

Student Review of Selected Panels at the
Thelton E. Henderson Center for
Social Justice 2010 Symposium
“Empowered Partnerships: Participatory
Action Research for Environmental Justice”

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The following articles are student responses and observations of a selected few panels at Berkeley Law’s 2010 Symposium “Empowered Partnerships: Participatory Action Research for Environmental Justice” hosted by the Thelton E. Henderson Center for Social Justice and co-sponsored by Students for Economic and Environmental Justice at UC Berkeley School of Law; the Center on Race, Poverty & the Environment; Communities for a Better Environment; Asian Pacific Environmental Network; West Oakland Environmental Indicators Project; ¡PODER! - People Organizing to Demand Environmental & Economic Rights; California Rural Legal Assistance, Inc.; Greenaction for Health and Environmental Justice; The Pacific Institute; Environmental Studies Institute at Santa Clara University; Cal Corps at UC Berkeley; La Raza Law Students Association at UC Berkeley School of Law; Berkeley La Raza Law Journal; Ecology Law Quarterly; Central Valley Air Quality Coalition; California Law Review; California Environmental Justice Alliance; and the Women of Color Collective at UC Berkeley School of Law.

2010 HONORABLE MARIO G. OLMOS LAW AND CULTURAL
DIVERSITY MEMORIAL LECTURE

KEYNOTE SPEAKER: ANTHONY “VAN” JONES, ESQ., Founder,
Ella Baker Center for Human Rights, and Green for All

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* Students at the University of California, Berkeley, School of Law (Boalt Hall). They attended the symposium on October 14-15, 2010. The panel reviews are based on their own observations and reflections. No citations should be attributed directly to the panelists themselves.

RESPONDENTS: CECIL D. CORBIN-MARK, Deputy Director/Director of Policy Initiatives, We Act for Environmental Justice; MEREDITH MINKLER, Professor of Health and Social Behavior, School of Public Health, UC Berkeley

The 2010 Honorable Mario G. Olmos Law and Cultural Diversity Memorial Lecture kicked off the Thelton E. Henderson Center for Social Justice's Fall 2010 Symposium. The Symposium explored how communities and academics can work together to promote a more equitable distribution of the burdens of environmental degradation.

Attorney Van Jones, the keynote speaker, provided an overview of how the United States can address its current economic woes by fostering the growth of a green economy. He repeatedly emphasized that such an economy must enrich and empower the poor and powerless.

Mr. Jones has spent much of his life working to empower others. Jones founded both the Ella Baker Center for Human Rights, an Oakland-based human rights organization working for the betterment of the urban poor, and Green for All, a national organization that encourages equitable economic growth through the promotion of green industry. He is the author of *The Green Collar Economy: How One Solution Can Fix Our Two Biggest Problems*¹ and is currently a Distinguished Visiting Fellow at Princeton. He also served six months in the Obama White House as Special Advisor for Green Jobs, Enterprise, and Innovation.

Mr. Jones started his speech with a cautionary note: the United States is increasingly diverse but decreasingly prosperous. The economy is stuck in an outdated paradigm, based on consumption, credit, and ecological destruction. The affluent see those who are less well-situated as encroaching on, and threatening, their prosperity.

The good news, according to Mr. Jones, is that a lot of work remains to be done. The United States can become prosperous by establishing a new economic paradigm, one based on production, smart saving, thrift, and ecological preservation. As in the past, the diversity of the United States will not be a hindrance to, but rather a driver of, entrepreneurial activity and prosperity.

For those who might dismiss Jones' green solution as starry-eyed utopianism, he offered the following statistics: eighty thousand Americans continue to work as coal miners, but an equal number of Americans are now employed in the production of wind energy and another forty-six thousand are working in the solar energy sector. In California alone, one-half million people are employed in clean technologies.

1. VAN JONES, *THE GREEN COLLAR ECONOMY: HOW ONE SOLUTION CAN FIX OUR TWO BIGGEST PROBLEMS* (2008).

For those who want to contribute, Jones provided several concrete suggestions. He advocated defending the Environmental Protection Agency's right to regulate carbon emissions as recognized by the Supreme Court in *Massachusetts v. Environmental Protection Agency*.² Mr. Jones also suggested pressuring governments to create demand for green technology by implementing renewable energy standards, particularly for utility companies, and providing loan guarantees for investors.

Professor Meredith Minkler, a veteran of community-based participatory research, spoke next. She encouraged a shift from research performed in and for the "sterile ivory tower" to research performed with and for communities. Paraphrasing a favorite colleague, she posed the question, "if an academic paper is published in a journal and nobody reads it, does it exist?" She emphasized the vital roles communities play at all stages of academic research: identifying issues, collecting data, and prescribing policies.

The second response was provided by Deputy Director Cecil D. Corbin-Mark, of WE ACT for Environmental Justice, a New York organization whose mission is "to build healthy communities by assuring that people of color and/or low-income participate meaningfully in the creation of sound and fair environmental health and protection policies and practices."³

Deputy Director Corbin-Mark drew on his own experiences to provide advice for those who engage in participatory action research. He emphasized that to be successful, partnerships between academics and communities must be long term and collaborative. At the same time, he cautioned academics that research can negatively affect a community by reinforcing stigmas. Finally, he noted that partnerships between communities and academics, by their very construct, challenge entrenched power. He called on the audience to recognize the hard work that lies ahead and prepare for a fight.

These speakers provided an invigorating and impassioned appeal to the audience to work with diverse groups to foster equitable prosperity. The goal, as it was aptly put by Mr. Jones, is to build a green economy that benefits the economically depressed, and the politically oppressed, a green economy that would make Dr. King proud.

BUILDING POWER: WHY PARTICIPATORY ACTION RESEARCH MAKES US STRONGER

FACILITATORS: CHRISTOPHER M. BACON, Assistant Professor of Environmental Studies, Santa Clara University; CATALINA GARZÓN,

2. *Massachusetts v. EPA*, 549 U.S. 497 (2007).

3. WE ACT for Environmental Justice, Home Page, <http://www.weact.org/> (last visited October 26, 2010).

Acting Program Co-Director, Community Strategies for Sustainability and Justice Program, Pacific Institute

PANELISTS: ALEGRÍA DE LA CRUZ, Legal Director, Center on Race, Poverty & the Environment; RACHEL MORELLO-FROSH, Associate Professor of Environmental Science, Policy & Management, UC Berkeley; CHARLIE SCIAMMAS, Community Organizer, ¡PODER!—People Organizing to Demand Environmental & Economic Rights

The first panel at the Henderson Center's Fall 2010 Symposium brought together three dynamic speakers, each of whom represents, at least in name, different systems of advocacy. The approach each takes to their work, however, coalesces around the central thesis of Participatory Action Research (PAR): listen, learn, and act.

Santa Clara University Professor Chris Bacon and Community Strategies for Sustainability and Justice Program Co-Director Catalina Garzón introduced the speakers and noted that the goal of the panel was to examine the way PAR and Environmental Justice can and do inform one another.

Alegría De La Cruz is the current Legal Director for the Center on Race, Poverty, and the Environment and provided the group with two case studies to illustrate how and why PAR works to affect change in communities. One striking example involved a community-led health survey that revealed how, over the course of twenty-one months, thirteen children were born with birth defects in Kettleman City, a rural community in California's Central Valley. Kettleman City is home to one of the nation's large toxic waste facilities. The community was repeatedly told that a health survey would not yield reliable data because the sample size would be too small. Nevertheless, the community rallied together and conducted their own survey. The results of the survey exposed the serious effects the toxic site was having on the community. The City was able to gather their own empirical information, which the Center on Race, Poverty, and the Environment can now use as persuasive evidence for the need for regulation.

Community Organizer Charlie Sciammas from People Organizing to Demand Environmental and Economic Rights (¡PODER!) spoke about working with local communities in San Francisco to help them achieve their own self-directed goals. Sciammas noted the long history of community-based research in the environmental justice movement related to dealing with entrenched political systems. Sciammas spoke about the power of demystifying systems and the need for active improvement.

¡PODER! helped form strategic partnerships with policy makers to effect land use planning decisions that are equitable and community generated. ¡PODER! faced resistance on both sides. But, through actions

such as community health surveys on diesel emissions, ¡PODER! was able to work with San Francisco officials to effect large scale transportation use changes.

The final speaker, Professor Rachel Morello-Frosch, illustrated how academia can employ the principles of PAR—listen, learn, and act—in the field of science. Professor Morello-Frosch, long concerned with environmental justice and community advocacy issues, explained three ways in which PAR informs good science: rigor, relevance, and reach. She spoke about how “rigor” relates to the influence of social movements on science, noting that science is not conducted in a bubble. She sees community voices as a way to keep science honest and relevant. Professor Morello-Frosch used cumulative impacts as an example. A scientific approach to measuring the health effects of a single toxic pollutant might fail to account for the cumulative effects which multiple toxins may have on human health. However, quantifying cumulative effects of multiple toxins is imperative for understanding the impact of toxins on a community. PAR may help scientists ask relevant questions regarding cumulative effects. However, science traditionally requires many repeated experiments to increase certainty about findings. Community advocacy pushes science to help form policy decisions when negative community impacts occur rather than waiting until the results of these negative effects manifest. Professor Morello-Frosch emphasized that science is not immune to politics, and PAR is a means to ensure that a community is not left out of the decision-making process.

There were some great questions and ideas from the audience regarding how to work with institutions that are less open to working with community advocates. The speakers gave experiential advice that bolstered the central principles of PAR. Foundational to PAR and the Environmental Justice movement is the notion that communities do not need someone to speak for them. Instead, allies and advocates must listen to and learn from a community in order to work together to achieve community-directed goals. PAR may seem like a simple model, and perhaps therein is its genius: from listening and learning to envisioning and creating.

PARTNERSHIPS IN URBAN AREAS PANEL

FACILITATORS: MICHELLE WILDE ANDERSON, Assistant Professor of Law, UC Berkeley School of Law; SWATI PRAKASH, Students for Environmental and Economic Justice, UC Berkeley School of Law

PANELISTS: CATALINA GARZÓN, Acting Program Co-Director, Community Strategies For Sustainability and Justice Program, Pacific Institute; MARGARET GORDON, Co-Director, West Oakland Environmental Indicators Project; RICHARD GROW, Project Lead,

U.S. Environmental Protection Agency, Region 9; NATHAN MCCLINTOCK, Member, Urbanfood.Org: Action Research and Education for Sustainable Food Systems and Council Member, Oakland Food Policy Council

Professor Michelle Wilde Anderson began the Partnerships in Urban Areas Panel on an optimistic note: that we have social, academic, and environmental worlds all meeting at this conference exploring community-based participatory research is, in itself, astounding. This would not have happened when she was a student here in 2004.

Community-based participatory research where researchers, organizations, and community members are actively and equitably involved in all aspects of research is an alternative to traditional academic research. Key features of community-based participatory research include the selection of issues that are of importance to, and defined by, the community and the recognition that researchers and community members have much to learn from each other.

After briefly relating their very different journeys to community-based participatory research, the panelists were asked to explain their involvement in urban research partnerships in West Oakland. Margaret Gordon, Co-director of the West Oakland Environmental Indicators Project (WOEIP) and a community activist from the day her mother had her knock on neighbors' doors to invite them to protest the expansion of a nearby highway, first focused her career on environmental justice during the 1990s. While digging to reroute the Cypress freeway in West Oakland, Pacific Gas & Electric workers encountered soil contaminated with chlorinated solvents including vinyl chloride, a known carcinogen. While state and federal authorities investigated the site, they did not completely remediate the contaminated soil and groundwater. Gordon was enraged by California's lack of action and frustrated that she could not link the health problems in her community to these and other industrial pollutants. In her search to do something about the environmental problems faced by her community, Gordon came across and eventually partnered with the Pacific Institute.

Around this time, the Pacific Institute received a grant to conduct community research and began to work with the West Oakland community. It was only a matter of time before Gordon found herself representing the community in this partnership. Catalina Garzón, from the Pacific Institute, explained that the WOEIP included a series of meetings to explore the environmental goals of community members. Since air quality was identified as a major concern, the partnership worked to document its impacts. For example, community members conducted a truck count in order to estimate pollution from truck traffic. As a result of this research, the West Oakland community was able to reduce truck traffic in their neighborhood and limit truck idling at the

port. Gordon's involvement in the WOEIP empowered her to relate information to community members and agencies in a way that could effectuate change.

Gordon has also created meaningful relationships with agencies through the WOEIP. The first of these was with Richard Grow from the Environmental Protection Agency (EPA). Grow explained that projects undertaken by the WOEIP and the EPA were facilitated by a third party to make sure the community was always at the table. Although Grow encountered resistance within the EPA to this approach, he felt that formalizing collaborations with community groups was necessary because agencies are inherently political and leadership changes can alter relationships with community groups. The collaborative process Gordon and Grow followed has served as a model for subsequent community based partnerships with the EPA and the WOEIP.

Mr. Grow also warned of widespread misuse of the term "community-based participatory research" in agencies, which actually conduct what he calls "community-*placed* participatory research." Community-based participatory research, he explained, is defined by the community and is almost always more effective in creating policy change than research defined and organized by academics and agencies.

During the concluding question and answer session, a spectator asked how marginalized communities most affected by pollution could be brought to the table. Perhaps the most powerful answer came in the form of a comment from a West Oakland resident who recently started monitoring air quality in a backpack unit and has become involved in WOEIP's work:

I have learned a lot from the West Oakland Environmental Indicators Project, and all of a sudden, I can understand and explain pollutants to community members. This knowledge is powerful, and it makes me want to do something for the community.