

Conclusion

Water has a way of encouraging us to think about society at its most elemental level. The provision of clean, safe water is one of the cornerstones of civilization, a precondition of everything else that human beings have achieved or can achieve. More than with any other essential natural resource, accessing water depends upon intricate forms of social coordination: to transport it, to treat it, to sell it, to monitor its quality, to return it to nature after it has passed through human bodies and infrastructures. Our use of water depends also on whether or not, when told we can drink it by the authorities that watch over us, we believe. How we deliver clean, safe water, who is most likely to get it, and whether or not we feel we can trust it when it arrives may not tell us everything we need to know about the societies we live in, but tells us a great deal.

Within the American political tradition as it has come down to us, democracy is equally elemental. It is supposed to be the foundation of our common identity, the basis of our political decision making and of our culture. It is supposed to embody our principles, the value we place on freedom, on equality, on human life. And we are supposed to have faith that even when democracy is hard, even when it doesn't produce the outcomes we seek, it is still the best available form of human association.

Claire McClinton liked to say that for people not to have clean water, and not to have democracy—in the twenty-first century, in the United States of America—was “unthinkable.”

Ironically, it is often the unthinkable that most makes us think. It is in those moments when the taken-for-grantedness of everyday life is shattered that the foundations of our social existence are exposed to view. When the water that we use to make our coffee and bathe our children is poisoned by “policy,” it is marked with the failures of our social institutions, and with

the social injustices that force some more than others to bear the brunt of those failures. And sometimes the failures are so big, the injustices so glaring, that things actually change.

After Flint, some things changed. Cities around the country started proactively identifying and replacing their lead lines. Utilities started offering free water testing to residents and refining their corrosion control protocols. The Environmental Protection Agency sped up its ongoing efforts to revise the Lead and Copper Rule.¹ State regulatory agencies heightened their vigilance. Drinking water infrastructure became—at least officially—a national priority.

Whether Flint will help to provoke similar changes in the area of municipal democracy remains to be seen. In October 2017, the US Supreme Court dashed one of activists' last hopes of bringing down Michigan's emergency manager law through the legal system when it declined to consider whether the law was constitutional.² This decision left in effect the Sixth Circuit Court's affirmation of the principle that states have "absolute discretion" over the powers granted to "political subdivisions."

If the water movement in Flint proved anything, however, it was that there are other kinds of power that matter, too. Even in an utterly disenfranchised city, where elected representatives are little more than figureheads and where the most sacred emblem of democracy, the vote, is profaned by futility, it is still possible for the "people" to make their power known. The people of Flint made their power known whenever they organized a rally or a march, whenever they delivered petitions or carried out direct actions, whenever they pushed their own "narrative" of the crisis or commandeered the language and methods of science to show that the official narrative was false.

Some interpreters of what happened in Flint have described it as a "miracle," a chance concatenation of capable grassroots leaders and well-placed allies rarely seen in other environmental justice struggles and not likely to be duplicated.³ The activists I knew resisted that notion. They saw the water movement as a reawakening of the plucky, democratic spirit that had always formed a part of the city's identity—the spirit that had carried the sit-down strikers through the winter of 1937, that had brought advocates of fair housing to City Hall with their sleeping bags, that had steeled the opponents of the Genesee Power Station against the further pollution of their air. The renewal of that spirit could not have come at a more critical time—not

only because lives depended on it, but also because the city was in need of a definitive rebuke to the idea that it could not manage on its own.

Paul Jordan, the lifelong Flint resident who stood in front of City Hall in 2011 to announce the first legal challenge to Public Act 4, described the water crisis to me as a “quantification of the risk of the loss of democracy.” In any “sane world,” he mused, the crisis would “increase the value of democracy.”⁴

Some in Flint had always been convinced of that value. Others had learned it the hard way: in the medium of skin, and hair, and brain, and lung. What they had also learned, however, was that “democracy” could not simply be quashed by fiat. It was not just an absence in Flint, expunged through the abrogation of representative institutions, but a presence—a presence that the people of Flint themselves were actively creating, driven by pathos as much as politics, in an example to the world of what the democratic spirit looks like when imbued with the urgency of life itself.

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Environmental Justice and Democracy in the Flint Water Crisis

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