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Abstract: Shifting the Environmental Justice Paradigm in America

Over the last twelve years, the world has added approximately one billion inhabitants. Although a growing population creates promise in the eyes of many people, it also poses severe drawbacks for the health of the Earth and those who inhabit it. The idea of environmental justice has been brought into the spotlight within the latter half of the twentieth century as society continued to drastically impact the face of the Earth. In America, the disproportionate subjection of poorer communities to environmental risk reveals the corrupt nature of the current environmental justice paradigm as it manages, regulates, and distributes threats rather than confronting them. The conditions, policies, and practices in which major corporations survive, ultimately produce unfair and unjust circumstances that damage the health and welfare of communities. The current environmental justice paradigm allows these inequities to persist as it inhibits lower income communities’ ability to wield substantial change. In North Carolina and Mississippi, the swine industry highlights the inconsistencies of the current environmental justice paradigm as it negatively affects the overall livelihood of those within close proximity as well as degrading the community aesthetic. These industries invade low-income communities with the promise of jobs and economic growth yet ultimately create more damage than before. The way America’s legal community attempts to approach the issue of environmental justice is insufficient and in need of a new environmental justice paradigm that emphasizes new legal initiatives that directly confront legislation and policy, in addition to raising awareness through education and government intervention.