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David Purucker

To cite this article: David Purucker (2021): Critical environmental justice and the state: a critique of pellow, Environmental Sociology, DOI: 10.1080/23251042.2021.1878575

To link to this article: https://doi.org/10.1080/23251042.2021.1878575

Published online: 01 Feb 2021.
Critical environmental justice and the state: a critique of pellow

David Purucker

Environmental and Political Sociology, Department of Sociology, University of Oregon, Oregon, USA

ABSTRACT

How should movements for environmental justice orient themselves towards the state? Recent work in the environmental justice field critiques the legalistic basis of both environmental justice research and movement strategy based in juridical action, regulation, and advocacy within state institutions. Meanwhile, rightward-moving politics in the United States threatens to choke off even this limited strategy. Scholars have responded by urging movements to adopt a more skeptical strategic posture towards the state, one informed by an anarchist conception of states as uniformly repressive structures. This essay addresses the most systematic attempt at re-theorizing the state for these movements, David Pellow’s What is Critical Environmental Justice? While Pellow’s work to integrate intersectionality theory into environmental sociology has been recognized, less attention has been paid to his anarchist state theory, which implies an untenable strategy of movement withdrawal from politics. Environmental justice movements and scholarship need a state theory that allows for the possibility of action both against and within states. I introduce an alternative, ‘strategic-relational’ view of states, and suggest that changing structural patterns of environmental injustice will require re-thinking both the state and the ‘movement’ of environmental justice, as they are conventionally imagined.

Introduction

Something is changing in American environmental politics. After years of environmental advocacy dominated by a professional-class liberalism, an insurgent progressive movement is beginning to offer an alternative. The emerging politics of the Green New Deal is forcing a public debate on the speed and scale of state intervention necessary to avert climate catastrophe. Leading Democratic presidential candidates campaign on ambitious policies to euthanize the fossil fuel industry and mobilize massive public investments in clean energy, public transportation, and regenerative agriculture. Big labor unions, led by workers in the strategic education and health sectors, are finally beginning to engage in coalitions demanding a just transition away from fossil fuels. Though it faces formidable barriers, the movement to root radical ecological policies in popular politics has made significant progress in a very short time.1

Meanwhile, another part of the green Left is at a crossroads. The environmental justice movement emerged in the 1980s in response to the disproportionate exposure of poor and nonwhite communities to various kinds of environmental risks generated by industry and the military. Academics allied with the movement produced research demonstrating the massive scale and systemic nature of environmental injustice and how these inequalities were reproduced by laws that favored polluters (Cole and Foster 2001, 24–26).2 Since its inception, activists have had success in drawing public and government attention to ways that socially marginal populations are treated as sinks for capitalism’s waste. The movement has also now become a truly international phenomenon (Martinez-Alier et al. 2016). But today, there is a growing sentiment among environmental justice scholars that the movement in the United States has failed to end systemic patterns of environmental injustice, and that the legalistic strategy of the movement’s activists and organizations needs to be reassessed. In a recent article, the American environmental justice scholar Laura Pulido declared that ‘In order to move forward both as a movement and scholarly field, we must rethink environmental justice’ (2017, 525).

The most far-reaching effort towards this ‘rethinking’ is David Naguib Pellow’s What is Critical Environmental Justice? (2018), a manifesto for remaking both the theoretical foundations of the field and the political strategy of the movement. Pellow, an American environmental sociologist and activist-scholar, argues that conventional movement strategies have failed, and that scholars in the field have theorized environmental inequality in a narrow way that ignores larger systems of oppression. His alternative framework of ‘critical environmental justice’ merges the insights of a generation of environmental justice scholarship with ideas from Black feminist, animal liberation, and anarchist traditions. Geographer Ryan Holifield, in a review, calls Critical Environmental Justice ‘a distinctive and compelling new path’ for scholarship in the field (2018, 303). Pulido writes that the book is ‘politically robust and theoretically informed’, and that it is
Justice’s sketching the present dilemmas of the dominant envir
need to be reconceived. But ‘the book that the environmental justice movement has
in the eco-anarchist field. 4 Against this tendency,
Cotton (2016, 26), and are also, of course, represented
other scholars in the field, such as Pulido, Kohl, and
similar themes have recently appeared in the work of
more, though Farrow offers the most
detailed articulation of eco-anarchism in this context,
for movements. Though Pellow offers the most
anarchism would pose significant strategic obstacles
to bring environmental justice’s theoretical founda
Out, Pellow’s project can be understood as an attempt
in order and communities. Here-pedigree’s
regulations have been found to under-regulate polluters
This state-skepticism is particularly poorly equipped to
win and utilize state power for socio-environmental ends.
pushing the movement away from a politics that could
from the outside or evaded entirely. If translated into
chist political theory leads him to understand the state as
stands in tension with his simultaneous emphasis on
insistence upon an anarchist conception of the state
mental injustice – is problematic. Specifically, Pellow’s
at the time, the US Environmental Protection Agency
environmental justice will have to reconceive its
progressive forces. To do this, however, I suggest that
against working-class and marginalized groups, states
relations layered with contradictions, instead of as sin
ative, states are seen as complex assemblies of social
in poor and minority communities. State-based laws,
also, have failed in just a single case (prisons’
right-access cases against state enforcers of environmental
for public health investment to protect
confronting the COVID-19 pandemic and a racist policing
system. Mobilizing public health investment to protect
ourselves and care for each other. If translated into
an activist’s political economy, social science, and
practical applications to the field of environmental
justice. The attention paid by the book to the
bution that pushes the field to think more expansively
about the subjects, scale, politics, and ethics of envir
Advisory Board (NEJAC) seems to expose activists to co-optation by industry and may end up shielding polluters from meaningful democratic oversight (Pulido, Kohl, and Cotton 2016, 17).

Prospects for change through regulatory agencies or the courts only worsened under the Trump presidency. Trump’s administration succeeded in crippling parts of the government previously relied upon by both the environmental justice movement and mainstream environmental organizations. According to a report by Public Employees for Environmental Responsibility, an advocacy group, Trump’s EPA made only 166 referrals of polluters for criminal prosecution in fiscal year 2018, representing a nearly 60% decline in enforcement activity from 2011 (Public Employees for Environmental Responsibility (PEER) 2019). The Trump administration also severely curtailed scientific research carried out by the EPA and state, local, and non-governmental organizations that depend on federal funding (Desikan et al. 2019). Over the long-run, perhaps the most dangerous legacy of this period for the movement against environmental injustice will be the small army of conservatives that Trump has appointed to the federal judiciary: by the beginning of 2019, five of the 12 circuit courts in the United States were composed of at least 25% Trump-appointed judges (Johnson 2019), and the Supreme Court is now in the firm grip of a 6–3 conservative majority.

The incoming administration of Joe Biden, a centrist Democrat, may or may not present opportunities for meaningful regulation—though the Democrats’ razor-thin Senate majority, and the strongly reactionary trend of the federal and state judiciary, are not hopeful signs. These facts, and the discouraging persistence of environmental injustice even in the decades preceding Trump, are forcing scholars to grapple with the legalistic assumptions built into the theory and strategy of the movement, and in particular its theories of the state. For example, sociologist Robert Bullard’s classic definition of environmental justice frames claims of disparate environmental impact specifically in relation to the law. For Bullard, environmental justice is the principle that ‘all people and communities are entitled to equal protection of environmental and public health laws and regulations’ (quoted in Pellow 2018, 5). This assumption that the state is neutral terrain for movements, and that discriminatory environmental harms can be consistently remedied by movement experts acting through conventional state-institutional means, can be called eco-legalism.

Recent scholarship in environmental sociology demonstrates the risks of treating the state like a neutral actor. This research, which considers cases in the United States and elsewhere in the world, can be divided loosely into three currents. First, sociologists have examined the system of neoliberal environmental governance, which has become the dominant global framework for environmental policymakers (Lockie 2014). Neoliberalism as a governing logic prioritizes market-based responses to environmental problems—though it does not, as is sometimes assumed, oppose a strong role for state intervention to create and maintain those markets. From an environmental justice perspective, neoliberal governance involves a turn towards NGOs as stand-ins for the public, diminishing effective democratic control (Alstyne 2015). The diffusion of neoliberal ways of thinking within state agencies also tends to weaken the power of non-market based issue framings, even in regulatory bureaucracies that adopt the language of environmental justice (Liévanos 2012).

A second body of work emphasizes the pervasive fact of state-based coercion existing alongside this neoliberal market logic. This research has considered, for example, the grim ‘climate opportunism’ of military and corporate elites in the US (Bonds 2016), the continuous, transnational state violence in extractive industry in Guatemala (Fox 2015), and the role of political power in producing ‘multiple marginalisations’ among displaced populations in Mexico and Ethiopia (Nygren and Wayessa 2018). A third recent current in environmental sociology has focused on strategies for resisting state- and market-mediated environmental injustices. Analyzing the 2016–17 Standing Rock struggle, LeQuesne (2019) argues that successful anti-extractive movements must stitch together an ‘intersectional populism’ to confront the complex ‘petro-hegemony’ of a state and fossil fuel complex, which combines relations of consent, compliance, and force. Rivera (2017) considers the quite different case of movement-state cooperation in the Ecuadorian Yasuní-ITT initiative from 2007 to 2013, highlighting the role played by the movement’s asymmetrical institutionalization within the state in contributing to its eventual betrayal and defeat.

It is within this context of critical theorizing about the state in environmental sociology that David Pellow’s call for a ‘critical environmental justice’ should be situated. Pellow’s book is the most ambitious critique of eco-legalism yet to be appear in the field, and also the most developed articulation of what I call eco-anarchism as a strategic alternative. But while his theorization of the state is central—and, I will argue, critically flawed—it is not the only argument developed in this framework. Before examining Pellow’s account of the state, it will be necessary to review these other parts of the theory.

**Critical environmental justice: difference, scale, indispensability**

*Critical Environmental Justice* frames its alternative to eco-legalism as a set of four ‘pillars’, or principles of analysis, and applies these pillars to novel case studies of environmental injustice. Taken together, the pillars aim to move environmental justice scholarship and movement strategy well beyond their conventional
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a political subject.

a repressive, insistent, and instrumental form of domination and othering as practice.

the world, in this instance, is understood as the product of the production of environmental difference, and the local environmental injustices that these differences engender with the work of scholars like 

Pellow's argument that has the greatest bearing on questions of movement strategy. These two issues are the concern of Pellow's third pillar, and to this I now turn.

expression is to be truly indispensable is for it to be included wholly in the political ethics of environmental justice. For a group to be recognized as a political subject, it must be able to mobilize its members to engage in political action, and to do so effectively.

these linkages in deep historical context. This is where the world, in this instance, is understood as the product of the production of environmental difference, and the local environmental injustices that these differences engender with the work of scholars like 

The third pillar in Pellow's framework concerns the theoretical contributions, as well as the potential for empirical work in this area. Pellow identifies the need to examine the ways in which environmental injustices are produced and reproduced through social and political processes, and to understand how these processes are shaped by the broader structural forces of capitalism and colonialism.

The approach to history here is also broader than in conventional environmental justice research to focus on the local effects of pollution occurring over relatively short periods of time. Pellow instead hopes for research that examines these linkages in deep historical context. This is a major strength of Pellow's work, as it is able to integrate a wide range of historical and empirical data to build a comprehensive picture of the ways in which environmental injustices are produced and reproduced.

These strengths notwithstanding, Pellow's framework is limited by how it conceive...
the parameters of law and the state itself (17–18). He opposes his analysis to the conventional ‘progressive-Left’ politics of most scholars and activists who, he says, naively assume that state capacities can be directed away from ‘anti-socioecological’ purposes (23). The repressive functions of the state, in Pellow’s view, ‘tend to be integrally linked’ with other, seemingly progressive state functions (23). He implies that these two types of state function, progressive and repressive, are difficult or impossible to separate.

Why would this be the case? It is, Pellow says, because the state ‘was never intended to provide justice for marginalized peoples and nonhuman nature’ (23). Rather, the ‘purpose’ of states is to dominate – to control populations, ecosystems, territory, migration, knowledge, ideas, and ‘everyday existence’ (23, 58). This ‘management and manipulation’ is accomplished via ‘exclusion, control, and violence’ and projected along categories of difference such as ‘race, gender, class, sexuality, citizenship, and species’, categories which in fact ‘co-emerged with’ and were made possible by the modern nation-state form (58). More concretely, states manage and manipulate through practices such as policing, incarceration, civil vigilantism, bureaucratic negligence, racially-unequal legal structures, state-created socionatures (45–49), and – surprisingly – public employment, housing, and education (57).

This last trio of state practices identified by Pellow as repressive raises the problems posed by a theory which proposes that the state can be said to have a ‘purpose’. Concrete historical practices of state repression, abundantly demonstrated in Pellow’s case studies and cited literature, come to stand in as a sufficient explanation for the existence of those practices – they are functional and causally sufficient, simply because they occur. This functionalist view of the state poses a major obstacle for theory and movement strategy vis-a-vis the state. Simply put, if the purpose of states is always to control and repress, then by definition those social groups subjected to repression could never hope for anything ‘progressive’, such is the case (58).

Pellow appears to realize the problems with this, because he constantly hedges his position. Movements ‘may be better off’ evading the state, states may not be ‘reliable partners’, state practices ‘tend to lean toward’ (a double qualification!) authoritarian and exclusionary arrangements, and so on (22—23). The historical ‘purpose’ of states is to control and oppress, ‘among other things’ – a rather large caveat (23). He admits that movements may sometimes change the character of the state, but only if they engage in ‘massive disruption’ (24).

Pushing past these equivocations, however, Pellow’s actual views on the relationship between movements and the state lean in an anarchist direction. This is most obvious in Pellow’s chapter on the Black Lives Matter movement. Black Lives Matter, Pellow says, takes a ‘rigorous and critical’ approach to the state, but doesn’t go far enough (55). Pellow quotes movement leaders Patrisse Cullors and Darnell Moore advocating for local, state, and federal divestment from police and prison budgets. This money, they say, should instead be “redirected to those federal departments charged with providing employment, housing and educational services” (57). But Pellow is skeptical. This approach, he says, ‘overlooks the possibility that reinforcing progressive state power may also reinforce state power more generally, including its repressive dimensions’ (57).

Pellow seems to be arguing here that social movements cannot really ever win when they engage with the state – public investment directed to schools, jobs, or anything else ‘progressive’ redounds to the benefit of the repressive apparatus, even when power and resources are directly taken away from that apparatus. Why would this be the case? Pellow’s argument is one about legitimacy. He writes:

The issue here is that such an approach may leave intact the very power structures that produced environmental injustices in the first place. Yes, it names those institutions as sources of the problems and seeks to reform them, but by working in collaboration with those entities, such efforts ultimately risk reinforcing their legitimacy.9 (17; emphasis added)

Putting aside Pellow’s usual qualifications (‘may leave intact, risk reinforcing’), the boiled-down argument for why movements should avoid the state is this: when movements interface with the state to win progressive changes, the state as a whole gains legitimacy, and this hegemonic consent can in turn be deployed to justify further repression.

Movement strategy: withdrawal from the state?

The strategic implications of this attitude towards the state are hard to discern, because Pellow appears to be making both a weak and a strong argument about strategy. In the weak argument, social movements should be careful and build institutions mostly outside the ambit of the state. Given the failure of eco-legalism, this does not seem to be bad advice – but does this strategy really follow from Pellow’s argument that the state is by definition an instrument of violence and control? This theory of a permanently-oppressive state would seem to demand not a politics of state avoidance, but rather a politics that could dismantle the state – because as long as the state exists, it will act to produce and reproduce oppression. But Pellow clearly rejects this, too – the environmental justice movement should not, in his view, seek to abolish the state (24). Instead, movements should ‘seek the abolition of socioecologically violent, hierarchical relationships that tend to support state institutions and flow from them’ (24).
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Pellow’s explicit disapproval of strategies of state abo-
build their own institutions and withdraw from engage-
is his strong argument. In this view, movements should
change involving the state is actually impossible. This
indicate a more pessimistic view – that progressive
Cullors and Moore’s divestment/reinvestment proposal,
are essentially (and permanently) forces for violence and
ing these movements because they neither disrupt
and capitalism, are more than capable of accommodat-
ment that states are functionally and inescapably com-
Depending on how seriously one takes Pellow’s argu-
ment suggests a movement strategy of maximal with-
"work[ing]
ning in largely undemocratic [states].
least referred to ‘
the state ‘more robustly democratic’ by ‘work[ing]
ng micro-scale redistributions of power and resources to front-line communities.

Pellow’s second pillar. At best, movements operating
justice in a ‘multiscalar’ way, in the sense implied by
a strong skepticism of state
justice in all or nearly all
between movements and states in all or nearly all
believes there is a permanent asymmetry of force
between movements and states in all or nearly all

demonstrates the limits of his conceptual-

such a strategy would also alienate most environ-
distinct to work[ing] for and divest from fossil fuel corpora-
companies quite often involves activists pressuring
companies quite often involves activists pressuring
refers to international solidarity between anti-Shell

toward
havioral state theory to endorse escape and withdra

example of the strategy in action (2.26).

instance, the People’s Climate March, as Pellow points out, was carried out in support

tion to the greatest extent possible, in a kind of eco-

But environmental justice goals must extend far

the movement to divest from fossil fuel

companies quite often involves activists pressuring
companies quite often involves activists pressuring

climate justice activists, who are usually unrooted in place

wishes to divest their holdings of fossil fuel stocks. Pellow
wishes to divest their holdings of fossil fuel stocks. Pellow

In making largely undemocratic institutions (states)

Even worse, the state appears to be invulnerable.

an argument for activists in the Global North without access to non-
on the one hand (the very same paragraph,

that states are functionally and inescapably com-

the state rather than

Peloton’s arguments to the effect that states

and elsewhere (20–21)."

For example, earlier in the very same paragraph,

in terms of environmental injustice (15.49) and the

a form of environmental injustice (15.92), but these are

and divest from fossil fuel corporations (16), intervene

Following the expression of environmental injustice (2.22), Pellow resorted to examples

refers to international solidarity between anti-Shell

movement to the greatest extent possible, in a kind of eco-

or re-establishing moral economy under condi-

moral economy under conditions dominated by

Peloton’s arguments to the effect that states

in making largely undemocratic institutions (states)

the state rather than

and elsewhere (20–21)."

For example, earlier in the very same paragraph,

that states are functionally and inescapably com-

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Peloton’s arguments to the effect that states

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Peloton’s arguments to the effect that states

in making largely undemocratic institutions (states)

the state rather than
The reason Pellow can’t offer guidance about how movements might slow or reverse the global ecological crisis while truly acting ‘beyond the state’ is because there is no way to do so. There are simply no extra-state institutions with the power to shut down fossil fuel companies, mobilize investment into a green energy transition, or restrain global eco-imperialism. Even assuming that movement institutions with the power to do these things could be built (a kind of global dual-power situation), the ecological crisis does not give us time to build them, and they would inevitably come into conflict with states at some point. And yet, pursued rigorously, the strategy implied at least by Pellow’s strong theory of states would force climate justice movements to commit to just this kind of extreme dual-power strategy. When the state is treated in functionalist terms as a purely oppressive force, a monolithic and all-powerful entity that movements can neither split apart nor destroy, there is simply no other option.

Relational states, class politics: state theory and movement strategy

Pellow deserves credit for attempting to provide a coherent state theory for environmental justice: an account of the state’s role in the production, mediation, and maintenance of environmental injustice, and a set of guidelines for movement strategy vis-à-vis the state. As we have seen, however, his theory would pose serious problems for movements. Most importantly, it gives us no way to imagine popular power being exercised at the speed and scale demanded by the Anthropocene. This point is crucial. Unless we have means of envisioning strategies that carry movements across regional, national, and international scales, environmental justice in the twenty-first century will only be realized at small scales through desperate, rear-guard struggles. Technocratic eco-legalism is now clearly a dead-end, but at least efforts to enlist laws and regulators involves acting offensively to change relations of power between private polluters, state agencies, and affected populations, and then to ‘lock-in’ those progressive changes. Critical Environmental Justice, on the other hand, by rejecting the state tout court, denies the possibility of institutionalizing re-balanced power relations at all.

The weaknesses in Pellow’s account of the state are at least in part the product of a tendency – carried over from anarchist theory – to reify the state as a singular entity. In this framework, the sociological and institutional composition of the state is de-emphasized. Though Pellow does distinguish between ‘progressive’ and ‘repressive’ state practices (57), the main tendency of his analysis is to treat the state as a monolithic whole unified by the ‘purpose’ of oppression. Even when he acknowledges some possibilities for movements to interact with state institutions, Pellow tends to treat those institutions as overly concrete. For example, Pellow at one point admits that ‘there are moments and spaces where states can be pushed’ (24, emphasis added). The state here seems to be an intransigent thing that can, at best, be acted upon, not within or through.

To theorize an alternative, we can turn to recent work in anthropology and political sociology that emphasizes the relational, processual character of the state, grounded in an ontology which begins with interactions, not entities (Emirbayer 1997). The state is a famously difficult object for social theorists, with debate raging since the early days of Marxism over its institutional composition, relationship to the class structure, and ultimate necessity in a complex society. The diversity of historical forms displayed by this modality of power led the influential Greek political theorist Nicos Poulantzas to conclude that ‘the fact remains that there is no general theory of the State because there can never be one’ (Poulantzas 2014 [1978], 20). Instead, as the Spanish political theorist Juan Carlos Monedero notes, it seems more helpful to speak of ‘states’ in the plural, connected theoretically by the minimal Weberian determinants of territory, population, and apparatus of rule (Monedero 2019, 7).

From the perspective of political anthropology, Thelen, Veters, von Benda-Beckmann (2014) set out a theory focused on the role of symbolic interaction in the social definition of states. Abstracting from the familiar institutional forms associated with states, they write that, in a general sense, ‘situational power differentials’ structure the articulation of different ‘state images’ and ‘practices’ by different social actors, and these together ‘sediment into larger political formations and lend the state as a political formation an appearance of coherence through time.’ (8) These ongoing contests of state definition also involve active ‘boundary work’ – struggles to construct where the state’s ends and civil society begins (8). This perspective furnishes the relational, processual micro-foundations for the macro-level institutional anatomy of state forms theorized by Bob Jessop (2016), in a framework he characterizes as ‘strategic-relational’. The keystone concept of Jessop’s work, extending an idea originally developed by Poulantzas (2014 [1978] [1978]), is what he calls ‘crystallization’ (Jessop 2016, 42–44). Particular conjunctures of negotiation, conflict, and alliance between different forces ‘outside’ the state – classes, but also regional, religious, or ethnic groups, with gender relations cutting across all of these – cohere into more or less stable sets of arrangements ‘inside’ the state.

This historical process means that states display particular ‘strategic selectivities’, or biases, arising from the ‘situational power differentials’ of the different actors contesting the terms on which their particular interests and rationalities are crystallized. Concretely, this crystallization ‘represents the interests of the dominant bloc, the victors of past social
...and re-found the state apparatus in their own world. This point suggests a possible reason for Pellow's optimism about the capacity of the state to carry out such transitions as a result of the growing awareness among social movements and within the state itself. The state, after all, is simply a set of institutions and organizations that can be transformed from within. The key is to understand how these institutions and organizations are formed and operate in the context of broader social processes and forces.

Environmental justice is a movement that seeks to address the harsh realities of pollution and toxicity that are disproportionately suffered by marginalized communities around the world. It is a movement that recognizes the agency of those who are often not heard in the political process. It is a movement that seeks to build solidarity and transform society from the ground up.

Environmental justice is not just about policy changes, but about changing the way we think about power and its distribution. It is about recognizing the structural roots of environmental injustices and working to change them. It is about the common usage of 'frontline' or 'fence-line' communities to describe those who are most directly affected by environmental hazards. It is about the recognition that those who suffer the most are often those who have the least power to speak for themselves.

Environmental justice is about re-defining the boundaries and meaning of the state. It is about recognizing the state as a social product, not as a given entity. The state is a process, a relationship of forces, not a static entity. It is about understanding the state as a framework that condenses a new set of social relations throughout the state system. It is about understanding the state as a project that is always simultaneously making parts of the state into instruments of domination and actors of change.

Environmental justice demands that we look beyond the state as a monolithic entity and recognize it as a series of interconnected institutions and organizations. It requires us to think about the state as a process that is always undergoing change and transformation. It demands that we understand the state as a product of social struggles and recognize that the state is not a neutral actor, but rather a product of class society, with a clear narrative that identifies environmental injustice and environmental politics as a logic of domination and class struggle.

Environmental justice is a movement that seeks to build solidarity and transform society from the ground up. It is a movement that seeks to redefine the state and its role in society. It is a movement that seeks to recognize the agency of those who are often not heard in the political process. It is a movement that seeks to change the way we think about power and its distribution. It is about the common usage of 'frontline' or 'fence-line' communities to describe those who are most directly affected by environmental hazards. It is about the recognition that those who suffer the most are often those who have the least power to speak for themselves.
Conclusion: a path forwards for environmental justice

David Pellow’s Critical Environmental Justice provides a needed critique of legalistic approaches to the state, as well as useful conceptual resources and case studies for thinking through environmental justice in a more inclusive and methodologically dynamic way. However, his anarchist analysis of the state does not offer clear strategic guidance to environmental justice movements. The rejection of movement struggles within the state would limit prospects for carrying out a truly ‘multiscalar’ movement capable of intervening at national and global scales. In response, I sketched an alternative, ‘strategic-relational’ state theory. Following Jessop (2016), I argued that the environmental justice movement needs to view the state as a contested field of power, which may structurally favor oppressive social relations but is not destined to do so. Reconceptualizing the state in this way makes structural change possible to envision, but also prompts new questions about the scale of the movement necessary to achieve it. With Huber (2019), I argue that environmental justice scholarship will need to expand its understanding of the constituency for environmental justice, moving beyond direct struggles over livelihood to encompass class-wide movements against the structural sources of injustice, environmental and otherwise.

Notes

1. The ‘Green New Deal’ is a proposed climate policy framework involving ambitious public investment to rapidly decarbonize the U.S. economy and reduce inequality (Kurtzleben 2019). For recent Democratic Party climate proposals, see Irfan (2019). On organized labor and a ‘just transition’ to a decarbonized economy, see Isser (2020).

2. Scholarship documenting the disproportionate impact of toxics and pollutants has aided litigation to shut down some sources of pollution, and advocacy and research by scholars such as Robert Bullard, Bunyan Bryant, Charles Lee, and Beverly Wright eventually contributed to the establishment of both the EPA Office of Environmental Justice, and an executive order by President Bill Clinton in 1994 mandating federal agencies take into account the disparate environmental and health effects of government programs and policies on minority and low-income populations. For a review of this history, see Cole and Foster (2001).

3. Pulido’s endorsement appears on the back cover of Pellow’s book.

4. ‘Eco-anarchism’ is a broad and heterogeneous body of work, ranging from deep green/neo-primitivist arguments for radically simplified social and technological systems, to ‘communalist’ arguments that emphasize municipal-based politics. It is also possible to distinguish between work that attempts to define an ecologically sustainable, non-hierarchical future society, and arguments that focus on the present-day need for anarchist strategy. For communalism, see Bookchin (2007). For anarchist social ecology, see Kadalie (2019).

5. For a general review of the difficulties encountered by the environmental justice movement in attempting to use laws like Title VI of the Civil Rights Act, see Taylor (2014, 98–122). Taylor concludes that ‘plaintiffs bringing EJ [environmental justice] cases in the courts have found little success and filing Title VI complaints has been an ineffective strategy for halting or reducing the exposure to environmental hazards.’ (122)

6. The report notes that civil and administrative enforcement actions have similarly declined, and that state governments have been given ‘veto power’ over some EPA enforcement decisions. For a summary of regulatory actions taken by the EPA from 2017–2019, see Popovich, Albeck-Ripka, and Pierre-Louis (2019).

7. Though beyond the scope of this critique, it is worth noting that Pellow’s particular usage of intersectionality makes ‘hybridist’ ontological assumptions. It is ‘impossible’, Pellow writes, to delineate human and non-human aspects of built environments (20). Natural resources like water or oil should be treated as ‘agents… literally shaping our imagination, policy-making, and the material contours of nation states.’ (118, emphasis in original) For a critique of this position, see Malm (2018).

8. Pellow is clear that his theory applies to all modern nation-states, not just the United States (2018, 58). This represents a significant extension of Pulido’s critique of the state, which is in some ways similar but is applied only to the American state (2017, 525). Pellow also gestures towards a much more expansive theory of social inequalities as rooted in the ‘current social order’ and ‘reinforced by’ the state, but not reducible to it (2018, 22, 138). This broader analysis recurs occasionally throughout the book, but is never systematized. Pellow says early on that his argument will focus mostly on the state (22).

9. Pellow makes this statement in the context of a critique of more conventional movement approaches to the state (a rather broad list encompassing ‘legislation, institutional reforms, and other policy concessions’ [16–17]), but as we have seen, he extends the argument about reinforcing legitimacy to also justify turning away from more radical strategies like Cullors and Moore’s divestment-reinvestment proposal.

10. Eco-separatist movements that do literally ‘walk away’ from the state have experienced some success in Global South countries – the Zapatistas are a well-known example. For other examples of autonomous indigenous struggles in Latin America, see Gómez-Barris (2017). However, separatism in these cases is based on localized control of land and communitarian property relations. These conditions are very rare in the United States, and would require direct, violent confrontation with an immensely powerful state to establish through a strategy of direct action. This does not mean, as is sometimes assumed, that there can be no role for ‘prefiguration’. Yates (2020), synthesizing research in social movement studies, argues persuasively that movement cultures and, to an extent, forms of organization are always ideologically prefigurative, infusing present-day means with the ethos of hoped-for ends.

11. I believe that this view of the state is compatible with the claim, made by theorists of governance, that the configuration of power has changed in advanced capitalist societies, away from a preference for government,
centralized and bureaucratic, and towards a logic of governance, with social power and authority seemingly ‘decentered’, networked, and non-hierarchical (Brown 2015, 122–27). Markets are the key model and technology of this neoliberal form of administration (Lockie 2014), which favors ‘partnerships’ to mobilize non-state actors (Alstyne 2015) and involves a depoliticized fetish for ‘problem-solving’ and ‘consensus’ between ‘stakeholders’. State agencies structured around a logic of governance struggle to integrate movement framings based around justice, or even agent-driven politics as such (Liévano 2012). The effect is to produce a diffused modality of power quite distinct from the post-war system that preceded it. But the state, though its borders have clearly become more porous in the era of neoliberalism, has only been ‘decentered’ in an ideological sense: it remains in reality the central locus of social power. Strategically, social movements will need to remain aware of the diffused, networked character of power in neoliberal society. But rolling back oppressive forms of governance will, I contend, require movements to first focus on achieving and exercising government.

12. What I have called Pellow’s ‘weak’ argument about strategy suggests exactly this kind of approach. He writes: ‘...by building and supporting strongly democratic practices, relationships, and institutions, movements for social change will become less dependent upon the state, while any elements of the state they do work through may become more robustly democratic.’ (24, emphasis added) However, his ‘strong’ skepticism about the state, rooted in his functionalist theory, leads him to consistently emphasize the first part of this formulation (building practices, relationships, and institutions outside the state) to the detriment of the second.

13. Of course, none of these movements to transform deep structures of economic and cultural oppression have been entirely successful. Each has also posed predictable contradictions for environmental protection and the rights of indigenous communities on the land, as Rivera (2017) demonstrates in a careful analysis of state-movement interaction in Ecuador.

Disclosure statement

I am not aware of any potential conflicts of interest.

ORCID

David Purucker http://orcid.org/0000-0003-0403-5932

References


