

CASE STUDY #9 by N. Mburu

# THE COLOUR OF WATER: WHITE SUPREMACY VS. THE RIGHT TO WATER

*Trust was not broken overnight, and it's not something you can earn overnight...*

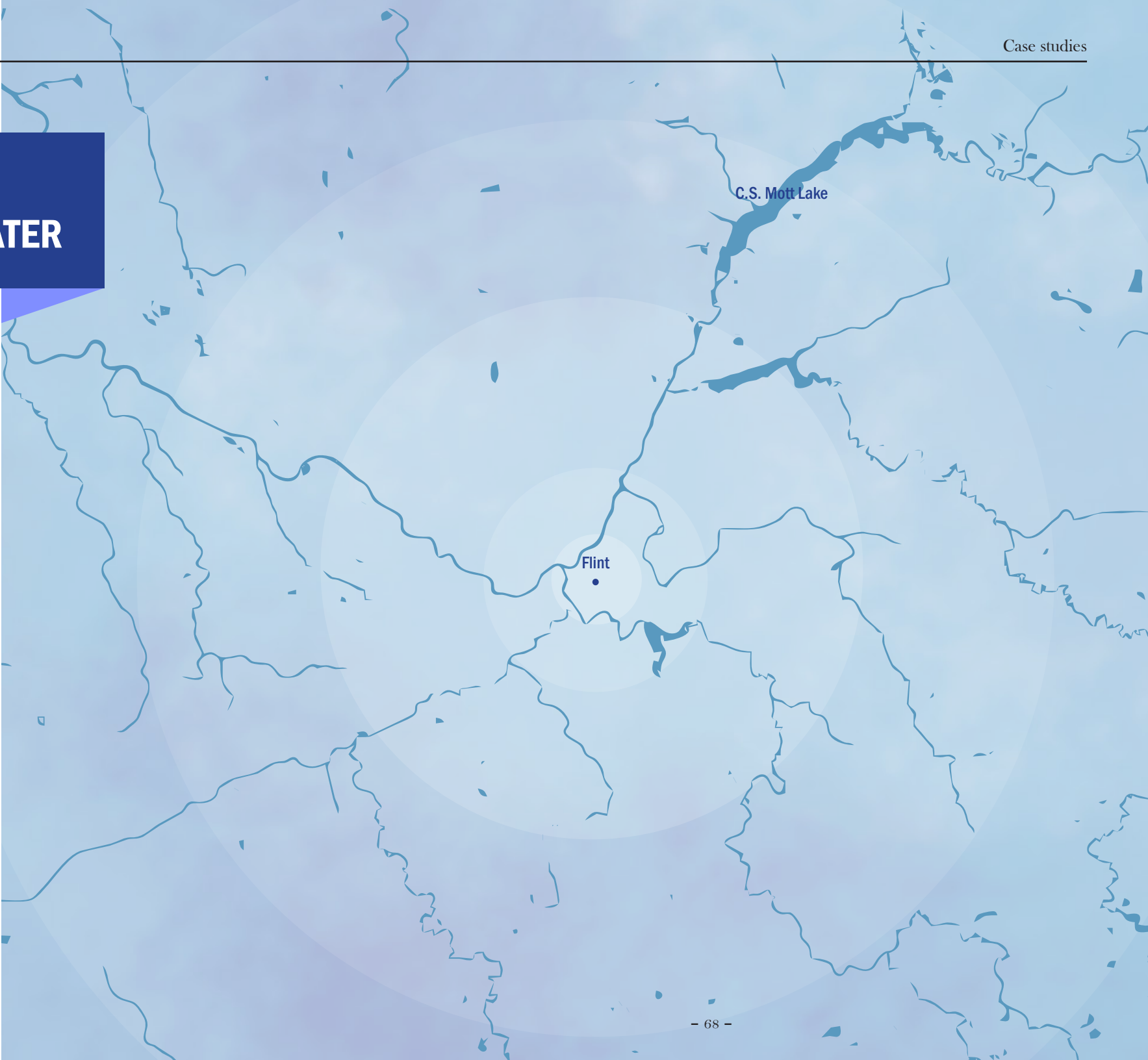
Governor Whitmer (Michigan State, USA)

Root cause analysis

My name is Njoki L Mburu and I trace my ancestry to the Kikuyu people of the present-day Republic of Kenya. For the past three years, I have been a settler in Vancouver which is located on the traditional, ancestral and unceded territory of xʷməŋkʷəy̓əm (Musqueam), Skwxwú7mesh (Squamish) and səliłwətaʔ /Selilwitulh (Tsleil-Waututh) Nations. I have chosen to analyse the root cause of the Flint Water Crisis in Michigan, USA which began in 2014 and persists today, predominantly affecting African-American and Hispanic communities.

“Flint is a shrinking, post-industrial city” (Hammer, 2016,

industrial city” (Hammer, 2016, p.106). In the 1920s, majority of the population in Flint was White (Michigan Civil Rights Commission 2017). Between the 1960s and 2010, the White population fell from ~160,000 to 38,000 while the Black population doubled from ~34,000 to well above 67,000 (Hammer, 2016). In 2014, Flint switched its water system from a clean source provided through the Detroit Water and Sewerage Department (DWSD) to the polluted Flint River under the management of Karegnondi Water Authority (KWA) (Clark, 2018). The reason cited for the switch was that using Flint River would significantly cut the monthly water rates in Flint, which at the time, were one of





of the highest nationally (Clark, 2018). Since then, studies have shown that water from Flint River has caused an increase in miscarriages and stillbirths, lead poisoning, led to devalued properties due to mass migration and increased unemployment (Clark, 2018; Hammer, 2016).

One of the most serious impacts of using the contaminated water is lead poisoning. Approximately 9000 children in Flint, younger than 6 years of age, were exposed to toxic lead levels (Tanner, 2016). This negative health impact is rooted in structural and systemic racism and supported by Michigan's Emergency Manager Law as an institutional framework. Lead poisoning, in the USA, has been evidenced to be a racialized health impact, connected to employment and housing opportunities (Bullard, 1993). Structural and systemic racism has perpetuated lead poisoning in Flint City by exploiting the history of segregation which left people of colour contained in substandard housing units that were often "clustered around industrial complexes" (Michigan Civil Rights Commission 2017, p.64). These devalued properties are home to majority poor individuals who cannot afford relocating (Michigan Civil Rights Commission 2017). Local authorities, however, blamed the local populations for their living

conditions, with one executive stating that "black people are ... deadbeats who drag down their entire neighbourhoods" (Inwood, 2018, p.4).

Realising that property prices had fallen by 30% in Flint city leading to significant losses in tax revenue, the administration enacted the Emergency Manager Law based on the racist assumption that racialized communities had failed in self-governance (Hammer, 2016; Inwood, 2018). Emergency Managers chose to switch from Lake Huron to the contaminated Flint River (Inwood, 2018). It is this decision that continues to disproportionately impact racialized residents of Flint, poisoning them with lead while denying them their right to healthy water (Michigan Civil Rights Commission 2017). Emergency Management negatively impacted approximately 51% of the African-American and about 17% of the Hispanic communities in Michigan state (Lee et al., 2016). Consequently, "a city made vulnerable as a result of structural racism was made even more vulnerable through Emergency Management and fiscal austerity" (Hammer, 2016).

With regards to a climate future, Flint city demonstrates links between water insecurity and rapid urbanisation. Paradoxically,

in this "water-rich Great Lakes region," climate models show that over the next few years, the water level will fall more than ever recorded...

in this "water-rich Great Lakes region," climate models show that over the next few years, the water level will fall more than ever recorded (Seely, 2018) In the next five years, water prices in the US are anticipated to increase by 41% due to costs related to infrastructure and climate change adaptation (Mack & Wrase, 2017). For racialized, economically-disadvantaged communities in the USA, approximately 41 million households will be unable to afford water by 2020 (Mack & Wrase, 2017).

Positionality statement

I relate to this inequalitree because my hometown, Nairobi, faces water insecurity and is also rapidly urbanising. The current failures in the distribution of safe and affordable water in Nairobi can be traced to colonial processes of segregation (Owuor & Mbatia, 2008).

Today, the rich in Nairobi, who are often expatriates or local elites consume approximately 200 litres of water per day (lpd), while the low-income population of majority Kenyans and Kenyan-Asians consumes approximately 75 lpd (Nilsson, 2016). “... for those with money, Nairobi appears to be a largely European city...; just as the colonialists had hoped for one hundred years ago” (Nilsson, 2016). The history of segregation continues to impact my family’s right to water. I am privileged to have adequate and clean access to water in Vancouver; yet, I acknowledge that the existence of institutions providing this access bears serious harm for Indigenous Individuals. Therefore, even as I advocate for my right to clean water, I acknowledge that colonisation continues to deny Indigenous communities their right to healthy life and self-determination. The federal, state and municipal governments of the USA have on many occasions failed to contribute to achieving environmental justice (Campbell, Greenberg, Mankikar, & Ross, 2016).

----

When Flint City’s governing body switched its water supply from Lake Huron to Flint River in 2014, the reason given was that it would be a cost-cutting

measure, saving Flint residents \$11 million annually (Clark, 2018; Hawthorne, 2017). Underneath this austerity measure, lay a toxic reality. Flint River was known to be heavily polluted and highly corrosive such that, General Motors terminated its connection to the Flint River system because car parts had begun to rust away (Campbell et al., 2016).

For the past five years to present day, the residents of Flint City have suffered significant impacts to their physical and mental health, including lead poisoning, anxiety, elevated stress (Cuthbertson, Newkirk, Ilardo, Loveridge, & Skidmore, 2016). The population of Flint is just under 100,000 with approximately 57% being African-American (Michigan Civil Rights Commission, 2017; Nukpezah, 2017). Majority of the African-American population have been living in substandard neighbourhoods; which is a reality based on the history of segregation in Flint (Michigan Civil Rights Commission, 2017, p.61). This situation exemplifies “environmental racism”, where disproportionate environmental harm affects communities of colour due to intentional or unintentional policies (Bullard, 1993, p. 1037). Strongly linked to this is systemic and structural racism (Michigan Civil Rights Commission, 2017).

In response to the deplorable economic state of Flint City, the Governor’s office invoked the Emergency Manager Law in 2013, which meant that Flint’s residents would be excluded from consultations regarding any major decisions, such as the switch in the water supply (Anderson, 2011; Loh, 2016). Completing this potent mix of the ideologies of Segregation and Racism is the insidious violence of White Supremacy. The implementation of the dictatorial Emergency Manager Law in Flint was founded on the assumption that communities of colour did not have an effective form of self-governance (Hammer, 2016, p.11; Inwood, 2018). Emergency Management embodied White Saviourism (Lee et al., 2016).

Looking into the climate future of Flint, desirable daily impacts include decreased lead levels in the water system and improved living conditions of racialized communities. According to the latest tests conducted on the water in Flint, the lead levels are now lower than the levels before the crisis began (Fonger, 2019). The Michigan Department of Environmental Quality (MDEQ) has been supervising monitoring exercises that keep Flint City officials accountable to their residents (Fonger, 2019). As mentioned earlier, racialized communities in Flint often live

...I acknowledge that colonisation continues to deny Indigenous communities their right to healthy life and self-determination...

in derelict neighbourhoods with poor living conditions (Michigan Civil Rights Commission, 2017). To improve this is a greater task that not only involves inclusive governance systems, but also requires radical humanization of racialized groups and a concerted effort to unravel historical and contemporary forms of oppression.

In a more desirable future, structures that could facilitate meeting this reality are holistic legal systems and community-driven environmental organisations. Legal systems in Flint have been marred by injustice. Until 2017, the Republican Government was overseeing the investigation into the Flint Water Crisis (Perkins, 2019). Following the death of 12 people, 15 officials were charged in court, but none have been incarcerated to-date (Associated

Press, 2019). Furthermore, the state of Michigan will not offer reparations to affected households (Perkins, 2019). To address this, the American Justice Department must aggressively pursue due redress to “[combat] the underenforcement of existing environmental laws” (Dana & Tuerkheimer, 2017, p.885).

Racialized-climate organizing in Flint has been on-going since 2014. An example is the ‘Concerted Pastors for Social Action’ which has mobilised the majority African-American community to challenge the courts in replacing lead pipes and in ensuring that affected households receive a filtration system (ACLU Michigan, 2016; Kelly, 2018). Despite their relentless pursuit of justice, these heroes remain unrecognised (Jackson, 2018). Simply put, “America still too often requires a non-black hero or victim before it can turn proper attention to an issue that primarily affects African Americans” (Jackson, 2018, n.p.). Nonetheless, grassroots organisations in Flint continue to partner with ally philanthropists, as recently evidenced when the pop star, Jaden Smith, donated a water filtration system to Flint’s First Missionary Baptist Church (Kuruvilla, 2019).

These positive impacts and

structures are founded on the ideologies of Trust and Environmental Justice (EJ). Residents in Flint City believed their government when they were told that the water from Flint River would be safe (Guyette, 2018). Trust remains elusive especially with some of those who were charged in court being allowed to return to work (Guyette, 2018). To repair and re-earn this trust, the principles of inclusion and equitably shared benefits must be centralized in climate justice discourses. Decisions must be “participatory, transparent and accountable” (Mary Robinson Foundation, 2019, n.p.). Apart from the procedural and distributive elements that are part of EJ, corrective justice is equally vital. The decision-makers involved in the Flint Crisis should face due consequences for failing to uphold safe conditions for residents (Michigan Civil Rights Commission, 2017). The US also needs to restructure its laws on water use. Currently, “United States water law ... concedes very little to need or the public interest. Although [the] need for water is a persuasive consideration in many other legal systems, need for water, in itself, has no special status in US law” (Merriman, 2017, p.458).

However, these climate futures come at a cost to low-income African-American and Hispanic



TIMELINE of the right to water in Flint, MI

*Events related to climate, race, and the right to water in Flint, Michigan; based on the opening activity of* Conversations.

**Flint, City is the birthplace of the multinational** corporation, General Motors (GM) (Clark, 2018). From 1998 to 2013, approximately 150 auto-related companies in Flint closed down, including GM, leading to property tax revenues declining by 33% and income tax revenues falling by 39% (Clark, 2018; Hammer, 2016). The State of Michigan considered Emergency Management a proper solution (Inwood, 2018). However, the Emergency Managers’ decision to switch water sources led to lead poisoning, increased incidences of miscarriages and heightened anxiety (Michigan Civil Rights Commission, 2017).

**In April 2018, LeeAnne Walters, a Flint resident,** was awarded the Goldman Environmental Prize for “spearheading citizen-led water-quality sampling” (Jackson, 2018, n.p.). Solely recognising a White woman symbolised dismissive attitudes towards racialized climate organising that was continually being done by the predominant African-American community (Jackson, 2018). Simultaneously, it revealed that residents in Flint neither trusted the water nor their government officials and therefore took it upon themselves to test the quality of the water (Guyette, 2018). 51% of the African-American community and 17% of the Hispanic community were affected by the Flint Water Crisis (Lee et al., 2016). This disproportionate race-based impact is founded on the 1930s history of segregation which facilitated racism and environmental injustice (Michigan Civil Rights Commission, 2017). In fact, it took two years (2014–2016) until the Federal government, under President Obama, decided to declare a State of Emergency; revealing the systemic racism still prevalent in the USA (Southall, 2016). Furthermore, in 2019 incarcerations and reparations are yet to be made (Associated Press, 2019). Economically disadvantaged African-Americans and Hispanics in Flint continue to be inordinately impacted by White Saviourism ideologies which discredit racialized self-governance, impose White Supremacist laws and increase water insecurity amidst heightened climate-change-related risks.

**Similarly, Kenya’s history of segregation and** colonialism continues to impact my family and me in my hometown, Nairobi. While the expatriate community in Nairobi consumes approximately 200 litres of water per day (lpd), the majority of the Kenyan population (including my family) consumes 75 lpd (Nilsson, 2016). For the majority population, the water is unreliable and unsafe. Evidenced here is both a municipal failure in infrastructural planning and a neo-colonialist ideology, which perpetuates the racist ideal of separation between poor Kenyans and wealthy foreigners. This reality has a strong resemblance to the events in B.C around 1904 when media outlets warned of the ‘danger’ of a “Hindu Invasion”. This led the Anglo-Saxon population to restrict South Asians from pursuing stable professions and from voting (The Province, n.d.). Both histories in Nairobi and B.C. demonstrate that current racialized realities can be traced to roots of White Supremacy.

communities in Flint. One trade-off is that in order to get access to clean water, households will pay more water fees (Mack & Wrase, 2017). Between 2017–2021, the number of households in the US that may be unable to afford water could increase by 25% (Mack & Wrase, 2017). Michigan’s Governor Whitmer, who was appointed in January 2019, has created new positions such as the Office of the Environmental Justice Public Advocate, which could cushion the effects of rising water rates (Funes, 2019). The underlying truth to Flint’s future has been summed up by Governor Whitmer, “Trust was not broken overnight, and it’s not something you can earn overnight” (Malewitz, 2019, n.p.).

Works cited

ACLU Michigan. (2016, June 9). Concerned Pastors for Social Action v. Khouri: Safe Water for Flint. Retrieved 9 March 2019, from ACLU of Michigan website: <https://www.aclumich.org/en/cases/concerned-pastors-social-action-v-khouri-safe-water-flint>

Anderson, M. W. (2011). Democratic Dissolution: Radical Experimentation in State Takeovers of Local Governments. *Fordham Urban Law Journal*, 39, 577–623.

Associated Press. (2019, January 21). No one has gone to jail over Flint’s water crisis. Retrieved 9 March 2019, from New York Post website: <https://nypost.com/2019/01/21/no-one-has-gone-to-jail-for-flints-water-crisis/>

Bullard, R. D. (Ed.). (1993). *Confronting environmental racism: voices from the grassroots* (1st ed). Boston, Mass: South End Press.

Campbell, C., Greenberg, R., Mankikar, D., & Ross, R. D. (2016). A Case Study of Environmental Injustice: The Failure in Flint. *International Journal of Environmental Research and Public Health*; Basel, 13(10), 1–11. <http://dx.doi.org/10.3390/ijerph13100951>

Clark, A. (2018, July 3). Nothing to worry about. The water is fine: how Flint poisoned its people. *The Guardian*. Retrieved from <https://www.theguardian.com/news/2018/jul/03/nothing-to-worry-about-the-water-is-fine-how-flint-michigan-poisoned-its-people>

Cuthbertson, C. A., Newkirk, C., Ilardo, J., Loveridge, S., & Skidmore, M. (2016). Angry, Scared, and Unsure: Mental Health Consequences of Contaminated Water in Flint, Michigan. *Journal of Urban Health*, 93(6), 899–908. <https://doi.org/10.1007/s11524-016-0089-y>

Dana, D. A., & Tuerkheimer, D. (2017). After Flint: Environmental Justice as Equal Protection †. *Northwestern University Law Review*; Chicago, 111(3), 879–890.

Fonger, R. (2019, January 16). Newest testing shows lead in Flint water at lowest level since water crisis started. Retrieved 9 March 2019, from mlive.com website: <https://www.mlive.com/news/flint/2019/01/newest-testing-shows-lead-in-flint-water-at-lowest-level-since-water-crisis-started.html>

Funes, Y. (2019, February 5). Michigan’s New Governor Issues Orders to Bring Justice to Flint. Retrieved 9 March 2019, from Earther website: <https://earther.gizmodo.com/michigans-new-governor-issues-orders-to-bring-justice-t-1832359964>

Guyette, C. (2018, April 25). The Flint Water Crisis Isn’t Over. Retrieved 9 March 2019, from American Civil Liberties Union website: <https://www.aclu.org/blog/racial-justice/race-and-economic-justice/flint-water-crisis-isnt-over>

Hammer, P. J. (2016). The Flint Water Crisis, KWA and Strategic-Structural Racism. *SSRN Electronic Journal*, 45(1), 103–119. <https://doi.org/10.2139/ssrn.2812171>

Hawthorne, S. L. (2017). Do Desperate Times Call for Desperate Measures in the Context of Democracy? Michigan’s Emergency Manager Law & the Voting Rights Act (New York University). Retrieved from [https://socialchangenyu.com/wp-content/uploads/2017/06/hawthorne\\_digital\\_5-30-17.pdf](https://socialchangenyu.com/wp-content/uploads/2017/06/hawthorne_digital_5-30-17.pdf)

Inwood, J. F. J. (2018). “It is the innocence which constitutes the crime”: Political geographies of white supremacy, the construction of white innocence, and the Flint water crisis. *Geography Compass*, 12(3),

Jackson, D. Z. (2018, April 23). The Goldman Prize missed the black heroes of Flint — just like the media did. Retrieved 7 February 2019, from Grist website: <https://grist.org/article/the-goldman-prize-missed-the-black-heroes-of-flint-just-like-the-media-did/>

Kelly, M. (2018, August 21). Flint Safe Water Case Back in Court: Groups Say City Isn’t Complying with Lead Pipe Settlement. Retrieved 9 March 2019, from NRDC website: <https://www.nrdc.org/media/2018/180821-0>

Kuruvilla, C. (2019, March 4). Flint Church In Need Of Clean Drinking Supply Gets Help With Water Box Launch. Retrieved 9 March 2019, from HuffPost Canada website: [https://www.huffpost.com/entry/flint-michigan-church-water-box-jaden-smith\\_n\\_5c7d5e39e4b0e1f77654ef63](https://www.huffpost.com/entry/flint-michigan-church-water-box-jaden-smith_n_5c7d5e39e4b0e1f77654ef63)

Lee, S. J., Krings, A., Rose, S., Dover, K., Ayoub, J., & Salman, F. (2016). Racial inequality and the implementation of emergency management laws in economically distressed urban areas. *Children and Youth Services Review*, 70, 1–7. <https://doi.org/10.1016/j.childyouth.2016.08.016>

Loh, C. G. (2016). The Everyday Emergency: Planning and Democracy Under Austerity Regimes. *Urban Affairs Review*, 52(5), 832–863. <https://doi.org/10.1177/1078087415577639>

Mack, E. A., & Wrase, S. (2017). A Burgeoning Crisis? A Nationwide Assessment of the Geography of Water Affordability in the United States. *PLOS ONE*, 12(1), e0169488. <https://doi.org/10.1371/journal.pone.0169488>

Malewitz, J. (2019, January 30). In Flint, trust is lost. And bottled water supplies are running low. Retrieved 9 March 2019, from <https://www.bridgemi.com/michigan-environment-watch/flint-trust-lost-and-bottled-water-supplies-are-running-low>

Mary Robinson Foundation. (2019). Mary Robinson Foundation – Climate Justice | Ensure that Decisions on Climate Change are Participatory, Transparent and Accountable. Retrieved 9 March 2019, from Mary Robinson Foundation - Climate Justice website: <https://www.mrfcj.org/principles-of-climate-justice/ensure-that-decisions-on-climate-change-are-participatory-transparent-and-accountable/>

Merriman, B. (2017). Testing the Great Lakes Compact: Administrative Politics and the Challenge of Environmental Adaptation. *Politics & Society*, 45(3), 441–466. <https://doi.org/10.1177/0032329217714783>

Michigan Civil Rights Commission. (2017). *The Flint Water Crisis: Systemic Racism Through the Lens of Flint*. Retrieved from [https://www.michigan.gov/documents/mdcr/VFlintCrisisRep-F-Edited3-13-17\\_554317\\_7.pdf](https://www.michigan.gov/documents/mdcr/VFlintCrisisRep-F-Edited3-13-17_554317_7.pdf)

Nilsson, D. (2016). The Unseeing State: How Ideals of Modernity Have Undermined Innovation in Africa’s Urban Water Systems. *Ntm*, 24(4), 481–510. <https://doi.org/10.1007/s00048-017-0160-0>

Nukpezah, J. A. (2017). The Financial and Public Health Emergencies in Flint, Michigan: Crisis Management and the American Federalism. *Risk, Hazards & Crisis in Public Policy*, 8(4), 284–311. <https://doi.org/10.1002/rhc3.12117>

Owuor, S., & Mbatia, T. (2008, September 22). Post Independence Development of Nairobi City, Kenya. 22. Dakar, Senegal.

Perkins, T. (2019, January 18). Flint water crisis: hope for justice as top Democrat vows to review investigation. *The Guardian*. Retrieved from <https://www.theguardian.com/us-news/2019/jan/18/flint-water-crisis-democrats-review-investigation>

Seely, R. (2018, September 30). Can the Great Lakes Continue to Fend Off an Increasingly Thirsty World? Retrieved 27 January 2019, from Truthout website: <https://truthout.org/articles/can-the-great-lakes-continue-to-fend-off-an-increasingly-thirsty-world/>

Southall, A. (2016, January 17). State of Emergency Declared Over Man-Made Water Disaster in Michigan City. *The New York Times*. Retrieved from <https://www.nytimes.com/2016/01/18/us/obama-flint-michigan-water-fema-emergency-disaster.html>

Tanner, K. (2016, January 16). All Flint’s children must be treated as exposed to lead. *Detroit Free Press*. Retrieved from <https://www.freep.com/story/opinion/contributors/raw-data/2016/01/16/map-8657-flints-youngest-children-exposed-lead/78818888/>

The Province. (n.d.). Racism in Paradise: South Asians History of racism in B.C. Retrieved 16 March 2019, from <http://www.theprovince.com/news/racism/timeline/south-asians.html>