Chapter 11
Structural Violence, Historical Trauma, and Public Health: The Environmental Justice Critique of Contemporary Risk Science and Practice

Devon G. Peña

The roots of Chicana/o environmental justice struggles run much deeper than is usually recognized (Peña 2005a:100–104). The mineworkers' strike at Cananea in 1906, led by anarcho-syndicalists affiliated with the Partido Liberal Mexicano (PLM) is one iconic example of the deep precursor roots of the modern Environmental Justice Movement (EJM). The workers at Cananea demanded an end to the company store (*tienda de raya*) that kept the workers in perpetual debt; they demanded wage equality by calling for abolition of the so-called Mexican Wage which meant the native workers were paid half as much as Anglos for the same job (Ruiz 1988:109–112). The Cananea strikers also demanded the right to unionize and to negotiate collective bargaining agreements that included clauses for greater direct worker control of production and safety conditions (González Navarro 1997).

Labor historians sometimes overlook the fact that the *huelguistas* at Cananea also demanded changes in the safety procedures at the copper mine to reduce deaths and injuries from accidents caused by hazardous working conditions and workers further demanded that management abide by previous commitments to build a hospital and parks for family recreation (Casillas 1979; La Botz 1992:115–120). The Cananea mineworkers were among the first to introduce the use of canaries in cages to warn of life-threatening gases. They recognized workplace hazards as threats to life and limb. The *huelguistas* at Cananea were among the first North American industrial workers to directly link labor rights to demands for economic and social justice, workplace democracy, and environmental protection. They were among the earliest to decry the effects of structural violence and historical trauma as sources of continued inequality and marginality degrading the health of worker and their communities.

We can fast forward to the 1960s and the first antipesticides campaign of the United Farm Workers Organizing Committee. When Dolores Huerta and Cesar Chavez began to organize farmworkers, the issues they fought over were not just the

D.G. Peña (✉)
Department of Anthropology, University of Washington, Seattle, WA, USA
e-mail: dpena@uw.edu

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rights of union recognition and a living wage. They too pioneered the struggle to end environmental racism and the unjust poisoning of working families and their communities (Pulido and Peña 1998). In a very real sense, the struggle for environmental justice has been with us as long as people of color have fought to protect themselves from risks and hazards in the places where we live, work, play, pray, and eat.

This chapter examines how places and people in these places are denied access and opportunities, resist and take action toward the inequities in their communities. I focus on the issues of environmental justice and provide a critique of contemporary efforts to include communities in the decision-making process. The use of the term, but not necessarily the concept of, "environmental justice" dates back only to the 1980s when it was first used by African American activists in the American South to describe the struggle against "environmental racism" (Bullard 2005:38–41). Environmental racism was a new and important concept because it is based on empirical studies that documented the inequalities (or better, disparate impacts) facing people of color and low-income communities who suffer disproportionate exposure to health risks from pollution in residential areas and workplace hazards. This is what we call *el racismo toxico* or "toxic racism" (Bullard 2005; Bullard et al. 2007).

While the roots of the struggles against environmental racism gave rise to a branch of activism and theory that focuses on the critique of inequalities in the distribution of environmental risks (wrongs) and amenities (rights), another branch focuses on the exclusion of people of color from participation in the planning and decision-making agencies and processes that govern environmental planning, protection, management, and regulation (see, e.g., Pellow and Brulle 2005; Peña 2005a). There is a saying among activists that expresses this concept of procedural and organizational inequity: "We are the most polluted *and the most excluded*." Indeed, one reason that communities of color are the most polluted is that they have been systematically excluded from the theory and practice of environmental protection and risk management. The two principal branches of EJ theory then are the distributive and the procedural equity schools of thought. The challenge presented for research scholars thus typically involves undertaking efforts to document distributive and/or participatory inequities and to also analyze the specific micro- and macropolitics of inequality and injustice as these play out in the application of environmental risk science in the context of decision-making practices directly affecting communities.

However, the concept of environmental justice is not just about the struggle to end the procedural, social organizational, and geographic disparities associated with environmental racism. There is another movement aphorism worth repeating: "We don't want an equal piece of the same rotten carcinogenic pie." This statement illustrates how the EJ struggle is not just about ending toxic racism or strengthening community-based participation; it is perhaps more importantly about how we define "sustainability" itself, and how communities are already organizing self-determined or autonomous pathways to a just, sustainable, and resilient society (Peña 2005b). The EJM is therefore a struggle to rethink how we work and live and how we produce and reproduce, with an awareness of the impact of our livelihoods and lifestyles on our bodies, communities, and the Earth as our shared life-support system.

The EJM seeks to redefine what is understood by the term "sustainable development" (Peña 1992; Agyeman et al. 2003). This term has been co-opted and much

abused since it was first used by the Brundlandt Commission for the first Earth Summit in 1987. Corporations now use the term as if it were an exchangeable book cover and indeed the concept is usually just window dressing that masks underlying abuses and continued exploitation of workers and the Earth.

What corporations mean by sustainable development is not the same as the way the concept is used by environmental justice activists. Let me clarify. The organic agriculture sector has been taken over by the same multinational corporations that control our global food systems.[1] Cargill and ConAgra, for example, own controlling shares in five different organic food companies including such well-known product lines as "Hain Celestial" and "Hunt's Organic" and "Orville Redenbacher Organic." Do you think that farmworkers in these corporate organic farms have union recognition, collective bargaining agreements, higher wages, and better benefits? The answer I am sure you already realize is "No."

Farmworkers in the organic sector are just as oppressed and exploited as workers in conventional agribusinesses (Peña 2002). They may be slightly better off in the sense that they are not being exposed to pesticides and herbicides, but there are other remaining environmental risks in their workplaces including long hours under conditions that can induce heat strokes due to the abuse of workers by contractors and growers. The corporate takeover of organic agriculture has meant that while worker exposure to environmental risks has been significantly reduced, the social justice dimensions of farmworker struggles remain neglected.

You can be environmentally sustainable and remain unjust in your labor relations and working conditions. Indeed, many organic growers, as well as other "green" corporations, like to argue that workers in their companies do not need labor unions because this is a "New Age" of benevolent and sustainable capitalism and besides unions are just part of an old and maladaptive industrial form of organization that is no longer responsive to the needs of a globalized and information-based economy. Corporate organics is just as antiunion as the conventional agriculture sector. (Mark 2006). For the EJM this means that we cannot have an environmentally sustainable society unless we also have ecological democracy based on worker control and public participation in decision and policy-making.

Environmental Justice and Health: Structural Violence and Historical Trauma

Over the course of the past three decades that have witnessed rise to prominence of the EJM, and since the start of the movement issues related to public health have remained at the center of our struggles. Our nation faces a public health crisis that

[1]For a continuously updated and fully referenced diagram showing the growth of the corporate ownership of the organic foods sector, see: http://www.certifiedorganic.bc.ca/rcbtoa/services/corporate-ownership.html. And for the recent acquisitions of organic food companies by the top 20 largest transnational corporations, go to: http://www.certifiedorganic.bc.ca/rcbtoa/services/corporate-acquisitions.html.

is largely underpinned by the millions of workers and families that remain under or uninsured and the lack of political will on the part of Congress to pass legislation establishing a viable "public option." Everyone is hoping that the Obama Administration follows through on promises to move toward universal health coverage for all Americans. However, what about those resident workers and their families who are out-of-status immigrants? What about the millions of undocumented workers and their families who are already mistreated and misconstrued as a menace and threat to our nation's security?

There are several things we have come to understand about the public health crisis and how it is viewed within the EJM. Like any other issue related to environmental injustice, the lack of access to affordable quality health care is a significant compounding factor that makes people of color and persons from low-income communities even more vulnerable to illness and morbidity from *cumulative* exposures to toxicants and stressors. We get sick more often from toxic hazards and are also more likely than other groups to lack access to medical care for our chronic and acute health problems. By the time we get medical care, we are usually close to death in an emergency room. This mistreatment of our nation's workers must end.

In the social sciences, we have a term that is used to describe the conditions that limit access to affordable quality health care: poverty. The concept of poverty itself is very political. In our country, let's be honest, we don't like poor people and we view them as outcasts who only have themselves to blame for their presumed wretchedness; we watch with disdain while poor and homeless people rummage through dumpsters in search of their next meal and think: "See, they are just too dirty and lazy to get a job." This racist stereotype flies in the face of the fact that most of the poor in the USA are the *working* poor.

How we define and view poverty is part of the problem of how we approach the values we place on public health. Drawing from the work of my colleague Vandana Shiva (1988), a philosopher of science and ecofeminist activist from India, I want to propose that there are two kinds of poverty: The first is the poverty of a right livelihood or subsistence way of life. This is not real poverty: People who practice right livelihoods are well fed, well housed, and have access to all the resources they need to be self-reliant and healthy. Moreover, their ecological or carbon footprint is smaller than the average hyper-consuming recycler in the global North. It is only poverty because the development planners and international development agencies call it poverty since such persons and communities do not follow a western-styled high consumption lifestyle (Escobar 1996). Indeed, today the subsistence farmer is increasingly appreciated as someone who not only provides for the family but does so using traditional environmental knowledge (TEK) or ethnoecology to contribute to the protection of the earth's ecosystems. Anthropologists have a term for such people: We call them "cultures of habitat" or "ecosystem peoples" because they are able to make a living without damaging the environment (Peña 2005a:28–33). The second type of poverty is the *poverty of deprivation* and this is real poverty in the sense of a loss of independent sources of livelihoods that plunge one into a persistent state of physical, biological, cultural, and economic hardship. When you are deprived of the land, water, and other usually communal resources that sustain

your livelihood, you become poor. Deprived of their homelands and their traditional ecological practices, displaced peoples move into the cities where they are becoming a "burden" to the neoliberal state that tries to manage the potential threat to corporatist order posed by displaced populations in what is rapidly becoming a "planet of slums" (Davis 2007). This represents deprivation for the Earth as well since displaced people can no longer practice livelihoods that were also critical to the resilience and protection of ecosystems and biocultural diversity. The irony is that the poverty of deprivation is almost always a result of economic development policies imposed from the outside under the spell, most recently, of the neoliberal charm of privatization and "free trade."

This brings me to another concept that has become very important ever since Paul Farmer et al. (2006) used it to describe the poverty of deprivation faced by Haitians. This is the concept of "structural violence." The term, which was first used in the 1960s and which has commonly been ascribed to Johan Galtung (1969), denotes a form of violence which corresponds with the systematic ways in which a given social structure or social institution kills people slowly by preventing them from meeting their basic needs. Institutionalized elitism, ethnocentrism, classism, racism, sexism, adultism, nationalism, heterosexism, and ageism are just some examples of structural violence. Life spans are reduced when people are socially dominated, politically oppressed, or economically exploited. Structural violence and direct violence are highly interdependent. Structural violence inevitably produces conflict and, often, direct violence including family violence, intimate partner violence, racial violence and hate crimes, terrorism, genocide, and war. Obviously, the poverty of deprivation is the most significant unacknowledged form of structural violence. Such "total" deprivation is most likely to occur in conditions that are also accompanied by political forms of violence by the state against targeted populations.

Yet, based on my own field observations, many workers in public health and environmental protection fields are largely unfamiliar with the concept of structural violence nor do they have the legal, professional, or institutional frameworks, ethics included, to address the effects of the structural violence of deprivation on the health and well-being of communities. Why should public and environmental health professionals be concerned with structural violence? Because scientific studies demonstrate that the structural violence of poverty [sic] is the single most important compounding factor associated with negative health outcomes (Farmer et al. 2006). Poverty – if I may offer a less ideologically loaded definition – is the status of living with limited resources that have been systematically and often violently denied or rendered insufficient for viable social and biological reproduction. Systemic denial and insufficiency of sustenance is a basic neoliberal tenet enforced by the state in the so-called devolution of authority for self-care to the individual and the logic of market forces. Of course, this is closely associated with lack of access to health care and medicine as the single most important compounding factor in the legacy of toxic racism and classism. We cannot address public and environmental heath disparities until we systematically address the problems associated with structural violence.

Poverty reduction, if it is understood as a reversal of the loss of independent livelihoods and the restoration of the commons, is probably our most important strategy to promote long-term health improvements in low-income and people of color communities. Professionals in public and environmental health are told that this is not within their purview or responsibility and that this is something the crumbling remnants of the welfare state are supposed to address; the elusive and ephemeral social safety net is some one else's responsibility; or not. But no one is addressing this issue and millions are falling between the cracks into what I would call a "health-care desert." The origins of the current economic and financial crisis make it clear that there is a direct link between economic exploitation, environmental degradation, and poor public health outcomes. How environmental and public health professionals link the struggle for better health care to the struggle to end the structural violence of poverty will be a pivotal turning point in this movement.

But there are other issues related to structural violence that the EJM recognizes and to some extent addresses. One of these is the problem of "historical trauma," a concept that was first developed and used by researchers studying the intergenerational health problems of Holocaust survivors and their families. More recently, Native American research scholars like my colleague Karina Walters have developed studies that focus on the intergenerational trauma experienced by native cultures and communities that have been subjected to centuries of colonial domination in the aftermath of conquest (Walters and Evans-Campbell 2004; Walters and Simoni 1999; Walters et al. 2002). This approach defines historical trauma as the "collective emotional and psychological injury both over the life span and across generations, resulting from a cataclysmic history of genocide." Moreover, the "effects of historical trauma include unsettled trauma, depression, high mortality, increase of alcohol abuse, child abuse, and domestic violence" (see http://www.historicaltrauma.com). Historical trauma is linked to structural and direct violence and is much more pervasive than acknowledged by activists in the EJM.

Indeed, a growing number of people identify themselves as part of massive postneoliberal "Mesoamerican Diaspora" – these are the indigenous Mexican immigrant workers in the USA, Canada, and Europe (Mares and Peña 2010a, b). This Diaspora indicates resilience in the face of historical trauma associated with structural violence that affects most of these displaced and itinerant populations. I have spoken with indigenous women from Oaxaca, Chiapas, Guerrero, and other parts of Mexico and Guatemala for a collaborative study of the role of Mesoamerican people in the food justice movement that involves growing participation in urban agriculture (Mares and Peña 2010a, b). Many indigenous women relate personal experiences and stories of violence at the hands of intimate partners or military personnel during village incursions. They have experienced death squads sent by rural caciques (political bosses) to displace people from ejidos or squatter communities. They have suffered from the murder or disappearance of family members who had run-ins with the hired guns and of the narco-trafficking networks. Many are enduring the face of state terrorism coupled with extensive intimate partner violence. The greatest source of historical trauma, rooted in systemic genocidal violence, may be the displacement of people from their homeland

territories. The loss of one's connection to landscape, to place, has been verified as strongly associated with poor health outcomes. Place-breaking makes heart-breaking possible. Of course, try explaining this to a permit hearing officer or health inspector who is only interested in the quantifiable measures of cost/benefit analysis, a point I will return to shortly.

Environmental Justice is a Collective Action Movement

The structural violence of poverty, coupled with the cumulative effects of intergenerational historical trauma, is the principal compounding factor affecting the deteriorating health of our bodies and the degradation of our environments. I think one reason we ignore these structural factors is that we have been living and working for the past three decades under the weight of the expansion of the neoliberal ideology of privatization and deregulation. We have been limited by bureaucratic structures that resist innovation and deplore anything that makes society accountable for the collective effects of private investment and disinvestment decisions. We live in the new gilded "Age of Individual Responsibility" to go along with the so-called "Ownership Society". Both of these concepts are truly nonsensical ideologies, and every one of us has a responsibility to challenge such concepts as immoral and destructive every chance we get.

I am not against persons becoming empowered through education and economic opportunities to become independently capable of caring for themselves. There is nothing wrong with self-reliance. However, what we have in our society today is not self-reliance but the myth of the individual as a fully self-serving entity in times and under conditions that block people at every step of the way from being able to care for themselves. What I see is not self-reliance and rugged individualism but isolation and alienation from community and families. One recent study of hunger found that people, especially the working poor, are more likely to struggle on their own to find food rather than engage in a collective response to the cause of hunger, which is of course poverty (Poppendieck 1996). This is especially the case among immigrants who may have lost the connections to family and community that provide the social and cultural capital used for mutual aid and survival.

Unfortunately, as we become more "Americanized," Latina/os lose an important part of their culture: that part that has made us strong and resilient through our ties to family and community; as we assimilate, we forget how to be a "we." Richard Rodriguez recently observed, in an undated National Public Radio interview: "We only know how to be me." Thus, one of the principal barriers to environmental justice and a truly healthy community is the persistence of this banal and damaging ideology of individualism. We need to educate people, including health-care providers and environmental regulators, to recognize the healing powers of the collective and respect the fact that many people, especially those in the Mesoamerican Diaspora, do not think first of individual rights or needs but instead focus their behavior around norms related to a strong sense of communal obligations and the

need for collective choices or at least personal decisions that are not detrimental to others. We need to challenge the neoliberal ideology of individual responsibility with a new community-based care ethic that values collaboration, participation, and collective action.

This loss of a sense of community and decline of a collective identity has serious implications for public health that we have not even begun to recognize let alone study. One of the intriguing implications has to do with the so-called Latino health paradox. The socioeconomic status model of health predicts that low socioeconomic status is strongly correlated with poor health outcomes. However, as the work of David Hayes-Bautista, Dolores Acevedo-Garcia, Lisa M. Bates, and other research scholars demonstrates, despite their low socioeconomic status, Latinos are healthier than many white middle-class Americans across many categories of disease and illness (Hayes-Bautista 2002; Acevedo-Garcia and Bates 2008). While Latinos tend to have higher rates of morbidity from HIV/AIDS, diabetes, and substance abuse, and gun violence, they tend to fare better across a wide range of other disease categories including those associated with certain cancers and cardiovascular illnesses. One reason for this paradox is related to the fact that our collective family and community-based assets or "social capital" provides a buffer against the negative effects of our community's low-income status.

It is precisely this form of social capital, which requires collective mobilization and community-oriented collaboration, that is most endangered by assimilation. A critical view will posit that this largely is limited to "acculturation" or better *deculturation* since we can never really become "Americans," from the distorted vantage point of reactionary forces (Aldama 2001). The environmental justice movement needs to more thoughtfully confront this intricate set of problems that link structural violence and historical trauma to declining health as a result of the compounding loss of community-based networks and social capital. Our societal institutions expect people to take care of themselves and then deny them their own culturally based and appropriate resources to do so.

Disqualifying Local Knowledge: Administrative Cultures and the Politics of "Risk Science"

I turn next to a dimension of the problem of structural violence that is too often overlooked. Earlier, I defined structural violence as a form of violence which corresponds with the systematic ways in which a given social structure or social institution kills people slowly by preventing them from meeting their basic needs. What if the way our society defines the concept of "basic needs" is itself part of the problem? We live in a society that values two things above all else: The "Individual" and "Private Property and Wealth" (or at least the money-form of wealth). Both of these are tied to the ethic that banally equates freedom with "freedom to consume." The EJM has the potential to shift our paradigm of basic needs by challenging the privilege accorded to these two concepts that are internalized to a degree and in a

manner not unlike that of a religious conversion. Nothing gets most people riled up more than attacks on their notions of God or their idea that the key to happiness is for everyone to stay the hell out of the way so they can be free to pursue their private efforts at self-aggrandizement and acquisitiveness. This is the most pervasive and dangerous American myth spawned by neoliberal behavioral economics that is currently challenging our prospects for building meaningful local, place-based institutions of collective action for a just sustainability.

As long as we believe in capitalism as the "end of history" we will be plagued by this myth and its dangerous consequences for public and environmental health. The "cult of self-enrichment" and individual acquisitiveness is more than an affliction caused by a deficit of moral grounding: A popular bumper sticker reads: "He who dies with the most toys, wins." These norms imply that we must accept, as the "externality" of individual freedom, the enormous costs to other people and the environment produced by the ruthless and blind pursuit of individual wealth. Indeed, Schmitt, the Nazi Jurist, and Hayek, the Nobel Prize-winning Austrian founder of *ordo*liberalism, both agreed that the only "equality" is the "equality of inequality" (Brown 2006). This mindset is why *los chicanos*, invented the concept of *vergüenza*. The absence of shame for the harm brought to others as a result of actions designed solely for individual gain is what we call a state of *sinvergüenzas*. I learned this from my grandmother and it is a really important ethic that guides us in awareness of the virtue of *vergüenza* – a notion that invokes the existence of moral obligations to a collective, to something beyond the one self (Peña 2005a:xix).

Learning from my grandmother brings up another issue that is part of the theoretical-practical problem of environmental justice. I stated earlier that the EJM is not just against toxic racism; it is also for ecological democracy; that is, the EJM stands for the widest participation of the people in defining and settling matters of public policy and decision-making in the area of environmental protection and governance (Peña 2005a:139–146). Yet, nothing is worst than the way in which, even in an administrative culture influenced by the "Principles of Environmental Justice," most policy and decision-making practices still follow a tendency to exclude or limit the input of people in affected communities. Their disqualification is often couched in technical or technocratic concepts.

My grandmother had knowledge of the environment: She grew a polyculture home kitchen garden or *huerto familiar*; she knew wild plants and their medicinal and nutritional properties; she was an ardent seed saver and understood the importance of selecting the best and most diverse set of seeds for the next season; she warned me to stay away from Chacon Creek because it was filled with untreated sewage and she had observed other neighborhood children getting sick after playing in the tainted waters. In other words, my grandmother was an indigenous ethnoscientist. She had tremendous ethnoecological and agroecological knowledge. Indeed, most of the communities I work with have this sort of knowledge that some researchers have come to call "kitchen table science" because women gathered in the kitchen to discuss the patterns and problems of life they observe in their own neighborhoods are often the first to share this knowledge with others women in the

"politically gendered" space of the kitchen (Novotny 1998). Of course, it was Lois Gibbs that received credit for this idea even if untold thousands of Chicanas and mexicanas had been doing this all along, as any liberal can see in documentaries like *Salt of the Earth*.

We have in most states, including California, an administrative culture in the fields of environmental protection and regulation that is really a "cult of experts." These experts in lab white typically do not understand or value local place-based knowledge. In fact, the current regime for environmental impact studies, risk science, and similar areas of administrative law and regulation is largely based on the single-minded pursuit of presumed neutral and objective quantitative measurement known as *cost/benefit analysis* (Peña and Gallegos 1997). This reduction of data and analysis to number-crunching exercises, that too often turn out to be based on incomplete, finagled, or tainted data, obscures many of the factors associated with perceptions of risk and risk management. The cult of expertise, and its fetish for cost/benefit analysis, dismisses or disqualifies the local knowledge of people like my grandmother who have no professional or specialized training other than that which is part of their received cultural capital and direct lived experience. Experts are privileged in their positions of authority and this often means that the process of assessment and evaluation ends up constrained by an incomplete understanding of a given situation of environmental risk (Fischer 2000; Forsyth 2002).

This disregard for local place-based knowledge is a form of epistemological violence: It is based on blatant disregard for the knowledge people develop over time by living and working in place. Over the past three decades, I have often testified as an "expert" witness in various contexts (landfill permit hearings, EIS, Title VI actions, etc.) related to environmental protection and in every single case, the experts for the corporate or governmental stakeholders demeaned and dismissed local knowledge as too "qualitative" or "emotive" and thus "unscientific." This is not just antidemocratic; it is actually more antiscientific and ill advised since too often, as I can vouch, this results in mistaken decisions based on faulty and incomplete data steered by market-oriented interests. We have to resist and transform the false participation process that leads into the cul-de-sac of the cost/benefit decision-making matrix. This leads to premeditated decisions based on the restrictive assumptions of quantitative data.

The problem in part resides in the failure for Congress to enact laws and regulations that bring the entire risk science system into sync with the actual "state of the art." There are methods and models available to develop a more holistic science of risk that (1) integrates local place-based knowledge, (2) accounts for the compounding factors of structural violence and historical trauma, and (3) provides for the analysis of *cumulative* risk factors. This should include the requirement that hearing officers, courts, commissioners, and other decision-makers accept the use of qualitative ethnographic materials as singularly appropriate to the task of presenting and evaluating data sets associated with so-called social impact assessment (SIA) or community impact analysis (CIA). We may, for example, develop and operationalize indices of "social well-being" that can "quantify" the relative weight of attributes like "sense of place" and "original instructions," since these

have been shown to constitute an important part of the cognitive and emotional basis necessary for sustaining the social capital invested in community health. These are not radical ideas, but there is such a pervasive and deep-rooted quantitative bias in the risk science community that these proposals are usually waved aside as "idealistic" and "ethical" rather than scientific.

I remember attending a meeting organized by James K. Boyce for the Ford Foundation in Santa Fe back in 2001. The meeting involved EJ activist-scholars and other researchers, foundation executives, and EPA scientists and administrators. The meeting was primarily convened to discuss how to integrate the value of natural capital and related community-based assets into strategies to "democratize" environmental ownership as part of poverty reduction programs at Ford. One especially contentious issue focused on the role of federal and state regulatory agencies like the EPA, which the EJ activists viewed as limiting and manipulating the nature of risk science and environmental impact study as *deliberative* practices. The EJ activists interrogated the EPA staff members during one of the sessions because the governmental representatives insisted that we could only "meaningfully" discuss clarifying what the Clinton Administration wanted to accomplish, specifically with regard to proposals for redefining the standards for the official definition of "minimally acceptable" risk.

The EJ activist-scholars present were undeterred in deconstructing the underlying rationality of the concept of "minimally acceptable" risk. The position of the EJM on this issue was and remains clear, Richard Moore noted: EJ principles reject the concept of "minimally acceptable" risk. There is no such thing as any level of "acceptable risk" to the person affected. One death is too many. Movement activists are told this is unrealistic and impractical. For us, this is a matter of normative paradigms, and the need to challenge extant risk assessment frameworks which seem especially repugnant because industrial ecologists and environmental engineers have long been demonstrating that pollution *can be avoided*; we don't have to produce toxic wastes to produce food, shelter, and even automobiles and similar machines. *Detoxification and containment at the point of production is technologically attainable*. The neoliberal economists will object and declare that this is not profitable and therefore untenable. We would, of course, be justified in dismissing neoliberal claims in light of the world financial capitalist and credit market crises after September 2008.

Some 10 years ago, the EPA wanted us to endorse the idea that we can and should minimize risk to an acceptable level of deaths from pollution. This rather perverse philosophy is based on the notion that environmental hazards are an inevitable "externality" of our capitalist economic system. Except, of course, these are not "externalities" since toxins and other hazardous wastes are "internalized costs" to nature and people. But according to this Clintonian neoliberal view the best we can do is to "mitigate" risk through regulation and perhaps gradual incremental cleanup of the most serious air, water, and soil pollution. Everyone needs to agree to share an equal piece of the mitigated poison pie.

The EJ response to this type of "equity"-based policy is expressed most clearly in the sixth of the 17 Principles of Environmental Justice, and I mention these not

as some sort of dogma but, frankly, as a rather sensible set of ideas: The sixth Principle "demand[s] an end to the production of all toxins, hazardous wastes, and radioactive materials...[and] detoxification and containment at the point of production." This approach does not mitigate pollution after it happens; it instead works to prevent the pollution in the first place. The current trend toward a "Green jobs movement" should therefore involve not just the creation of new "ecologically friendly" jobs. Perhaps more urgently, green jobs also means transforming existing production systems and practices toward systems that do not impose *avoidable risks* on the workforce or surrounding communities. This simple notion of *avoidable risk as against minimally acceptable risk* needs to become a "framing" concept we consistently place on the table as we negotiate the terms of our engagement as communities with the politics of risk science and risk management [sic].

Detoxification and containment, rather than the band-aid of "minimally acceptable" risk, remains the foremost environmental justice goal in this policy area. It is in this sense that the EJM is a struggle for democracy wedded to a campaign for environmentally safe production methods and technologies. Of course, unless we democratize the entire institutional edifice of the environmental protection and regulatory community we will never get close to realizing these demands. Discussion of these issues of democratic public access and meaningful participation in the decision- and policy-making processes is necessary. Indeed, soon enough many of the experts who make a living in these fields may find themselves replaced by a new wave of experts. Experts in toxicogenomics and mass genotyping may come to replace the standard "remote social science" purveyed by too many demographic and socio-economic data analysts (Peña 2005a) employed by state regulators [sic] and corporations. These are the ranks of expert epidemiologists ready to ridicule and dismiss the next Native grandmother that protests black lung disease or asthma among tribal [sic] children as "storytelling." A new age of "pharmogenomics" also beckons, promising individualized medicine for the self-caring genotyped cyborg. The current experts will no longer be recognized as such by a regime based on decision-making derived from the science of genomics, bioinformatics, and their spin-offs.

Restoring the Common in the Age of the Ecology of Fear

I want to conclude by reference to a phrase I developed of restoring the "common" in the age of the "ecology of fear." This means discussing once more a concept that we too often take for granted: This is the concept of the "individual." All of our laws, and indeed much of our social identity as Americans, are based on the concept of the individual and of individual rights.

Most of the indigenous or ethnic cultures of the world do not have a word for "individual" in their Native languages. There are words like "self" and "person," and even pronouns roughly equivalent to "I" and even "me." But most of these peoples have no analog for the apparently distinctly Western concept of the "individual." Indeed, many of the Mesoamerican Diaspora people I work with along the entire length of the West Coast originate in cultures that lack a word in their native tongue

for "individual." Some, like the Nahua, use the term "skin" to refer to the body,[2] emphasizing that we are human only through our connection to the social "Other," that which is, as the Lacandon Maya insist, always "my other self" (*in lak ech*). The dominant and reactionary forces in our society, which are confronted by an increasingly "shifting multicultural mosaic" nation that is indeed leading to the dissolution of borders "from the bottom-up," insist that the concept of the individual is the key to our liberal democratic rule of law, human progress, and economic prosperity. This legal regime insists that there are only individual rights. Group "rights," which native people tend to view as collective obligations to care for place, are dismissed as quaint relics, irrelevant and maladaptive norms, or worst legally impractical principles because these norms are posited as incompatible with the underlying tenets of modern Anglo American positive law (see Peña 2005b).

Obviously, I beg to differ on this characterization of place-based cultures as disappearing and irrelevant "relics." In my own family and community, I have learned that the individual has not replaced the concept of the person as a "being connected to others." Numerous Native American cultures also do not have a word for individual; they have words for "person," "being," and pronouns (like we, us), but they do not have a word for individual. What does this mean?

It means that we are in the midst of a longstanding conflict in areas of environmental protection and health and ecosystem management that, while based on recognition of collective responsibility, is still driven largely by the logic of individualized rights in a capitalist market economy. This is systematically wed to the quantification of risk and the politics of nomenclature as when technicians, bureaucrats, or permit hearing officers use concepts like "actionable" levels of exposure to risk in order to mask the underlying problems of cumulative risk and compounding factors including those associated with structural violence and intergenerational historical trauma.

Both in deference and variance to Mike Davis's use of the concept, I often use the phrase "Ecology of Fear" to describe this type of situation. Most Americans across race, class, gender, and sexuality are afraid of falling behind and not getting ahead. We are afraid to fail as individuals. We fear death from terrorism and natural catastrophes or from lack of access to health care and adequate nutrition. We are afraid of the air we breathe, the water we drink, and the food we eat. All the substances that make life now threaten to kill us. We are afraid of difference and blame the immigrant or the "Native" as a further threat and hindrance to unrealized desires in and through the "American Dream," which has clearly become a neoliberal nightmare that commodifies both risk *and* difference (Brown 2006). Women are afraid to walk alone day or night; Juarez and Tijuana have become massive killing fields filled with the victims of serial killers, rapists, and the principals and dupes of drug wars [sic]; Homes are filled with women ravaged by intimate partner violence at the hands of men that are themselves terrorized by unemployment, drugs, alcohol, and a history of abuse themselves. This is the ecology of fear. It unleashes the forces and reactions of a surveillance or Panoptican state, transforming the

[2]Tezozomoc, in personal communication to the author (April 10, 2010, Seattle, WA).

"border" – and indeed the entire territory of the "sovereign" power – into a national security/counter-terrorism/immigration control military-police action zone.

How did we get to such a condition of environmental and social deprivation and degradation where borders are both imposed and constantly transgressed? Even in the midst of all this individualized "wealth," which is ultimately extracted from our "commonwealth," the rich are also afraid of losing it all or being stripped of their acquisitions by the less fortunate. The ecology of fear, like the endemic problems of structural violence and historical trauma, is sustained by the another "cult" – of the individual rational actor. It turns out that the actor has acted rather selfishly and irrationally to the point of self-destruction, and even contemporary "Randians" complain that the Wall Street bailout was against the logic of capitalism's need for "creative destruction." In this regard, an important challenge for the EJM is the intersection of the struggles for environmental rights and community self-determination in ecological decision-making with the heightened tensions and conflicts unleashed by the insidious fascism of the "287(g) agreements" between local police forces and the Department of Homeland Security that are tearing families and communities apart. The EJ struggle has always included police–community interactions as part of our everyday lived experience in the built environment. How this connects with the ability of communities to organize for environmental and economic justice remains a central challenge today.

If environmental and food justice advocates and activists, environmental health practitioners, and environmental regulators and decision-makers are to move closer as part of a collective action movement toward a just, resilient, and sustainable future, we will have to become indignant over the conditions of a world rendered barren and distorted by this ecology of fear. To challenge that ecology of fear you will have to develop and explore more collective forms of action and mutual aid. You will have to trust in local place-based knowledge and revalue meaningful, set from the get-go, types of public participation. Indeed, we need spaces to self-mobilize around the issues brought to the forefront of policy debates by our own place-based ecological knowledge and "kitchen table science."

What I have witnessed over the past three decades is that, when Latina/os coalesce themselves into organizations for collective action, we can create our own opportunities and freedoms based on the "old-fashioned" values of self-reliance and mutual aid that our grandparents needed to survive in times not unlike ours (Peña 2005a). If we go at it alone, as individual automatons, well, sure, you may or may not get ahead for yourself by the typical measures of wealth. However, your own individual aggrandizement will do little for your community despite acts of charity. The EJM is a collective social action movement concerned with justice for all and not just "individuals" – it is about "Justice" and not "Just Us." Rebuilding our communities as places that are safe for our children requires that we reclaim the "commons" – our environmental qualities of open space, clean air and water, and homes and workplaces free of lead, PCBs, dioxins, and other toxicants. Such a movement is premised on the basic idea that the most important value of a human life is what it contributes to realizing our mutual obligations in sustaining the well-being of our families, communities, and our common life-support system, the Earth.

The politics of health and health care in this manner might be transformed from yet another free market fundamentalist trapdoor that leads to a world in which competitive desire constrains us to seek self-fulfillment based on incommensurable differences. It allows us toward resurgence as a more democratic, place-based, and collective action society that values difference without marking the entrenchment of identity politics as its ultimate referent of "self-care."

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