

Green and is the new black: a grammar of ecocritical readings in african american poetry and envirommental justice law

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being property once myself
i have a feeling for it,
that's why i can talk
about environment.

Lucille Clifton, "Untitled Poem"¹

The trip to Mars can only be understood through Black Americans
I say, the trip to Mars can only be understood through Black Americans

Nikki Giovanni, "Quilting the Black-Eyed Peas"²

I begin this paper with two excerpts from African American poetry. The first evokes a past in which blacks were possessions; the second, a future in which they are interplanetary pilgrims. To connect them, I'd like to offer a quote not from verse but from the public discourse of African American environmental justice activist, Van Jones: "In my neighborhood, you go around talking to people about polar bears, they are not feeling you." Van Jones is from Oakland, California, and the neighborhood about which he speaks is poor, urban, and black³.

Unlike the verses I referenced from Clifton and Giovanni, Jones speaks of the current moment – of polar bears, the mascot of our present ecological crisis, and of poor blacks who are presumably too beleaguered by 21st century injustice to care. According to Jones, if you want to get poor urban black people involved in the environmental movement, you can't talk about polar bears or endangered trees or imperiled seascapes. One must pass over the subject of spotted owls and talk about how the toxic industries concentrated in inner city neighborhoods give children asthma⁴. One should keep things anthropocentric as she makes her pitch because poor urban blacks don't care about polar bears.

¹ Lucille Clifton, *Good News About the Earth* (New York, Random House, 1972: 2).

² Nikki Giovanni, *Quilting the Black-Eyed Pea: Poems and Not Quite Poems* (New York, Harper Collins, 2002: 3).

³ "Eco-Equity with Van Jones," YouTube video, 2:45, posted by "itsyournature," March 6, 2007, <http://www.youtube.com/watch?v=2SmF3B3734E>.

⁴ Ibid.

One might disagree.

Giovanni's poem says that if you're going to go to Mars, to make a journey without precedent through unfathomable darkness, the end date of which cannot be predicted and that you might not even survive, you must take with you the people who have experienced history's only analogue: the middle passage – black people⁵. If you're going to Mars, you must take black people, and I argue much of African American literature suggests if you want to save this vulnerable world and its beings, black people are essential to your project. If you want to save non-humans, you need the dehumanized. If you want to speak for the voiceless, you need those who were once bound into bits and bridles. If you want to save the trees, how can you do it without those who were their strange fruit? After all, as history testifies, for five hundred years, African Americans, metaphorically speaking, have *been* polar bears. As exemplified by the verses I referenced from Clifton, the analogous vulnerable positions of blacks and nature has generated a closeness that been depicted extensively in African American literature. This vulnerability can only be remedied through the development of eco-rights.

Eco-rights affect blacks in particularly urgent ways with repercussions in the law, education, and democratic culture. In this paper, I'll describe how laws can be re-envisioned to create a more environmentally just society and how children might be educated to become responsible citizens empowered to bring such a society about. As I explore the issue of eco-rights in these domains, I will begin with and work my way back to literature as an expression of the edgy consciousness that takes time to articulate in other discourses, and also as an inviting entry point for developments between children and mentors.

Change can begin by conceptualizing eco-rights as legal rights and examining how black literature might invite us to formulate eco-policy. Let's start with two texts: a poem by Tupac Shakur and a quote from Ludwig Wittgenstein.

The Rose that Grew from Concrete

Did you hear about the rose that grew
from a crack in the concrete?
Proving nature's law is wrong it
learned to walk with out having feet.
Funny it seems, but by keeping its dreams,
it learned to breathe fresh air.
Long live the rose that grew from concrete
when no one else ever cared.

Tupac Shakur⁶

⁵ (Giovanni, *Quilting*: 3-4).

⁶ (Shakur, *Rose*: 3).

“...For what belongs to the essence of the world simply *cannot* be said. And philosophy, if it were to say anything, would have to describe the essence of the world.

But the essence of language is a picture of the essence of the world; and philosophy as custodian of grammar can in fact grasp the essence of the world, only not in the propositions of language, but in rules for this language which exclude nonsensical combinations of signs.”

Ludwig Wittgenstein⁷

The gulf between the language of hip hop poetry and language of philosophy may seem wide – perhaps as wide as the distance between language of hip hop poetry and the language of law – but in this section of my paper, I will argue that not only are these three discursive forms not far from each other – they’re connected. First, I will talk about literature as well as law, but I will frame the discussion by talking about language. For just as, according to Ludwig Wittgenstein, the essence of language is not words but grammar, not content or specific meanings but usage and relationship, ecocritical readings of some African American literature, for example, of Tupac Shakur’s “The Rose that Grew from Concrete” invite us to think the essence of environmental justice law should not be a vocabulary list of issues such as “equity in access to green space” or “equity in access to clean air” but a grammar that structures the relationship between vulnerable populations and their rights.

Tupac Shakur, a hip hop artist and poet who lived in Oakland, California, is known for representing the west coast during the East Coast–West Coast hip hop rivalry of the 1990s⁸. Urban Californian African Americans and other minority groups are currently engaged in battle on the west coast as well – not for musical dominance but for more roses and less concrete as they participate in the urban parks movement⁹. To Shakur’s persona, the odds against a rose growing “from a crack in the concrete” are so high that such an event is worthy of being heralded as heroism. Similarly, the odds of youths developing healthily without access to green spaces are equally unlikely. In their article “Anatomy of the Urban Parks Movement: Equal Justice, Democracy, and Livability in Los Angeles,” Robert García and Erica Flores note, “The human need for parks, school yards, and active recreation, and its implications for human health, are profound.”¹⁰ They also comment, “In the aftermath of

⁷ Ludwig Wittgenstein, *Philosophical Remarks* (Chicago, University of Chicago Press, 1980: 85).

⁸ Nsenga Burton, “Man Says He Shot Tupac at Quad Studio,” *Root*, June 16, 2011, accessed November 16, 2012, <http://www.theroot.com/buzz/man-admits-shooting-tupac-quad-studio>.

⁹ Robert García and Erica S. Flores, “Anatomy of the Urban Parks Movement: Equal Justice, Democracy, and Livability in Los Angeles,” in *The Quest for Environmental Justice: Human Rights and the Politics of Pollution*, ed. Robert D. Bullard (San Francisco, Sierra Club Books, 2005: 159).

¹⁰ (García and Flores, “Anatomy”: 145).

the riots and rebellion that followed the acquittal of the police officers in the state trial involving the Rodney King beating, gang members issued a manifesto calling for peace and listing the shortage of parks and open spaces as one of their major concerns”¹¹. Shakur’s metaphor is not arbitrary. The poet was drawing on real local material conditions.

Unfortunately, as García and Flores note, “In Los Angeles, there are unfair disparities in access to parkland, playgrounds, beaches, and recreation based on race, ethnicity, and class.” Concretely, “For example, within Baldwin Hills State Park (or within a five-mile radius of it), which lies at the historical heart of African American Los Angeles, there is... one playground for every 23,000 children...”¹²

Yet equity in access to green space is not the only environmental issue the poem links to. “Funny it seems, but by keeping its dreams/it learned to breathe fresh air,” the verses read. Here we are given more information about the rose’s environment. Not only does it lack soil, but, for this plant, fresh air is a dream that must be realized. That dream is shared by many African Americans today.

In his essay “Environmental Justice in the Twenty-First Century” Robert Bullard states, “A 2000 study by the American Lung Association shows that children of color are disproportionately represented in areas with high ozone levels. Additionally, 61.3 percent of black children... live in areas that exceed the ozone standard of .08 parts per million, while only 50.8 percent of white children live in such areas”¹³. And, as one might extrapolate from Shakur’s poem, it’s the areas that have the most concrete that have the worst air. In their essay “Environmental Inequity in Metropolitan Los Angeles,” Manuel Pastor Jr., James L. Sadd, and Rachel Morello-Frosch write, “African Americans... are concentrated mainly in the urban core, where pollution levels and risks tend to be higher, while Anglos live primarily in less urban areas, where risks are lower”¹⁴.

“Long live the rose that grew from concrete/when no one else ever cared,” concludes Shakur’s poem, the last line speaking of an indifference all too familiar to those who live in places where too much concrete and too few green spaces make it difficult for both plants and young people to grow and clean air is but a dream. This indifference is a form of environmental racism, defined in the Nongovernmental Organization Language on En-

¹¹ (Ibid.: 146).

¹² (Ibid.: 147).

¹³ Robert D. Bullard, “Environmental Justice in the Twenty-First Century,” in *The Quest for Environmental Justice: Human Rights and the Politics of Pollution*, ed. Robert D. Bullard (San Francisco, Sierra Club Books, 2005: 34).

¹⁴ Robert D. Bullard, Manuel Pastor Jr., James L. Sadd, and Rachel Morello-Frosch, “Environmental Inequity in Metropolitan Los Angeles,” in *The Quest for Environmental Justice: Human Rights and the Politics of Pollution*, ed. Robert D. Bullard (San Francisco, Sierra Club Books, 2005: 117).

vironmental Racism statement as “a human rights violation... caused by government and private sector policy, practice, action or inaction which intentionally or unintentionally, disproportionately targets and harms the environment, health, biodiversity, local economy, and quality of life and security of communities, workers, groups, and individuals based on race, class, color, gender, caste, ethnicity, and/or national origin”¹⁵.

In contrast, “environmental justice” is defined by the EPA as “the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. Fair treatment means that no group of people, including racial, ethnic, or socioeconomic groups, should bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of federal, state, local, and tribal programs and policies”¹⁶. With all this in mind, what sort of laws might Shakur’s poem inspire?

In his book *Environmental Justice: Legal Theory and Practice*, Barry E. Hill observes that “no environmental justice legislation ha[s] been enacted at the federal level”¹⁷. However, he notes “a significant number of states have enacted environmental justice legislation”¹⁸. Hill lists the twelve environmental justice laws on the books in Shakur’s state of California. Four of these laws, Senate Bill 115, Senate Bill 89, Senate Bill 828, and Assembly Bill 2312 establish, coordinate, and commission environmental justice programs. Assembly Bill 1553 “required that environmental justice be addressed in the state’s General Plans” while Assembly Bill 1360 “required Cal-EPA to maintain a system of environmental indicators.” The remaining laws – Senate Bill 32, Assembly Bill 1390, Senate Bill 1542, Assembly Bill 1497, Senate Bill 352, and Senate Bill 76 – are single issue bills that treat toxic waste cleanup, reduction in diesel emissions, siting of waste disposal facilities, notification of changes related to solid waste facilities, siting of schools in relation to high traffic roadways, and Hydrogen Highway facility siting, respectively¹⁹.

Are these laws enough to change the situation described in Shakur’s poem? I say “no.” The first six laws I mention offer no specific legal remedies for urban black youths growing up without equal access to green

¹⁵ World Conference against Racism, Durban, South Africa, Appendix B to *The Quest for Environmental Justice: Human Rights and the Politics of Pollution* (San Francisco, Sierra Club Books, 2005: 34).

¹⁶ Robert Bullard, Introduction to *The Quest for Environmental Justice: Human Rights and the Politics of Pollution* (San Francisco, Sierra Club Books, 2005: 4).

¹⁷ Barry E. Hill, *Environmental Justice: Legal Theory and Practice* (Washington, D.C., Eli Press, 2009: 127).

¹⁸ (Ibid.: 159).

¹⁹ (Ibid.: 172).

spaces and fresh air. The last six do proactively address specific environmental issues, but they do so in piecemeal fashion. I argue that this is because too many environmental justice laws are written in the genre of environmental legislation – they center on specific environmental problems rather than victimized populations. Shakur’s poem, in contrast, takes a more integrated look at the environmental injustice that keeps both plants and people from thriving; it references the lack of green spaces, lack of fresh air, and environmental racism, all in eight lines. If California allowed African American literature to inform the way it does law, then it might be inspired by Shakur’s poem to attack multiple environmental justices together: to target people, rather than the problems they suffer, the center of legislation – in short, to make environmental justice laws that are more like civil rights laws.

Shakur’s poem reminds us that oppressed people don’t experience injustices in discrete parts but as a coherent whole, something the Civil Rights Act of 1964 also recognizes. The Civil Rights Act of 1964 outlaws discrimination and segregation in voting, public accommodations, public facilities, public education, federally assisted programs, and employment²⁰. By placing racial minorities, rather than racial injustice, at the center of the law, the Act banned, at one time, several different forms of injustice that minorities faced.

If environmental justice laws were to look more like much of civil rights legislation, they would be crafted in ways that compounded several matters and were people, rather than issue, focused – for example, a law that recognized a right to green space and barred the racially disproportionate siting of highly polluting entities of any sort. Such a law could be a civil rights act that barred multiple forms of environmental discrimination the way The Civil Rights Act of 1964 barred multiple forms of civic and social discrimination. Such a law would recognize that the essence of environmental justice is not writing into legal books policies that take up the vocabulary of environmental justice programs or toxic waste cleanup but the grammar of the relationship between marginalized peoples and their rights.

This grammatically-focused legal language also prevents us from narrowing our gaze to single lexical issues to the detriment of the big relational picture. The civil rights movement, for example, was not considered by its participants to be a collection of disparate efforts. The Montgomery Bus Boycott’s victory was not a success in itself as much as it was a successful *beginning*. Civil rights activists did not sew together a patchwork quilt of justice by pasting together multiple single-issue victories such as *Browder v. Gayle*. They sought and received a blanket of justice that covered multiple forms of discrimination. Furthermore, the civil rights

²⁰ “Major Features of the Civil Rights Act of 1964,” date last modified ungiven, http://www.congresslink.org/print_basics_histmats_civilrights64text.htm.

movement's grammatical lens allowed it to sustain itself for the long term in a way single issues movements fail to do.

While some might fear that writing ethno-centric environmental justice laws, grammatical or not, could de-prioritize the universally relevant environmental concerns, but the African American literary tradition shows how focus on particular concerns can be acupuncture for the general body politic. The literary record suggests that because blacks exist in a shared and vulnerable ecology with nature, what's good for blacks is also good for the environment. A world in which young people can thrive is also one that will cultivate roses for everyone.

This becomes particularly clear when we observe that many of those who damage the environment are able to operate by, as Devon G. Peña explains, transforming non- white communities into "sacrifice zones" which "are geographically distinct areas defined as expendable in terms of the protection of environmental quality"²¹. Therefore, if one makes environmental justice laws that are heterogeneous civil rights laws to protect blacks and other minority groups, one also protects the earth. I'll provide another example of how ecocritical readings of African American literature can inspire law by engaging the text of Paul Laurence Dunbar's "The Haunted Oak."

The Haunted Oak

PRAY why are you so bare, so bare,
Oh, bough of the old oak-tree;
And why, when I go through the shade you throw,
Runs a shudder over me?

My leaves were green as the best, I trow,
And sap ran free in my veins,
But I saw in the moonlight dim and weird
A guiltless victim's pains.

I bent me down to hear his sigh;
I shook with his gurgling moan,
And I trembled sore when they rode away,
And left him here alone.

They'd charged him with the old, old crime,
And set him fast in jail:
Oh, why does the dog howl all night long,
And why does the night wind wail?

He prayed his prayer and he swore his oath,
And he raised his hand to the sky;
But the beat of hoofs smote on his ear,
And the steady tread drew nigh.

²¹ Devon G. Peña, "Tierra Y Vida: Chicano Environmental Justice Struggles," in *The Quest for Environmental Justice: Human Rights and the Politics of Pollution*, ed. Robert D. Bullard (San Francisco: Sierra Club Books, 2005: 200).

Who is it rides by night, by night,
Over the moonlit road?
And what is the spur that keeps the pace,
What is the galling goad?

And now they beat at the prison door,
“Ho, keeper, do not stay!
We are friends of him whom you hold within,
And we fain would take him away

“From those who ride fast on our heels
With mind to do him wrong;
They have no care for his innocence,
And the rope they bear is long.”

They have fooled the jailer with lying words,
They have fooled the man with lies;
The bolts unbar, the locks are drawn,
And the great door open flies.

Now they have taken him from the jail,
And hard and fast they ride,
And the leader laughs low down in his throat,
As they halt my trunk beside.

Oh, the judge, he wore a mask of black,
And the doctor one of white,
And the minister, with his oldest son,
Was curiously bedight.

Oh, foolish man, why weep you now?
‘Tis but a little space,
And the time will come when these shall dread
The mem’ry of your face.

I feel the rope against my bark,
And the weight of him in my grain,
I feel in the throe of his final woe
The touch of my own last pain.

And never more shall leaves come forth
On the bough that bears the ban;
I am burned with dread, I am dried and dead,
From the curse of a guiltless man.

And ever the judge rides by, rides by,
And goes to hunt the deer,
And ever another rides his soul
In the guise of a mortal fear.

And ever the man he rides me hard,
And never a night stays he;
For I feel his curse as a haunted bough,
On the trunk of a haunted tree.

Paul Laurence Dunbar²²

To prepare an ecocritical reading of this poem, I need to define two terms. The first term is “sacrifice zone.” In his book *Sacrifice Zones: The Front Lines of Toxic Chemical Exposure in the United States*, Steve Lerner states “low-income and minority populations, living adjacent to heavy industry and military bases, are required to make disproportionate health and economic sacrifices that more affluent people can avoid.” He explains that environmental justice activists label the areas where such populations live “sacrifice zones”²³. The second term is “redlining.” John McKnight, an activist and Northwestern University sociologist, coined the term to describe how banks neglect impoverished communities.²⁴ How do these terms relate to each other? Dunbar’s poem and anti-redlining legislation show the way.

“The Haunted Oak” describes how a human persona (presumably black) and a tree are able to converse and about the shared suffering of nature and African Americans due to a lynching. The victim is “charged with the old, old, crime” – rape. Perhaps the lynch mob had been inspired by Rebecca Felton, the “activist” who would become America’s first female senator, who claimed that white women were in such danger of being raped that, if necessary, whites should lynch one thousand black men a week²⁵.

In promoting genocidal levels of violence against black men, Felton was doing more than advocating hate crimes – she was transforming black men into a sacrifice zone, into a type of people whose humanity could be forfeited. As Lerner noted in his book, minority status remains the trope of sacrifice zones, and as “The Haunted Oak” shows, when people are devalued, so too are the spaces they inhabit and the non-human forms of life who also dwell there. Dunbar’s tree, anguished at having been used for a lynching, is not so different from an oak struggling to survive poisoned air and soil in a contemporary black community, an oak victimized by the discrimination suffered by its human neighbors. Given how sacrifice zo-

²² “The Haunted Oak,” n.d., <http://www.potw.org/archive/potw357.html>.

²³ Steve Lerner, *Sacrifice Zones: The Front Lines of Toxic Chemical Exposure in the United States* (MIT Press, 2010), 3.

²⁴ Shirley Sagawa and Eli Segal, *Common Interest, Common Good: Creating Value Through Business and Social Sector Partnerships* (Harvard Business Press, 2000), 6.

²⁵ Philip Dray, *At the Hands of Persons Unknown: The Lynching of Black America* (New York: Modern Library, 2002), 125.

nes locate interpersonal and environmental violence in minority spaces, it is important to revisit the idea of redlining.

Redlining is generally thought of a form of disinvestment, but it might be more properly considered a form of disinvestment in ways that would *benefit* minority communities. The reality of sacrifice zones shows that minority communities are indeed being invested in – they are desirable because they are seen as disposable, fitting sites for the “heavy industry and military bases” that Lerner describes. How can law remedy this?

As Allen Fishbein and Ren Essene describe in their working paper “Moving Forward: The Home Mortgage Disclosure Act at Thirty-Five: Past History, Current Issues”, “the Home Mortgage Disclosure Act (HMDA), [is] a law designed to discourage redlining in mortgage lending and to encourage reinvestment in the nation’s cities by providing greater transparency, and thus greater public scrutiny of lending activities.”²⁶ HMDA serves as a way to act against disinvestment through redlining, but it could be modified into an environmental justice law if it contained a mechanism designed to combat polluting forms of investment in those same communities.

As Kat Aaron describes in a *Prospect* article, in 2010 changes were proposed to HMDA that would “move responsibility for the collection and reporting of the data to the new Consumer Financial Protection Bureau. Second, it would require an expansion of the loan details to be collected under HMDA, including, for the first time, credit-score information and age of the borrower, total fees and points, presence of teaser rates or prepayment penalties, and the use of a mortgage broker, loan officer, or other agent”²⁷. What if there were a toxic industry and military base disclosure act designed to use transparency to discourage the production and perpetuation of sacrifice zones? The law could require loans to specified toxic industries and for military base construction to be reported to the EPA. Furthermore, it would require demographic information on the communities of the land being used. In his article, Aaron described the effects of the suggested changes to HMDA a having the ability to “transform the predatory-lending debate from arguments over anecdotes to conclusions based on hard evidence”. A similar law designed around land use could change the debate in the same way, allowing communities to see which financial institutions are funding environmental injustice, denying banks the ability to hide environmentally racist lending practices, and enabling victimized populations and their allies to divest from those financial institutions.

²⁶ Rachel Adelman, “‘Such Stuff as Dreams Are Made On’: God’s Footstool in the Aramaic Targumim and Midrashic Tradition” (paper presented at the annual meeting for the Society of Biblical Literature, New Orleans, Louisiana, November 2009: 21–24).

²⁷ “Anti-Redlining Law Gets a Makeover,” last modified July 12, 2010, <http://prospect.org/article/anti-redlining-law-gets-makeover-o>.

Divestment is a strategy that has been repeatedly deployed to combat injustice. In her chapter “The US Divestment Movement” from the book *How Sanctions Work: Lessons from South Africa*, Meg Voorhes describes how the campus divestment movement brought public attention to the issue of apartheid and generated media coverage that inspired South African activists. Environmental justice divestment could have similar affects.²⁸ Beyond this, divestment is a way for average people to take meaningful action. In his book *Boycott Divestment Sanctions: The Global Struggle for Palestinian Rights*, Omar Barghouti explains that the failure of the international community to bring Israel to justice for its abuses of Palestinians compels the moral people to pressure Israel²⁹. As Barghouti describes, divestment is a way for ordinary people to cease relegating the responsibility of bringing about justice to others and to deploy the power they possess to the good.

Building a society in which eco-rights are enshrined as legal rights requires developing an ecologically-literate citizenry. Thus, the foundation of eco-policy is eco-pedagogy. As Michael Yellow Bird states, “The sicknesses of global warming, unrestrained greed, waste, pollution, and war represent critical challenges we must shift our attention to in the curriculum, research, and coursework within our discipline. To ignore these realities that continue to unfold before us is to sanction a great calamity upon our future generations”.

Loathe to ignore the realities that Yellow Bird describes, I spent the Spring 2013 semester of my first year as a PhD (African and African American Studies)/JD joint degree program student at Harvard University developing curricular modules that teach children to read literature critically and to develop awareness of the existence and manifestations of environmental injustice as well as the possibility of taking legal action to remedy this injustice. To do so, I created two curricular modules – the first for a unit on *Charlotte’s Web* by E.B. White and the second for a unit on *Little House on the Prairie* by Laura Ingalls Wilder. Both modules link commonly taught “classic” (Caucasian American) books to other (African American) texts – *Charlotte’s Web* is taught alongside Nikki Giovanni’s “Sanctuary: For Harry Potter the Movie” from her book *Quilting the Black-Eyed Pea: Poems and Not Quite Poems*. (It is also paired with the “Environmental Justice Inventory for Ten Communities in the Greater Boston Area,” the field project of Karen Petho, Cameron Pratt, Carey Reeder, and Dan Schulte of Tufts University Urban and Environmental Policy and Planning.) *Little House on the Prairie* is taught with “The River Speaks” by Frank X Walker from his book *When Winter Come and the Right Live-*

²⁸ Meg Voorhes, “The US Divestment Movement,” in *How Sanctions Work: Lessons from South Africa*, ed. Neta C. Crawford and Audie Klotz (New York: St. Martin’s Press, 1999: 129-130).

²⁹ Omar Barghouti, *Boycott Divestment Sanctions: The Global Struggle for Palestinian Rights* (Chicago, Haymarket Books, 2011: 74-75).

lihood Award acceptance speech of African indigenous Bushman leader Roy Sesana.

My modules are as motivated by academic concerns as by social ones. They draw upon the Common Core State Standards which, as they relate to English Language Arts, attempt to get students to engage in close reading. The standards require students to think in a deep and scholarly fashion about texts. Yet the call to profound and highly attuned readings is not novel. It has always been the business of literary studies, and was given a lasting formulation by Russian Formalists, most notably by Victor Shklovsky in his essay “Art as Technique.” Inspired by the Common Core State Standards and Russian Formalism, my modules attempt to do more than teach literature. They teach students to engage with literature in the manner of literary critics. I’ll briefly describe these two modules.

Module One

Charlotte’s Web links agreeably to “Sanctuary: For Harry Potter the Movie” as *Charlotte’s Web* centers on issues of vulnerability, cross-demographic understanding (the relationships between and among Fern Arable and animals of different sorts), and the ability of literacy to empower vulnerable characters. Similarly, “Sanctuary” uses Harry Potter’s survival of a potentially fatal attack by an evil wizard to speak of and fuse together African American, Native American, and Jewish suffering with environmental crimes against elephants, manatees, and the savannah³⁰. In the poem, words are used in an empowering manner to treat issues communities under threat face and to forge links within and beyond the suffering of different human groups, animals, and nature.

The module I created requires students to draw links between the victimizing, victimized, and victims’ allied groups in *Charlotte’s Web* and “Sanctuary,” to independently research more about a victimized group in either of the works, to learn about present-day and local injustice by reading about an environmental justice study done in Boston, and then to take action by filing a public nuisance claim against a polluting facility of their choice.

Module Two

The second module I created asks students to examine (neo)colonization from different perspectives by reading *Little House on the Prairie*, a work with colonialist assumptions, alongside “The River Speaks,” an anti-colonial meditation on the journey of Lewis and Clark, Sacajawea, and York, the enslaved African American man who accompanied them, from the perspective of the eponymous river. Students then learn about present day neocolonial injustice and its relation to environmental injustice by reading the Right Livelihood Award acceptance speech of Roy Sesana.

³⁰ Nikki Giovanni, *Quilting the Black-Eyed Pea: Poems and Not Quite Poems* (New York, HarperCollins, 2002: 88-90).

Finally, students take action by writing the government of Botswana on behalf of the Kalahari Bushmen.

As I hope to have conveyed in this essay, my aim is for diverse sets of readers (be they policy-makers or schoolchildren) to use African American literature as instruments of empowerment. My modules have a goal beyond introducing young minds to worthy texts – they are designed to introduce the issue of environmental injustice and mobilize students against it. Yet there is a tension between my “agenda,” and the progressive ideas that educators empower not foremost by imparting content but by teaching children how to learn. Am I circumscribing students by pairing *Charlotte’s Web* with “Sanctuary: For Harry Potter the Movie” and the “Environmental Justice Inventory for Ten Communities in the Greater Boston Area” or *Little House on the Prairie* with the Right Livelihood Award acceptance speech of Roy Sesana? Would they be better served if, after having been assigned to read *Charlotte’s Web* or *Little House on the Prairie*, the next task they were levied would be to independently discover texts *they* feel relate to those books? What if, instead of insisting on linking *Charlotte’s Web* and *Little House on the Prairie* to issues of environmental injustice, students were allowed to forge their own connections between the works and different issues? Such questions must be seriously considered.

Pedagogy that carries social imperatives runs the risk of employing what Paulo Freire referred to as the banking model of education³¹. However, I am also concerned with the risk of not making injustice explicit for schoolchildren. We are in a time of emergency: polar bears are drowning, urban minority children are dying of asthma, there is a de facto segregation of green space, landfills pock the face of the earth, and the whole planet is overheating to a critically dangerous level. When a fire alarm rings in a classroom, we don’t take the bell as an occasion to ask children to creatively think of how the class might exit the building safely. We clearly inform the children to line up quietly; feel the door for heat; and, if necessary, stop, drop and roll. Is this the banking model? Yes. But it is also a life-saving strategy in a life and death situation.

In her work on museum studies, Amy Lonetree, a Native American scholar, criticizes the Smithsonian’s National Museum of the American Indian for setting hints about the brutality of colonialism before patrons without explicitly explaining that the indigenous people of the Americas suffered a holocaust. She is concerned that such a pedagogical strategy does not introduce the ignorant to new information but requires the public to already be informed. Ultimately, she doubts the likelihood of museum visitors deducing genocide and imperialism from a subtle and abstract displays without guidance from the institution itself³².

³¹ Paulo Freire, *Pedagogy of the Oppressed: 30th Anniversary Edition* (New York: Continuum International Publishing Group, 2000: 74).

³² Amy Lonetree, “Acknowledging the Truth of History: Missed Opportunities at the National Museum of the American Indian,” in *The National Museum of the American Indian: Critical Conversations*, ed. Amy Lonetree and Amanda J. Cobb, (Lincoln: University of Nebraska Press, 2008: 315).

I share her concerns. Given the Eurocentricity of most public schools' curricula, I doubt that most students will find black texts such as "Sanctuary" and Roy Sesana's speech on their own. Nor do I think they will stumble upon environmental injustice. In creating my modules I have had to seek a pedagogically progressive way to point students in the direction of black texts and social justice issues, because, as Lonetree suggests, there is too much at stake in students remaining unaware of these hard truths.

The "third way" my modules employ comes from the Pre-Texts program created by Dr. Doris Sommer. Pre-Texts uses art and other creative activities to invite students to engage with complex literary texts. Part of the program encourages students to "go off on tangents" that link outside entities to the subject matter of the literature being explored. One hallmark of Pre-Texts is it is shepherded by "facilitators" who, rather than leading students through the activities in a top-down manner, encourage students to take ownership of the process and, in egalitarian fashion, themselves function as participants in all the activities. I encourage teachers using my modules to behave in the manner of Pre-Texts facilitators – introducing African American texts and environmental justice concerns as their tangents, while also making space for students to forge their own connections. Rather than employing the banking model, teachers using this methodology instead engage in what John Dewey referred to as "transaction" – an educational exchange³³. In this way, teachers can behave as responsible curators of knowledge by putting critically under-taught material before the gaze of their students while also acknowledging the value of *everyone* sharing and receiving.

As I conclude my discussion of eco-rights in law, education, and democratic culture, I must reference Walter Benjamin's *The Origin of German Tragic Drama*. In this book, Benjamin argues that symbolism is a misunderstood concept. Symbolism means, and should be understood to mean, "unity of form and content" yet is often misconceived as the distancing space between art and reality³⁴. For Benjamin, allegory and life do not proceed along separately in parallel registers but influence each other. The allegories we hear, philosophies we cherish, and notions we hold influence the realities we create, and, reciprocally, our experiences determine how we engage with art and ideas. It is my hope that readers do not dismiss ecocritical readings of African American literature as providing metaphors for environmental justice in a manner in which metaphors are understood to exist on the other side of a gulf from policy, curricula, and toxic sludge. Rather, I want readers to conceive of African American literature as water and allow it to flow into the realms of law and nature. Furthermore, I want them to recognize that the writing of both literature and law have real world effects on the natural world. It is my intent that this paper be a moving river of green ink that runs across the boundaries of discipline and into the physical world.

³³ John Dewey, *How We Think* (Boston: D. C. Heath and Co., 1910: 30).

³⁴ Walter Benjamin, *The Origin of German Tragic Drama*, trans. John Osborne (New York: New Left Books, 1977: 160).