Social Justice Exploratory Project

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For my Social Justice Exploratory Project, my selection of topics was based on social issues that came out of everyday news. We are living in a time where people are more socially conscious, and are voicing their opinions especially through social media. It is because of social networks, social issues are being known about faster than ever. I decided to research on subjects I have recently heard or read about. I decided to discuss and write about the details of environmental justice and the role environmental racism has in it. My second topic is about being a transgender student and the life of transgender people in schools. Lastly my third topic is about the impact of restrictions laws on abortion rights.

**Environmental Racism**

At the end of 2015 it was revealed to the general public that the city of Flint, Michigan has declared the city in a state of an emergency, because the city’s water supply was tainted with high levels of lead. I became interested in this social issue because it was highly publicized; it was on all the news media outlets, also because for years I have heard about many communities fighting to prevent a garbage dump, a power plant, or other hazardous facilities being built near or within their neighborhood. I have never heard about anything like what happened in Michigan and that story peak my interest about environmental racism.

Environmental Racism is “the intentional placement of hazardous waste sites, land fill, incinerators, and polluting industries in communities inhabited mainly by African-Americans, Hispanics, Native Americans, Asians, Pacific Islanders, migrant farm workers, and the working poor”1. The term environmental racism was first used in the 1980s coined by a man named Dr. Benjamin Chavis, a civil rights activists, because of an incident in Warren County, North Carolina, where the placing of a chemical landfill would occupy a piece of land in a predominantly black neighborhood. Afterwards any situation that occurred similar to that incident, environmental racism would be the term that was used to label it. Because of the activism and the movements that occurred in the 1960s and 1970s, it would lay the ground work for what would be called the environment justice movement in the 1980s. ‘Environmental Justice is 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.”2

In "Environmental Justice in the 21st Century: Race Still Matters” Robert D. Bullard the leading scholar on environmental racism as well as the environmental justice movement, explains in great detail all of the elements that plays a role in environmental racism, the lack of environmental laws and policies, declining infrastructure, decision of land use, poverty, zoning and other factors. Bullard He gives a step by step guide on how to effectively prevent environmental racism. He refers to his guide as environmental justice framework, He categorizes into five main points”:

“(1) The environmental justice framework incorporates the principle of the "right"

of all individuals to be protected from environmental degradation.

(2) The environmental justice framework adopts a public health model of

prevention (elimination of the threat before harm occurs) as the preferred strategy.

(3) The environmental justice framework shifts the burden of proof to

polluters/dischargers who do harm, discriminate, or who do not give equal protection to

racial and ethnic minorities, and other "protected" classes.

(4) The environmental justice framework would allow disparate impact and

statistical weight, as opposed to "intent," to infer discrimination.

(5) The environmental justice framework redresses disproportionate impact through

"targeted" action and resources.”

Throughout the rest of article he extensively continues on explaining all the factors I listed above.

In the article Bullard says, “African Americans, no matter what their educational or occupational achievement or income level, are exposed to higher crime rates, less effective educational systems, high mortality risks, more dilapidated surroundings, and greater environmental threats because of their race.” After reading this quote and the entire article, I learned how systematic everything is when it comes to environmental racism. Even when laws are made to help the people, it is used by lawmakers to exploit a community all because of the color of their skin.

When Bullard said, “Overwhelming scientific evidence exists on the ill effects of lead on the human body. However, very little action has been taken to rid the nation of childhood lead poisoning in urban areas. Former Health and Human Secretary Louis Sullivan tagged this among the "number one environmental health threats to children." After reading that quote, it reminded about everything that is going on in Flint, Michigan. It shows how some people don’t care, and also shows how conniving they can be not to give one thought on how cruel their actions are. While researching this topic, I read multiple articles that environmental racism had nothing to do with race, but class. I disagree with that thought because I would figure it can be a class issue if you were in a country where everyone was of the same race so therefore you would distinguished by class, but for America, it’s s melting pot of people and cultures, so now the factors become race not class. I believe Bullard environmental justice framework should be a guideline that not only benefits African Americans but any groups of people around the world who are experiencing this kind of prejudice. It needs to be known so situations like this do not continue on happening.

In "Averting Environmental Justice Claims? The Role of Environmental Management Systems" Daniel Edwards, and Nicole Darnall poses the question does environmental management system (EMS) harm minority and ethnic populations. “The article probes whether industries actually improve the environment as a consequence of EMS adoption or whether such systems are simply used to avoid greater governmental scrutiny without necessarily reducing overall environmental risks.” Throughout this reading extensive data is given to prove whether not environmental management system works. The conclusion of the study suggests that “evidence that in the presence of lower-income populations, the racial status of the surrounding community increases facilities' probability of adopting an EMS. Therefore, these facilities may be reducing the environmental harm posed to low-income minority populations.”

What I learned from this reading is that the effects of environmental racism can be reversed, also combined with Dr. Robert D. Bullard’s environmental justice framework. The future of any neighborhood whether it’s of an African American, Hispanics or Asian has the chance of having healthy residents comfortably in their communities. I do believe any solution that would clean up the mess of environmental racism probably be blocked because there are people who want to continue leaving the neighborhood that is full of people of color in shambles

**Transgender in Schools**

My second social issue that is relevant today’s world is transgender issues I’m like so many people who watch TV and social media, and see and hear the daily news about this community From how men and women get their surgical procedures, how there is a raise in hate crimes, and suicides, and how legislation laws affects their civil liberties.. The transgender topic has been brought to the forefront by the news as well as pop culture from films like the Danish Girl and the documentary on Caitlynn Jenner. More than ever we have been having more discussions on the transgender community than ever before. Even though the dialogue has started, there is still a lot an everyday person does not know about the life of a transgender person.

Edwin C. Darden’s, "The Law Trends toward Transgender Students” he talks about the rights that are given to a transgender student in California. He explains how more than ever court cases that involve a transgender student are ruling in their favor. One of the many issues that surround a transgender student today is the allowance to use the bathroom according to the gender they identify with. He explains that many parents, other students, and the school itself are having a difficult time with how to deal with this situation. Darden give example of the bathroom issue:

“Born Wyatt Maines, Nicole identified with girls beginning at 2-years-old. In the early grades, she had permission to use the girls' bathroom. In 5th grade, a boy followed Nicole into the bathroom on two occasions. He said his grandfather had told him that if Nicole could use the girls’ bathroom, so could he. Afterward, the school district concluded that Nicole would be required to use a single-stall, unisex, staff bathroom and follow the same practice in middle school. The Maine Human Rights Commission had previously ruled that discrimination occurred when the district barred Nicole's use of the girls' bathroom. Nicole and her parents sued the Regional School Unit 26 Orono”

In the rest of the article, Darden gives more examples about transgender student’s lawsuits. In all the cases, the judge sided with student because “denying access to the appropriate bathroom constitutes sexual orientation discrimination."Darden also addresses how transgender student had an effect in other areas of the school, such sports. He discusses how transgender students do not fit in the traditional labelling of a male or female sports team. This poses another problem for the student because fairness gets called into question. Darden expressed that, “Prudent decision makers must swallow any feelings of animus, do what's best for the student, and save the district the headache of legal hassles.”

What I learned about this reading, that people are really quick to sue when they don’t understand someone life. I was amazed at how many court cases involved young children under the age of ten. I am pleased to know that there is schools standing up for transgender student, and letting everyone know they have right too. I know this process will not be easy because none of the social issue ever is but it was to read that these students in the end had a good outcome of their situation.

In "Teaching Transgender" by Tre Wentling, Kristen Schilt, Elroi J. Windsor and Betsy Lucal, they explains how colleges and universities are you using the life of a transgender person or the community as a whole to teach new sociology courses. The purpose is to use the classroom as a setting to get a better understanding of the transgender community and to help welcome a group people who often feel isolated. In this reading they “briefly explore how transgender people have been used to teach sociological concepts and provide strategies to positively integrate transgender communities into the classroom.” The courses would focus on all sorts of topics pertaining to the transgender community, such as, “ issues related to defining terminology and identity, “works by actual transgender people, rather than relying only on sociological and psychological studies”, and a strategy for addressing clinical overview of the possibilities for transgender surgical interventions.

What I learned from this reading was there are people in this world who are thinking about ways to teach students about a subject that is hard to understand because it’s so unfamiliar. What I like about this reading was the quote that said, “We believe the numerous strategies and topics offered to integrate transgender lives and communities in positive ways will not only be rewarding for students, but for instructors, too.” I think this quote shows maturity and the overall idea of having an open mind.

**Abortion**

My final social issue I will discuss will be on abortion. A complex and very controversial issue that people has been discussing and fighting about for decades. Another social issue that has them plastered all television. Not a day goes by where I don’t see, hear or read about the latest abortion news. I’m interested in this topic not only about of the latest developments, but because everything that happens or doesn’t will affect me because I’m a women.

Ever since the ruling of *Roe v. Wade (1973)* it has been the on the minds of many advocates who are anti-choice to do all that is possible to get that court cased ruling overturned. On the other hand you have the advocates who are pro-choice, and they are doing all they can in their power keep the ruling in place, and expand on it. Since anti-choice law makers and advocates have not been able to reverse ruling, law makers across the states have used their power to tactically restrict the actual procedure and the availability of abortions, by passing polices that don’t interfere with the ruling of both *Roe v. Wade (1973) and Casey v. Planned Parenthood (1992)* cases. Which is the state cannot prohibit abortions, and the state may have regulations on abortions, respectively.

In “TRAP"ing Roe in Indiana and a Common-Ground Alternative" Dawn Johnsen explains the term TRAP Law and explores the all the influential abortion cases in the state of Indiana from late 1990s and from the years 2006 to 2008. Law makers throughout the years used the Casey v. Planned Parenthood (1992) case, which ruled that the state could regulate the terms of an abortion in order to protect the life of both the mother, and the fetus, especially if it can live outside the uterus, as the basis for their restriction laws which “their aim is to craft bills that diminish the availability of services while appearing moderate and health-related, thereby appealing to legislators and voters who would not support a direct prohibition on abortion services.” This is known as Targeted Regulation of Abortion Providers or TRAP laws. TRAP laws only apply to abortion clinics and they involve various methods of prevention such as "clinic regulations (which often shut down clinics), parental involvement, waiting periods, and informed consent." Johnsen said, “The harmful effects of laws fall disproportionately on women who already suffer challenges of economic status, educational status, domestic violence, and distance from providers”

Also in “TRAP"ing Roe in Indiana and a Common-Ground Alternative", Johnsen discussed Indiana legislation and the various bills that had profound affect in the state of Indiana. Johnsen explains how prior to the *Casey v. Planned Parenthood (1992)* Indiana had two policies; the first was any young women under the age of 18 years of age must obtain consent from a parent before they could get an abortion. The second policy was a woman was not allowed to receive any abortion services while she was enrolled in Medicaid. Soon after the ruling of *Casey v. Planned Parenthood (1992)*, Indiana added more restrictions to their policies which resulted in going to clinics that were further away and required follow up appointment which prevented the women who have a difficult time travelling to get to the clinic.

Johnsen examined the House Bill 1096, the House Bill 1172, and the House Bill 1080. “House Bill 1096, introduced by Indiana, sought to impose criminal penalties of up to eight years on anyone who performed an abortion, with exceptions only for the performance of abortions necessary to save a woman's life or to prevent the permanent impairment of her health.” “House Bill 1172 would have added more specifics to the mandatory information that Indiana already required physicians to give patients at least eighteen hours before performing an abortion, including a new requirement that physicians notify women in writing that "human life begins when a human ovum is fertilized by a human sperm." “House Bill 1080, falls squarely within any definition of a TRAP bill: as passed by the House, it targeted abortion providers with onerous regulations that were not supported by health or safety needs.” Johnsen goes to explain the results of each bill and the opinions of various senators, and she explained the sneaky tactics that are used to get a bill passed.

What I learned and found interesting about this reading was the term ‘Grandfather Clause.’ the denotation of grandfather clause is “a part of a law which says that the law does not apply to certain people and things because of conditions that existed before the law was passed” In terms of abortions, “Grandfather clauses are often included when new physical structure requirements are imposed on health care providers, who otherwise might find it extremely burdensome to comply with the new regulations after their facilities were already constructed and their operations up and running.” Because of a clause like this, if this was in a bill that was passed, existing abortion clinics would have to shut down and closes their doors because they do not meet the requirements of the new law. I was unware of the name of the practice, but knew of it. In the article, the example that was used to explain the effects of the grandfather clause was the African Americans finally getting the right to vote only to be blocked by literacy tests and taxes.

In “Informed or Misinformed Consent? Abortion Policy in the United States” Cynthia R. Daniels a professor at Rutgers University in New Brunswick, NJ, along with three doctoral and PhD candidates explains and proves with a thorough study of how various states in the united states go about implementing ways to deter women from getting an abortion. This deterrence is done through the informed consent statutes given to the women in clinics, hospitals, and other medical facilities. There are laws that states a health provider is must provide information to their patients about all the medical information pertaining to their needs whether its treatment, diagnostic test, or other medical services. The specifics varies for each state, and it is given to the patients so they have an understanding of what to expect as well as what services they will choose to proceed or not to proceed with.

In the context of abortion, when women are considering the procedure, a state-authored informational packet must be given to them before they can proceed, informing the women about all the risks that can take place as well as the development of their pregnancy when it’s the embryo stage and the fetus stage. The study proved medical facilities in twenty three states provided inaccurate information to women when they want to get an abortion. In the *Planned Parenthood of Southeastern Pennsylvania et al. v. Robert P. Casey et al*. a case in 1992 that emphasized three principles that must be applied for abortion, “that the state has an interest in fetal life from the moment of conception, that the state could prefer childbirth over abortion, and that the state could enact regulations to ensure that a woman’s choice was “thoughtful and informed.”” Daniels used this as the basis of their study. They gathered experts and organized their study in a way where it will be unbiased and it focus on being thoughtful and informed like the ruling in the court case. Daniels gathered “a team of seven specialists in embryological and fetal anatomy through the American Academy of Anatomists to evaluate these materials.” Daniels did not inform the experts that the evaluation was related to abortion. She “removed all state identifying information for the purpose of the experts’ review”, “eliminated all photos, drawings, and images”, organized the statements by two-week developmental periods (as they were presented in state materials) and standardized by age as weeks since “last menstrual period.” There were three females and four male experts. The professions of the experts were “college professor,” “researcher,” “embryologist,” or “medical college faculty” and they were asked how long they have been practicing their field, and “their experience ranged from twenty-five to forty-five years.” There were other elements involved to make this study as objective as possible.

For the results of the study Daniels displays multiple charts and explains in great detail all the result of the study. The study Daniel says, “Medically inaccurate” statements were disproportionately concentrated in the first trimester of pregnancy and in the earliest weeks of the first trimester. A total of 45 percent of statements about the first trimester were rated as medically inaccurate compared to 29 percent in the second trimester and 13 percent in the third trimester. We see, therefore, a pattern of proportionally decreasing percentages of medical inaccuracy as pregnancy progresses.”

The first source was published seven years ago and discussed legislation in Indiana from the late 90s and the early 2000s. My second source was published two months ago of this year, 2016, and I found it to be amazing that two decades later the same kind of practices are being done to prevent abortions. I believe it’s sad that the law makers exploit the fact that some of these women lack the knowledge about the development of their unborn child against them. When I read some women were told the baby could feel pain during their first trimester, I found it to be disgraceful. Already in a vulnerable state, women who are low on the socioeconomic status, can become really desperate and inflict unimaginable harm to themselves all because it’s against the law, the stigma of society, and disappointment from family and love ones. Since it’s very unlikely that *Roe v. Wade (1973)* will ever be overturned, these strategic plans to prevent women from getting an abortion I think is simply dangerous.

I find it interesting when law makers and anti- choice advocates say it’s a sin to have an abortion; they represent some states that have the death penalty. There are so many things that are done in this world and some of things those law makers and advocates do within their own lives, probably go against a lot of things in the bible, and sometimes I think they just pick and choose what benefits them. The law makers and anti-choice advocates like to make claims that women can cause harm to herself as well as the fetus, but they don’t realize the restrictions of medical services for abortion will also cause other patients to lose out on getting other medical services.

**Conclusion**

I planned on choosing environmental racism, but I have decided to pick abortion for my issue paper. I decided to choose this issue because like many women before me have said I do not wanting a stranger telling me what to do with my body especially when they have no ideas to be a woman. Unless they are physicians, they only know the anatomy of the reproductive system and its functions. Other than that they should not tell me what’s best for me. What stood out to me while I was doing my research is the fact there were clinics lying to their patients. They are a bunch of hypocrites to tell women what they are doing is a sin and turn around and out right lie to women in need. They are not giving the women the benefit of the doubt. What if they were some women that would change their minds and decide not to have an abortion, you won’t know because that right was taken away. Also I did not like how the clinics were using misinformation as a scare tactics to prevent women from getting an abortion. They were playing on their fears and the stigma that felt in today’s society. This scare tactic of course would work because these women are in a vulnerable place. I will say when it comes to getting an abortion I feel like it’s not a decision a woman should take likely. I believe it should not be used as birth control like how you would use the pill. I believe if you are going to be sexual active try your best to be as consistent when using condoms and other contraception if available. I don’t believe you should be reckless in your sexual life and every time you find yourself pregnant you are making an appointment to get an abortion, no I do not believe this type of procedure should be used that way.

Work cited

[1]Weintraub, Irwin. (1994). Fighting Environmental Racism: a Selected Annotated Bibliography. Electronic Green Journal, 1(1). Retrieved from: http://escholarship.org/uc/item/1qx663rf

[2] "Environmental Justice | US EPA." Environmental Justice | US EPA. N.p., n.d. Web. 07 Mar. 2016. <http://www3.epa.gov/environmentaljustice/>.

[3]. Bullard, Robert D. "Environmental Justice in the 21st Century: Race Still Matters." Phylon (1960-) 49.3/4 (2001): 151-71. JSTOR. Web. 07 Mar. 2016. <http://www.jstor.org/stable/10.2307/3132626?ref=search-gateway:c568f2651641eef4e58b68e37bfe70d8>.

[4] Edwards, Jr. Daniel (David). "Averting Environmental Justice Claims? The Role of Environmental Management Systems." Public Administration Review 70.3 (2010): 422-33. JSTOR. Web. 07 Mar. 2016. <http://www.jstor.org/stable/10.2307/40606400?ref=search-gateway:8010666556620bf3052aa374a172bc2f>.

[5] Wentling, Tre. "Teaching Transgender." Teaching Sociology 36.1, Lessons Learned at the 2007 ASA Annual Meetings: Insights from the Teaching-Related Workshops (2008): 49-57. JSTOR. Web. 07 Mar. 2016. <http://www.jstor.org/stable/10.2307/20058627?ref=search-gateway:c5cc03f24a03ada0bef74574d87304b9>.

[6] Darden, Edwin C. "The Law Trends toward Transgender Students." The Phi Delta Kappan 96.2 (2014): 76-77. JSTOR. Web. 07 Mar. 2016. <http://www.jstor.org/stable/10.2307/24376165?ref=search-gateway:b4767261e616d74b088ef353bcbb879e>.

[7] Johnsen, Dawn. ""TRAP"ing Roe in Indiana and a Common-Ground Alternative." The Yale Law Journal 118.7 (2009): 1356-393. Yale Law Journal Company, Inc, May 2009. Web. 7 Mar. 2016. <http://www.jstor.org.central.ezproxy.cuny.edu:2048/stable/pdf/40389509.pdf?acceptTC=true>.

[8] Daniels, Cynthia R., Janna Ferguson, Grace Howard, and Amanda Roberti. "Informed or Misinformed Consent? Abortion Policy in the United States." Journal of Health Politics, Policy and Law (2016): 3476105. Journal of Health Politics, Policy and Law. Duke University Press, 5 Jan. 2016. Web. 5 Mar. 2016. <http://jhppl.dukejournals.org/content/early/2015/12/22/03616878-3476105.full.pdf>.