognition." Nancy Fraser calls this the *redistribution-recognition problem*, and I will apply her model in my approach to environmental justice.²

In this paper, I argue that environmental justice is a distinctive form of justice that requires a synthesis of distributive justice and recognition justice, and therefore presents an example of how we may carry out a dialectical solution to the justice theory dichotomy. This kind of justice Fraser calls *bivalent justice*. My paper presents an exploration of the bivalent approach to environmental justice and its relationship to the culture of poverty in three main parts. The first part gives a brief sketch of Nancy Fraser's model for contrasting the paradigms of justice, in order to illustrate the tension and implications of the redistribution-recognition problem. In the second part of the paper, I focus the lens of bivalent environmental justice in several turns: by looking at one angle of the environmental racism debate, by taking a new perspective on the duality of the justice paradigms, and by shining some light on the different facets of environmental justice exemplified in several cases. The third part suggests some implications the bivalent environmental justice would have on the culture of poverty, as

¹ Throughout this paper, I will interchange the terms "distributive justice" and "redistributive justice" with reference to one specific justice paradigm. While these terms refer to the same concept, I reserve the use of "distributive justice" as a means to remain consistent with the common use of this term in philosophical and political literature. However, I also reserve the term "redistributive justice" in respect to Nancy Fraser's use of the term and when I use her characterization of the *redistribution-recognition problem*. Thus, I will always refer to the "distributive justice" paradigm or "distribution," unless I am referring specifically to Nancy Fraser's theory or characterization, when I will use "redistributive justice" or "redistribution." These characterizations can be found in Fraser, Nancy: *Justice Interruptus: Critical Reflections on the "Postsocialist" Condition* (New York: Routledge, 1997) hereafter *Justice Interruptus*, also "Social Justice in the Age of Identity Politics: Redistribution, Recognition, and Participation," *Tanner Lectures on Human Values* (Spring 1996) hereafter, *Tanner Lectures*.

² Fraser, *Tanner Lectures*, p.2.

well as the mainstream culture and racial and ethnic minorities, given the requirements of environmental justice as a transformative form of justice.

II. FOUR PARADIGMATIC CONTRASTS IN THE REDISTRIBUTION RECOGNITION PROBLEM

Fraser presents four central contrasts that characterize distribution and recognition as separate paradigms: the two paradigms address different types of injustices, propose different remedies for the injustices, maintain different notions of social collectivity, and maintain different accounts of difference.³ These four contrasts compose the root-structure of the redistribution-recognition problem. In concert, the four contrasts produce a tension wherein attempts to achieve the advantages of one paradigm block the advances in the other paradigm. The goal is, therefore, to solve the redistribution-recognition problem by devising a way of understanding the two paradigms as workable together, rather than undoing or reducing one to the other. I believe providing an accurate description of the paradigmatic contrasts is an important start for identifying theoretical problems in the environmental justice movement, and subsequently, for bringing a solution to the tension between the two interpretations.

The first contrast pertains to the distinct understandings of injustice. The politics of distribution addresses complex socio-economic injustices, including labor exploitation and living conditions, economic marginalization in terms of being denied access to and/or facing confined employment options, and the effect of being deprived of an "adequate material standard of living."⁴ The politics of recognition, on the other hand, focuses on injustices that relate to cultural and social patterns of "recognition, interpretation, and communication."⁵ Recognition injustices may include cultural domination through patterns of interpretation and communication of one's culture by another cultural perspective that may be different enough to coerce assimilation; non-recognition in the sense that critical cultural perspectives are rendered socially and politically invisible, in part, as an effect of the cultural domination; and, disrespect via stereotypical norms and cultural representations in everyday interactions.⁶

The second contrast between the paradigms lies in their proposed remedies for these types of injustices. In Fraser's account, justice in distribution calls for socio-economic restructuring that "might involve redistributing income, organizing the division of labor, subjecting investment to democratic decision-making, or transforming other basic economic structures."⁷ The politics of recognition, on the other hand, promotes remedies that require "cultural or symbolic change."⁸ These remedies are found through a revaluation of the disrespected cultures and identities, a promotion of cultural diversity that raises devalued cultures without assimilatory cultural coercion, or a promotion of a more dramatic overhaul of our sense of identity and culture altogether.

³ Fraser, *Tanner Lectures*, p.4.

⁴ *Id.*

⁵ Fraser, *Tanner Lectures*, p.5.

⁶ *Id.*

⁷ Fraser, *Tanner Lectures*, p.5 and *Justice Interruptus*, p.15.

⁸ *Id.*

The third contrast pertains to "different conceptions of collectivities."⁹ The distributive paradigm defines collective subjects chiefly in terms of economic class. Collective subjects stand in some critical relation to the political-economy through the means of production or market values. In contrast to this, the politics of recognition race, gender, and sexuality are dominant examples of culturally defined status. Moreover, the ways in which these identities overlap are accounted for in terms of cultural, not economic, status. These cultural collectivities and the ways in which they suffer unequal social statuses are not presumed to be reducible to economics from the politics of recognition.

The last critical contrast between the paradigms exhibiting the redistribution-recognition problem is that group differences are explained from contrasting approaches. Distinct from the third contrast, which is directed at what signifies or constitutes social collectivities, this fourth contrast is about what makes one collectivity different from others and the value of such differences. From the distributive paradigm, differences are understood as unjust or inequitable differences that should be extinguished. Inequality and inequity are therefore products of an unjust political economy. The elimination of difference in this regard is a turn toward universalist and assimilationist forms of ideal equality that we find contrasted with an ideal of diversity as described in philosophies articulating the politics of recognition.¹⁰ In this case, difference should not be eliminated and assimilated; instead, difference must be treated and respected as a background condition for justice that plays a directive role in understanding a social ontology. Recognition of difference (understood in a range of nuanced ways) is the linchpin for the politics of recognition, analogous to the role that the fair distribution of goods (also variously understood) plays for distributive justice. Difference may be regarded as a feature of identity to be celebrated and embraced as a means to achieve cultural and self esteem and to overcome social injustices, while difference may also need deconstruction of various imposed meanings of identity simultaneously in order to address the social injustice. On both of these approaches to recognition politics, difference is often contrasted to the assimilationist and universalist ideals of distributive equality. Thus, difference for the politics of recognition is essential to a valued cultural diversity.

In sum, the two main paradigms of justice may be distinguished according to their construal of understanding and remedying injustices, as well as their construal of the constitution of collectivities and the significance of the differences between collectivities. The redistribution-recognition problem evolves as a result of contrasting approaches to these four modes of justice theory. In addition to these four central contrasts, Fraser also presents a heuristic study of the paradigmatic collectivities that would illuminate her contrasts.

⁹ Fraser, *Tanner Lectures*, p.5.

¹⁰ Young, Iris Marion: *Justice and the Politics of Difference* (Princeton: Princeton University Press, 1990), p.158.

III. TRANSFORMING JUSTICE FROM THE ENVIRONMENTAL RACISM DEBATE

I have argued for some time that¹¹ the environmental justice movement suffers from a version of the redistribution-recognition problem, of which various parts of the environmental racism debate of the 1990's are examples. Like other scholars, I think people of color and the poor are collectively the greatest sufferers of environmental injustices, and activism and scholarship should be working toward the understanding and amelioration of these injustices. However, the environmental racism debate often turned out to be a display in dueling experts syndrome. Scholars and activists behaved as if the whole resolution of environmental injustice could be settled by cracking the secrets of demographic codes, determining whether it is zip codes or census measurements that would answer the race versus class debate once and for all. I propose stepping back and looking at the ways in which these debates represent problems of justice theory in general. Let us begin by assessing one argument in the environmental racism debate, in order to show that the dichotomy of paradigms has been both reified and a distraction from the underlying insights of environmental justice-- the fusion of paradigms into a bivalent perspective.

A. ONE ENVIRONMENTAL RACISM DEBATE

To be sure, there are more sophisticated discussions in the environmental racism debate that also disclose the redistribution-recognition problem. For example, there is the debate over whether or not forms of institutional racism that get discussed in the variety of cases are too broad to effectively address environmental injustices. This intuition concedes the existence of institutional racism, but claims that it is a less useful concept for bringing about moral accountability than citing the economic motivations of actions, and it distracts us from the effective distributive solutions to the injustices.

In this particular environmental racism debate there are at least three ways that racism may be institutionalized: *structurally*, *habitually*, and by *perpetuating ongoing racist legacies*. Structural racism pertains to the practices of institutions within a social superstructure. Here, racist institutions may include the legal system, legislation, governments, schools, or other structural institutions that may disadvantage a racial or ethnic group on the basis of a doctrine that claims members of one racial or ethnic group are less deserving of goods and opportunities than members of other groups. Segregation policies restricting the right to vote, racial residential zoning, and policies restricting entrance to public facilities on the basis of race or ethnicity illustrate structural racism.

Habitual racism identifies a meeting point between individual and institutional racism. In habitual racism, one is so acclimated to acting in a racist manner that one

¹¹ Figueroa, Robert Melchior: *Debating the Paradigms of Justice: The Bivalence of Environmental Justice* (Ann Arbor: University Microfilms International, 1999); also, Figueroa, Robert "Teaching for Transformation: Lessons from Environmental Justice," in *The Environmental Justice Reader: Politics, Poetics, and Pedagogy*, eds. Adamson, J., Stein, R., and Evens, M., (Tucson: University of Arizona Press, 2002); and, Figueroa, Robert and Mills, Claudia: "Environmental Justice," *A Companion to Environmental Philosophy*, ed. Jamieson, D., (Oxford: Blackwell Publishers, 2001), pp.426-438.

need not think about the act to do it. In addition, habitual racism may signify institutional racism when we speak of practices guided by policies, laws, or customs.

Past racist acts and past racist institutions may set the stage for the perpetuation of an ongoing legacy of racism. The effects of past institutions may leave a racial or ethnic group in a disadvantaged social position, such that a present judgment, act, or practice may reify and sustain the disadvantage of members of the racial or ethnic group even in the absence of any immediate racist intent or policy. The present judgment may appear racially innocuous, but in fact serves to extend or transmit the effects of racism or racial discrimination prevalent in a past institution. The institutional racism of ongoing legacies is not bound by a particular institution, it is infused throughout societal institutions.

A number of scholars would maintain that, while these institutional forms of racism exist, it is better for us to avoid focusing on racism and to look instead at the socio-economic character of individuals and collectivities involved in environmental justice issues. Let us consider two scholars, Vicki Been and Peter Wenz, to represent this position.¹² Their commitment to the distributive paradigm leads them to avoid the troublesome analysis of institutional behavior by judging the cases according to the socio-economic criteria. For Been, market forces provide a better determination of individual choices, than the underlying injustices of racism that may support the socio-historical backdrop. For Wenz, locating the source of environmental injustice in class discrimination and distributive disparity would resolve the bulk of charges of environmental racism without ever actually having to address the unseemly issue of blaming those involved for racist acts. Of course, the first thing to notice is that these writers are not exactly rejecting the charge of environmental racism, but rather maintaining that distributive justice entails a different and more useful interpretation of the problem. Despite the willingness to admit that racist practices may have created a situation in which minorities are more vulnerable targets for environmental burdens, Been and Wenz are more interested in reducing the recognition problems to socio-economic criteria, where individual intentions can be read as mere market decisions or moral examples of double-effect.

However, those charging environmental racism neither see the issue as one of merely aiming for socio-economic classes and hitting people-of-color communities. Nor do they think that an appeal to market forces offers a full description of the nature of individual decisions that are tinged with racial discrimination through the web of social institutions. By focusing too much on socio-economic issues and impacts, historical and present institutional discrimination against minorities can be trivialized and the concerns of misrecognition and continued cultural injustices go ignored.

From this it seems equally sensible to offer a competing analysis of environmental racism from the politics of recognition. If we do, then we can see that institutional racism is clearly at work in the decision-making policies. For instance, the practice of siting hazards by least resistance indicates two types of institutional racism. First, the practice often contributes to the ongoing legacy of past racist institutions. If the socio-economic status of minorities is a result of past racist acts and institutions, the

¹² Been, Vicki: "Market Force, Not Racist Practices, May Affect the Siting of Locally Undesirable Land Uses," *At Issue: Environmental Justice*, ed. J. Petrikin (San Diego: Greenhaven Press, 1995), p.41. And, Wenz, Peter S.: "Just Garbage," *Faces of Environmental Racism: Confronting Issues of Global Justice*, 2nd ed., ed. L. Westra and B.E. Lawson (Landham: Rowman & Littlefield Publishers, Inc., 2001).

least resistance policy contributes to continuing socio-economic inequities between whites and minorities by carrying on the legacy of past racist acts and institutions. In addition, the least resistance policy endorses habitual racism by accepting and expecting that minorities will be the concentrated poor. The responsible party may be habituated to dumping on minorities via dumping on the poor, and assume that it will take time for minorities to attain upper socio-economic status. Until then, one may reason, these are the members of our society who happen to be the concentrated poor. This reasoning may defend itself by claiming that another group will eventually take the place of the poor minorities. Of course, this defense can only be rational to a person who sees nothing morally wrong with discrimination against the poor, but we do not need to go there right now.

Consider this discussion from the point of view of the politics of recognition. The background injustice is racism; explicit forms of individual racism, as well as forms of institutional racism, like structural racism in zoning and public facilities and other laws, that once existed. Over time, the forms of racism change into different, more subtle, forms of habitual racism, so that the compounded injustices or distributive results may still rightly be judged according to the background injustice of racism. Moreover, the politics of recognition would stipulate that remedying the injustice would have to occur by overhauling racist institutions, including those institutions, policies, and practices that serve to perpetuate the burdens of ongoing legacies of racism. This would include institutional practices that compound the background injustice by treating it as merely the by-product of legitimate socio-economic decision making. With regard to the identity of the collectivity, the politics of recognition stipulates that our collectivities are clearly designated in terms of cultural-status identity, and the desire is to further understand and emphasize the complexity of the cultural identity (the race or ethnicity) as a means of identifying and ameliorating the injustice, in this case environmental racism.

Thus, the redistribution-recognition problem is present in this discussion of individual versus institutional moral justification. The history of the institutions themselves serves to structure the contextual frame of the injustices and, in the case of environmental racism, the distributive-economic analysis works to blot out the history of racism, that very history which provides the contextual frame of the problem. The bottom-line for the environmental racism debate, when regarded from the recognition paradigm, is that the historical and institutional context is not justifiably separated from the individual's social and moral judgments.¹³ Given that racism is present in the historical struggles and institutional conditions of these cases, both the residents who come to a burden and those who site the burdens are constructing their decisions from their historical and experiential social relations with these histories and institutions.

¹³ This point about the distributive paradigm and institutional history is made famous by Iris Marion Young's key thesis in *Justice and the Politics of Difference*, in which she points out that institutional histories provide us with the background conditions and structures for who gets what and why. Distributive accounts, she argues, tend to manipulate the policies and consider distributive principles, but rarely question the social arrangements and status-recognition that institutions assume. Young brings this consideration into environmental justice contexts in her article published with Christian Hunold, "Justice, Democracy, and Hazardous Siting," *Political Studies* (1998). This point is also emphasized by Bill Lawson in his "Living for the City," *Faces of Environmental Racism: Confronting Issues of Global Justice*, eds. L. Westra and B.E. Lawson (Lanham: Rowman & Littlefield Publishers, Inc., 2001, 2nd ed.).

The moral intuition of scholars from purely distributive and market forces analysis separates the socio-historical context of racism from the disparate distribution of environmental burdens upon minorities and the poor. Hopefully, you see the redistribution-recognition problem, the pulling and conflict of the paradigms of justice, turning about in this debate.

B. A SOCIAL THEORETICAL ANALYSIS

My suggestion is to develop a bivalent approach to environmental justice to get around this problem. Let us try to discuss The Environmental Racism Debate (broadly construed) at a level of analysis where we raise the question of how economy and culture can be treated as inter-related without generating the disassociation and conflict represented by the redistribution-recognition problem. Fraser calls this the *social-theoretical level* of analysis; it insists upon understanding economy and culture as "interpenetrating" and "thoroughly imbricated with one another."¹⁴ Fraser introduces two helpful conceptual dualisms, *substantive dualism* and *perspectival dualism*, in order to help us to understand that both economic and cultural practices have irreducible dimensions of the other.

Substantive dualism treats the two paradigms as if they pertain to different societal domains, like an appeal to different spheres of justice. One domain can be called "an economic domain," relating to redistribution and concerning economic matters like market structure; the other can be called a "cultural domain," relating to recognition and concerning matters like media stereotypes of minorities and like images sustained by public (and private) attitudes. I argue against substantive dualism with its "spheres" approach, because the bifurcation severs economic practices from cultural practices. As Fraser observes, "what presents itself as 'the economy' is always already permeated with cultural interpretations and norms. Conversely, what presents itself as 'the cultural sphere' is thoroughly permeated by economic imperatives and differentials. In neither case, therefore, are we dealing with separate spheres."¹⁵ Thus, it is a mistake to treat cultural injustices and economic injustices separately and one at a time rather than simultaneously. I agree with Fraser's conclusion that, "Substantive dualism is not a solution to, but a symptom of, our problem. It reflects, but does not critically interrogate, the institutional differentiations of modern capitalism."¹⁶

From perspectival dualism, however, we are expected to treat *every* social practice as simultaneously economic and cultural. Here, the economic and the cultural "constitute two analytical perspectives that can be assumed with respect to any domain."¹⁷ Instead of reinforcing the dichotomy of economism, the view that social injustices can be reduced to economic practices, and culturalism, the reduction of social injustices to cultural practices and attitudes, perspectival dualism is directed at both paradigms. In effect, perspectival dualism is an approach that would critically analyze an injustice by disclosing and deconstructing the economic features of that injustice typically assumed to be cultural, as well as disclosing and deconstructing the cultural features of that injustice typically assumed to be economic. Perspectival dualism

¹⁴ Fraser, *Tanner Lectures*, pp.20-21.

¹⁵ *Id.* at 23.

¹⁶ *Id.*

¹⁷ *Id.*

operates to keep the two paradigms active, non-reducible, and mutually critical. A focus on one paradigm does not mean that the other paradigm is at any time "turned off" in the analysis. To tinker with and focus on one paradigm in an analysis is to call attention to the interpenetration of the two paradigms, and therefore to indicate a reconsideration of the alternative paradigm once any refocusing is carried out.

C. THE COLLECTIVITY FACET

Viewing environmental justice through the lens of perspectival dualism requires this non-reductive approach that serves to disclose the analytically distinct and mutually imbricated character of economy and culture. There are several facets of environmental justice that pave the way to perspectival dualism. First, it is difficult to give a thorough description of the *collectivities* involved in environmental justice cases without also describing the bivalent character of any collectivity. This is perhaps most pronounced in the environmental racism debate. Scarcely a description of an environmental racism case, whether stressing the distributive or recognition paradigm, fails to indicate that the subjects of concern are communities of color *and* poor communities. To state the concern as a distributive issue for people-of-color communities *and* poor communities is to show that these communities are treated similarly in many respects because they share characteristics that make them particularly vulnerable. These shared characteristics have to do with social locations where the residents suffer from disparities in environmental burdens, as well as social and political exclusion resulting from attitudes and institutions that undermine equal participation. Declaring that environmental justice concerns minority *and* poor communities also indicates the analytically distinct character of economy and culture, by showing that poor communities may be distinct from people-of-color communities. For instance, making the point that middle-class black communities in some regions are more likely than neighboring poor white communities to receive environmental burdens indicates the importance of addressing cultural values attached to racism. But it also indicates an interpenetration of economy and culture in that race and poverty share a link in the question of who suffers a disparate distribution of environmental burdens. This is partly because they are mired in the same web of attitudinal and economic struggles against institutional practices, and partly because the subject of environmental justice is simply not meant to separate the bivalence out of the collectivities.

Scholars who center either race or poverty as the core for analyzing the injustices, collectivities, and remedies will define environmental racism in conflict with environmental discrimination against the poor. Often, the debate stems from the United Church of Christ Study, *Toxic Wastes and Race*, which discloses the centrality of race in sitings and burden distribution. But this study never fails to indicate the critical importance of class. Although the study stresses the centrality of race, it is unlikely that it was designed to generate a race versus class debate that would ultimately choose one over the other, ever keeping the two separate. It is a study that fully recognizes that communities are socially located along economic and cultural characteristics and that race and class both play so central a role that both must be rigorously addressed.¹⁸

¹⁸ United Church of Christ Commission for Racial Justice: *Toxic Wastes and Race in the United States: A National Report on the Racial and Socio-Economic Characteristics of Communities with Hazardous Waste Sites*, (New York: United Church of Christ, 1987) hereafter, *Toxic Wastes and Race*, p.6.

But, one might insist the early declarations that race and ethnicity play *independent roles* for environmental injustices have been distractions from the bivalent justice. From perspectival dualism, however, this assertion acknowledges the analytically distinct character of culture and economy, but it never dissolves the interpenetration of economy and culture or of distribution and recognition. Always there is some reference to the social or economic hardships that are suffered as a result of environmental racism: the sociological impact of living near an environmental hazard, the exacerbated background conditions of poor health care, unimproved education, suspicious residential zoning, redlining from loan agencies, etc. According to perspectival dualism, where the environmental racism debate evolves into a wrestle over zip codes or census tracts, race versus class, distribution versus recognition, it misunderstands the injustices, the collectivities, and the remedies. Choosing to privilege one or the other social domain, (or paradigm of justice for that matter), has only led to the backlash against communities of color and/or the further marginalization of poor white communities, when quite obviously both kinds of communities are suffering from similar attacks on their environmental identities and their opportunities for fair distributive procedures and participatory recognition.

1. CULTURAL AND GROUP MULTIPLICITY FACET

Another facet of environmental justice, the multiplicity of cultural identities and localities, shows a second way in which perspectival dualism is appropriate. Again, looking at the environmental racism debate, the collectivities designated as cultural groups include concepts of race, ethnicity, and region. If we add in the cultural collectivities designated by concepts of social location and environmental identity, we find that environmental racism applies as a concern to many cultural groups, not only African-Americans. The ways in which these cultural groups experience environmental racism differs from group to group according to the specific discriminating attitudes that work against the groups. For instance, in Kettleman City, California, the Latino/Hispanic community was dramatically impacted by the language discrimination that occurred when Environmental Impact Reports for a proposed hazardous waste incinerator were released in English to the predominantly mono-lingual Spanish speaking community.¹⁹ Likewise, the farmworker culture of Kettleman City, descendant from a migrant farmworker community, carries an historical and culture-specific burden of discrimination. Note again that the culture-specific features are historical, attitudinal, and economical. If we compare the community of Emelle, Alabama, which is predominantly African-American and hosts the "Cadillac of Toxic Landfills," we find different accounts of the historical backdrop for the issues of environmental racism. This community is segregated by color through economic institutions, school systems, residential zoning, and attitudinal legacies of Southern segregation and Jim Crow. Besides the cultural-historical differences, Emelle is also a problem for environmental racism because the millions of dollars that the community receives from ChemWaste Management is unfairly distributed to the commerce and institutions dominated by the

¹⁹ Russell, Dick: "Environmental Racism: Minority communities and their battle against toxics," *Amicus Journal*, v.11 n.2 (Spring 1989), p.22. Cole, Luke and Foster, Sheila: *From the Ground Up: The Rise of Environmental Racism and the Environmental Justice Movement* (New York: New York University Press, 2001).

white businesses and schools.²⁰ In other words, the facility serves to reinforce the cultural and economic injustices that preceded its arrival. Once again, cultures across the environmental racism cases vary in specific contexts that are historically intertwining culture and economics.

2. CULTURE OF POVERTY FACET

Perspectival dualism also requires our efforts to find similar ways to describe the poor communities in other environmental justice struggles. Take cases like Love Canal or Grand Bois, Louisiana; both are predominantly white communities, but they are marked by their working class character.²¹ In both cases, the social location of the community is revealed as much more than working class. Love Canal records the struggles of an initially mother-based grassroots response. Lois Gibbs's account of her fear over mobilizing other households against impenetrable institutional structures illustrates the social location and situated knowledges shared by women of this community--specifically, a shared knowledge and perception of vulnerability, the ability to identify health impacts on the family members of the community, and the struggle against condescending government officials. Involving Love Canal as a counter-example to environmental racism is simply misunderstanding the larger picture of environmental discrimination and discriminatory environmentalism; it lacks the bivalent insight of perspectival dualism. The more appropriate way of considering Love Canal is that it is a working class community with residents of situated knowledges and social experiences that construct their social location and give rise to varied community interests. Like victims of environmental racism, Love Canal residents suffered institutional and overt forms of discrimination, both from assumptions aimed against the working class residents and against the women who led the grassroots mobilization. Economic hardships, compromises of self-esteem, political manipulation, amplified class discrimination, and explicit gender oppression make themselves evident in Love Canal; and indeed, these same characteristics make themselves pronounced for victims of environmental racism. Grand Bois is another community that is obviously a poor community, but these are Cajun people. Their case against major oil companies dumping toxic wastes into an open pit in the town limits is seen as big business dumping on the poor. At one point, they see themselves as the poor community being taken advantage of by big companies, and then they later make note that "Cajun people are stubborn," and they cannot be bought out. Although a poor community, it remains that no amount of compensation can take them from their bayou, and their heritage of music, language, and gator-swamps. Their self-description does not fail perspectival dualism. They are neither poor nor Cajun. These are poor Cajuns.

In each of these communities the struggles are cultural and economic, recognition-based and distribution-based. The environmental justice movement, environmental racism included, has been mistakenly used to reopen the paradigmatic dichotomy of distribution and recognition, separating and dividing economy and culture in ways that force debates where one must choose between paradigms. This only serves

²⁰ Bullard, Robert D.: *Dumping on Dixie: Race, Class, and Environmental Quality*, 3rd. Edition, (Boulder: Westview Press, 2000), pp.59-63.

²¹ Gibbs, Lois Marie: *Love Canal: The Story Continues....*(Boston: New Society Press, 1998). For Grand Bois, LA case, see *Town Under Siege*, Aired on CBS, (December 23, 1997).

to further divide conceptions of communities and collectivities. Paying attention to the ways in which the environmental justice movement has evolved, we should be engaging in a deeper study that reflects the variety of facets that environmental justice reveals for both paradigms, always with a view from perspectival dualism.

The bivalent conception of environmental justice that I have offered, especially the requirement of perspectival dualism, is a transformative conceptual analysis. It is also an approach that I believe many scholars have come to fundamentally accept. I want to extend my little discussion of transformation to consider the kinds of implications that my discussion may have at another level of analysis, the *practical-political level*. At this level, the question is, "what remedies do we want to begin to see and expect should we strive to incorporate the bivalent approach I've been sketching." Here I will discuss only a few transformative remedies that I think apply. No doubt these remain more philosophical than the policy-makers and the folks at the grassroots would desire, but I hope you will indulge me, nonetheless.

IV. SOME TRANSFORMATIVE IMPLICATIONS AND REMEDIES

Transformative remedies from a bivalent approach would be many, but some of the more controversial would be those remedies that strive to destabilize and deconstruct cultural identities that perpetuate socially constructed attitudes and collectivities, which maintain forms of discrimination and oppression. We must be cautious here. Jumping to adopt deconstructive transformative remedies in a social movement that seeks to gain recognition for cultural groups is very risky to the people we wish most to see receive justice. Are we even justified in taking a social movement that is consistently hailed as a people-of-color environmental movement and trying to transform it into a movement for destabilizing and deconstructing cultural collectivities that we hold so dear? Is this truly an arena that ought to be transformed?

Well, there are several social levels of cultural deconstruction and destabilization that I think should be given priority, even if we begin destabilizing the marginalized environmental identities of the environmental justice movement. The first candidate should be the dominant culture, which is an economic, consumerist, and discriminatory culture that thrives on industrial development for social goods and social value. It thrives like this with an opportunism that rivals hypnotic greed. *This* level of culture should be transformed and destabilized, while we realign and deconstruct current procedures and attitudes of political inclusion. Addressing this rather broad and vague notion of culture reminds us that the dominant institutional activities indeed conform to a cultural identity; that cultural identities are obviously not only about the collectivities of minority groups. And, perhaps for those who are rather sensitive that their particular culture may be threatened by transformative destabilization, the culture of consumption is a general cultural description that permits citizens *en masse* to recognize that parts of their identities can be destabilized and deconstructed, and ought to be.

A certain weakness is that this level is so broad that many will not identify themselves as culpable enough to take on the transformative changes. My response is that an obvious strength of this broad stroke as a starting point, is that it actually *is* the right starting point. Turning to the broad level of cultural transformation reveals that the most common social location that the dominant groups can share is that of the level

of consumption that produces waste in such a way that reinvigorates the institutional and individual discriminatory practices of our society.

The political and cultural identities of people in environmental justice struggles are people whose environmental identities are despised or disrespected. These are the sacrificial cultural identities of industrial progress. They also prove useful for mainstream identities to shape consumptive and industrial ways of knowing. The identities with greater political power to make decisions regarding environmental burdens must also know how to make allowance for the environmental crises connected with these burdens. They must have justifications for the despised environmental identities to be the target of the burdens. The justifications are ready-made by other circuits of knowledge that normalize most breaches in democratic procedures. In most cases, the disrespected environmental identities are already shaped by their burdened environments; which is to say, environmental practices are connected to attitudes towards different communities. Scholars of environmental justice have demonstrated ways in which social spaces are racialized in physical and political contexts, as well as in our fundamental social metaphors, setting the preconditions for environmental racism.²² If there were not such despised identities, because they were mutually respected, then decision makers would be less likely to produce the burdens or create an environmental crisis in the first place. One simply does not dump on or burden another unless we already have despised identities available in our society. The environments of these despised identities present one major medium through which the disrespect is expressed.

This level of transformation also challenges the assumption that the most burdened groups covertly want what the dominant culture has or uses. Indeed, a common attitude of environmental justice advocates is that the distribution of environmental burdens on any particular group seems inherently questionable, if not wrong, despite equitable negotiations and responses that serve to balance the benefits and burdens of a siting. Politically distributing environmental burdens may appear more fair, but it fails to address the underlying questions of production, consumption, and distribution of social burdens that people are, on the whole, unwilling to accept unless background injustices and desperate conditions make it a last resort of our rationality. Minorities in the environmental justice movement may be charging environmental racism, but they are also resistant to redistributing environmental burdens on white-affluent communities. Many environmental justice advocates do not see the logic of justice that redistributes environmental burdens that they themselves do not wish to endure. Several scholars have argued in contrast that a redistribution *is* necessary, given the reality that these burdens are with us now and do not seem to be going away very soon. This "reality" of redistribution still maintains an epistemic hegemony of the dominant groups by making industrial waste production a norm that must exist. Again, the marginalized groups must endorse the dominant episteme, the attitude of someone must have some characteristic that warrants deserving environmental burdens. Deconstructing the dominant mindset with transformative remedies is obviously vital for undoing this hegemonic process. Thus, the first level of destabilizing culture comes through the transformative remedy that over-consumptive

²² For just some examples of these philosophical accounts, see contributions by Bill Lawson, Robert Melchior Figueroa, and Charles Mills, in *Faces of Environmental Racism: Confronting Issues of Global Justice*, eds. L. Westra and B.E. Lawson, (Landham: Rowman and Littlefield, 2001).

cultural identities that feed the hazard-generating industrial practices ought to be dramatically changed along with the epistemic hegemony that the dominant cultural social location is the most desirable.

Transformative remedies must also move to more narrow levels, where particular cultures, including minority cultures, local communities, corporate and government agencies reconstruct their epistemic presumptions. Concerning all local groups, I tend to agree again with Nancy Fraser, that “people [must] be weaned from their attachment to current cultural constructions of their interests and identities.”²³ Regarding marginalized communities, the environmental justice movement is not merely an avenue for cultural collectivities based on race and ethnicity to entrench themselves in static, mainstream social constructions. For a thorough transformative account of environmental justice we will also need to ask whether cultural identity gives any particular marginalized group any more rights to litter, endanger species, destroy ecosystems, or transport radioactive materials. No culture should be exempt from the scrutiny of transformative politics.

We have to face the hard cases, such as those involving the ways in which indigenous groups are bivalent according to their involvement in prior cultural rights to use these resources for economic development; in addition to, preserving their traditions and cultures. Some tribes actually decide to accept the most severe environmental burdens as a means to boost tribal economy. In this case, not only is there some demand for land and resource rights to develop environmental resources, but there are conscious decisions to bid for the nation’s high-level radioactive wastes. A transformative remedy regarding indigenous tribes would mean first deconstructing the culturalist perspective by legitimating perspectival dualism, seeing the culture as also a political economy. It would secondly mean re-emphasizing the self-determination of indigenous groups to be recognized in their traditional cultural practices, but not without assessing the environmental impact of these practices. There are different ways in which cultural identities intersect with economic and environmental issues. Some are environmentally controversial because of the degradation that will occur, as in cases like the Ute Tribes who used prior indigenous claims for the construction of a dam that will dramatically threaten the ecosystem and feed the power-hungry metropolis of the Southwest.

Other cases may have quite the reverse effect, and still be instances where cultural identities are used for economic leverage. For instance, the Hispanos collective of Ganados del Valle in New Mexico’s Chama Valley utilized their identity as indigenous peoples to fight for grazing rights in the region.²⁴ The Ganados decided to return to indigenous practices that were slipping away; thus, traditional grazing practices, weaving techniques, and a community-based economic collective was established. These renewed cultural practices led to the most sustainable grazing-based local economy in the region. In fact, Ganados seriously challenged environmentalist attitudes toward grazing as inherently evil. A similar challenge met the attitudes and practices of local Anglo-ranchers when the Hispanos’ traditional methods proved “new” ways of grazing that could be low impact and sustainable. Ganados has established a sustainable development project by recapturing cultural traditional knowledge and

²³ Fraser, *Justice Interruptus*, p.31.

²⁴ Pulido, Laura: *Environmentalism and Economic Justice: Two Chicano Struggles in the Southwest* (Tucson: The University of Arizona Press, 1996).

practices. Otherwise, the Hispanos of Chama Valley would have been relegated to tourist objects in an economy over which they would have had no control. Instead, the Hispanos turned away from the mainstream perceptions of their culture, as economically disenfranchised Latinos in an economically depressed region, and made an economic and political decision to gain self-determination by endorsing environmental practices vested in their traditional culture.

In what way should we destabilize the culture that served so well in its recapture? For environmental justice, we could first invoke perspectival dualism by recognizing that Ganados took on traditional ways mostly to gain an economic advantage. Environmental justice from a transformative account should also show that alternative environmental and economic approaches are available when dominant structures and cultural attitudes are destabilized. The main reason why Ganados is practicing the only sustainable development in the region is that its people were not accepted into the mainstream ranching culture. But this in no way means that their practices cannot be endorsed and carried out by white ranchers. Now, with reclaimed rights and cultural practices, the Hispanos of Ganados can be regarded as the in-group for environmentally sustainable practices. The destabilizing of cultural identity and practices operates in a reversed sense, since Ganados shows how fluid cultural identity can be by reclaiming what they lost. This lesson of cultural flexibility and possible benefits of deconstructing identity should be a transformative inspiration for us all.

V. CONCLUSION

The philosophical analysis I have provided is meant to argue that the relationship between social justice and environmental quality goes deeper than how we should determine the fair distribution of environmental burdens and environmental benefits. I have considered environmental justice in light of more abstract questions namely: How can environmental justice teach us about the nature of justice itself? How is it a movement that can transform our thinking about justice, about culture and economic relations, about our environmental identities, our social locations, and our political prejudices?

My method for addressing these questions has been to argue that conflicting paradigms of justice generate philosophical debates within environmental justice, and those paradigms can be brought together by a bivalent conception of justice. Thus, I have argued that environmental justice must be considered bivalent in its very nature. The bivalence of environmental justice does more than mimic social justice; it enhances the concept of bivalence by introducing the ways in which environmental values and practices shape the ways we treat one another. My project has been to bring us closer to understanding, and hopefully to transforming the ways in which we cannot divorce ourselves, our politics, our interests, or our humanity from our environments.

