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Chicago 17th ed.

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# Uproar at Dancing Rabbit Creek: Battling Over Race, Class & the Environment<sup>1</sup>

By Colin Crawford<sup>2</sup>

For the first five years of the 1990s, Noxubee County, Mississippi experienced a deeply divisive battle over the proposed siting there of one of the nation's biggest toxic waste dump and incineration facilities.<sup>3</sup> Noxubee County, which is nearly 70% African-American, is also desperately poor. The fight over the proposed waste facility was in part a question of jobs versus environmental protection yet, as the selection below suggests, the waste fight was also influenced by long-standing animosities and social divisions—factors that, in my view, have been insufficiently appreciated by environmental justice activists and environmental lawyers alike.

Two people mentioned in the selection below merit introduction. Ike Brown is an African-American political organizer in Noxubee County, and helped engineer the endorsement of one would-be waste dumper's plans by the local NAACP chapter, flouting the wishes of the national and state NAACP and the views of nearly every national civil rights and environmental group about putting facilities like this in poor communities of color. Martha Blackwell is a white woman with deep roots in this part of Mississippi (her family settled there after the Revolutionary War, before the state existed). Previously apolitical, the waste fight turned her into an unlikely environmental and civil rights activist, and the loudest voice in Noxubee County decrying the proposed siting as an example of environmental racism.

The selection raises serious questions for environmentalists and lawyers, particularly the question of whether legal efforts can begin to address the historical divisions that make social interaction so difficult in a place like Noxubee County.

\* \* \*

Mississippi's history of racial violence, from the lynching of Emmitt Till for allegedly whistling at a white woman, to the slaying of Medgar Evers and, later, the murders of James Chaney, Andrew Goodman, and Michael Schwerner, the three civil rights workers murdered during Freedom Summer 1964—to cite only the most infamous examples—continues to color national perceptions of the state, despite its best efforts to shake public memories of those times. Even in neighboring Alabama and the rest of the South, Mississippi is still widely viewed as backward and dangerous. Every time I left for a Mississippi trip, friends would pull me aside and, in conspiratorial tones, urge me to exercise caution. It was as if they worried that latter-day incarnations of sheriff

Lawrence Rainey and deputy sheriff Cecil Price, the Ku Klux Klan members charged with the brutal murders of the civil rights workers in Neshoba County (not forty-five miles from the Noxubee County line) would ride me off the road because I wore glasses and did not speak with a drawl.

In fact, Mississippi, like the South in general, is in important respects now much better integrated than the rest of the country. The typical white student in Mississippi, for example, now attends a school where over 30 percent of the students are black. In Illinois and New York, by comparison, the typical white student goes to a school where just under seven percent of the students are black.

Mississippi has a black population of nearly 36 percent, far and away the highest percentage for any state, and it has nearly a comparable percentage of black legislators. Walk down a street in Jackson—where you are much more likely to see blacks and whites eating together than in New York or Los Angeles—and every single person, black or white, is likely to greet you with a warm “hi” or “how ya’ doin’?” To be sure, this surface cordiality can mask deeper disaffection (this is the state, after all, where the third Monday in January is a legal holiday celebrating the birthdays of both Martin Luther King Jr. and Robert E. Lee). However, just as children who attend integrated schools are less likely to stereotype others because of their race, this geniality shatters the usual racial distance.

By contrast, Noxubee County remains solidly segregated. A stranger of any race is unlikely to be greeted by passers-by on the street and will not receive the hospitality Mississippi boosters insist is the state's forte. In part, this is because the county protects its own above all else, as illustrated to me most vividly at Martha Blackwell's house one evening. A group of her high school classmates and their spouses gathered for dinner shortly after New Year's Day. The conversation turned to planning their upcoming twentieth high school reunion and the question of whether they would invite a particular woman. Opinion was divided. The men tended to think not: “She” had not been in their class. The women disagreed: she was, they insisted, the same person inside.

The woman in question, who had recently moved back to Noxubee County, had left soon after high school graduation a score years earlier—as a man. Even those who felt she should be invited were overwhelmed at the thought. As one woman cried with exasperation: “What are we gonna do about prizes? We can't hardly give

[a formerly obese classmate] the Most Changed Award because he lost fifty pounds when Arthur became Nancy!" "Perhaps," someone else intoned, "we could change the name of the award to 'Most Changed by Natural Means.'" The room erupted into laughter.

In the end, the prodigal son /daughter was invited to the reunion but could not attend: her new business making elaborate cloth toys had its official opening the same day as the reunion. By the end of the year, she was again fully integrated into county life, receiving extensive local newspaper coverage for her craft and an award as the chamber of commerce's businessperson of the year. That in the heart of the Bible Belt a home-grown transsexual could be embraced with such welcoming arms spoke volumes to me about the nature of tolerance in Noxubee County.

This quality was illustrated in countless other ways. Among whites in particular, people who had moved to Noxubee from outside the county as long as thirty or forty years earlier, individuals who had ended up making major contributions to county life, were routinely identified as "not from here." This suspicion of outsiders is the typical parochialism of all isolated subcultures. But in the particular case of Noxubee County, I came to see it as emanating from the white elite's desire to hide its secrets from the outside world. The desire to uncover those secrets, to speak frankly about past and present realities, is one of the things whites hate most about Ike Brown and his supporters (feelings admittedly fueled by his especially accusatory, in-your-face style). What Ike Brown's presence made constantly, uncomfortably clear in Noxubee County was that, despite exterior genialities, suspicion and division characterize local relations. This results largely from the willingness of many to keep the place just as it has been for generations, a square of the pre-civil rights Deep South preserved in intellectual and emotional amber.

Noxubee County has two Boy Scout troops, two Girl Scout troops, and two Little Leagues: one of each all black, one of each all white. In the summer, the public swimming pool is patronized by blacks, who are unwelcome at the American Legion pool. "Hell," the mayor of one of the three towns said to me, lamenting the state of the county's race relations, "it wasn't but four or five years ago that they took the wall out of the doctor's office in Brooksville that divided between where blacks and whites sat."

Cockrell's, the county's principal funeral home, continues to bury blacks and whites at separate and unequal locations less than a mile apart. This racial divider is invisible but understood: blacks go to the cramped location behind the courthouse, where the bereaved sit on metal folding chairs. Whites visit the elegantly appointed old home on Jefferson Street, on in a row of stately antebellum houses. W.E.B. DuBois's color line, what he famously called "the problem of the twentieth century," has for most intents and purposes not been crossed in Noxubee County, Mississippi. Blacks grumble about the unequal quality of such services. But resentments run so deep that the county's black citizens voice no greater desire than do whites to combine resources and share facilities and activities.

On Jefferson Street sit a couple of black-owned businesses, including T & J Johnson Beauty Supply and Glass House Fashions, owned by state representative Reecy Dickson. But Dickson's business is closed more often than not, while she is down in Jackson for the legislative session. Wilbur Colom, the black lawyer from nearby Columbus, has a storefront satellite office across from the courthouse, but it is mostly there for show and is seldom open. Some blacks work at the white-owned grocery store on the street's north end, where old black men in overalls and black women in faded sundresses or nylon exercise suits gather under the awning to visit late into the afternoon. One waste company executive is reputed to have said that he did not realize Noxubee was a majority-black county when he first came through. His statement was widely derided as poppycock, yet I came to realize that such a misperception was quite possible. Blacks' economic invisibility helps make their numerical dominance yet another of the county's secrets kept well hidden from the outside world.

Walk down Jefferson Street in Macon and you will hardly see a black face at work, not in the law offices or the drug stores or the bookstore. Of the two banks, one has a black teller, but no black officers. This is not because blacks are out in the fields, either. Farming is now so highly mechanized that the 1990 census recorded but 322 agricultural workers in the county, and most farmers are white. In general, blacks with jobs in Noxubee County work in a lumber mill or in a factory, at Shuqualak or Prince Lumber, for Weyerhaeuser or Georgia Pacific, or a Delta Brick, GSI Plastics, or the Cal-Jack Plant, making cheap jackets for men and boys. Many others, jobless and untrained, stay at home and collect from the county's largest single income source: public assistance.

Noxubee County is the poorest county in one of the poorest regions in the country. Most years, over 35 percent of the county's population receive food stamps—a percentage between one-third and two-thirds greater than that in any of the six surrounding Mississippi counties. Throughout the 1980s, Mississippi registered the highest percentage nationally of need for food stamps and emergency assistance. Noxubee County's percentages were always significantly higher than the state averages, sometimes by as much as 100 percent. For nearly two decades, Noxubee's level of assistance to poor single mothers through the federally funded Aid to Families with Dependent Children program, or AFDC, has usually reached 15 percent—and has never gone below 10 percent. Looked at another way, since 1983 no other surrounding county ever distributed monies to 10 percent of its population, as was always the case in Noxubee County. This condition is a source of despair for the county's small black middle class. One older black man articulated a view common among more prosperous blacks when he observed: "People used to come up the hard way. The government and the way things is made people lazy.. It used to be you would have to kill a hog, kill a kid [to eat]. You can control folks when you keep them on welfare." Yet despite the gospel of self-reliance that undergirds these sentiments, the county's small black middle class doubts that the situation will change.

For his part, Ike Brown sees the situation as part of a system of social entitlements that needs to be rethought at every level. Noting that whites in the county regularly deride black welfare dependency in Noxubee, he sneered: “You talkin’ about welfare programs—these folks put their land on what they call crop rotation and collect a big check for it. That’s welfare! And you talk about cuttin’ that out and see what happens. These folks hypocrites.”

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For a city dweller, the unnerving thing about the rural poverty of a place like Noxubee County is its evidence: disintegrating pine shacks and collapsing trailers abut stately homes, which in turn can face an industrial plant. Poverty is an unavoidable condition of life, something never tucked away in a distant neighborhood or across a county line. The visitor consequently can’t help but wonder, How can people tolerate this inequality when it is so inescapably present? So too, in Noxubee County racial divisions startle and unsettle the visitor mostly because of the intimate scale of the county’s commercial and social life.

On reflection, its racial divisions should not surprise an observer, because they mirror America’s national experience. The American workplace may now be integrated, but for most of us, living in large, racially and ethnically heterogeneous cities and towns, the intimate parts of our lives, the moments that fill photo albums and shared recollections, are lived largely among people of our own color. It is another of our collective dirty secrets: we are willing to tolerate the divisiveness and mistrust bred by racial separation in exchange for the comfort and peace of mind that comes with living among those we understand best, namely, the mirror images of ourselves. As Wilbur Colom said to me: “It’s natural for me just to surround myself with black people, those are the people I go to church with, those are the people I socialize with. I mean, the easiest thing in the world would be all black, and it’s a struggle not to. It takes that extra effort.”

Paradoxically, the generation in Noxubee County that lived with Jim Crow experienced more intimate and routine interaction between the races than is true today. When Martha Blackwell was a small child “coming up” out in Prairie Point, her regular playmates were all black, the children of the dozen or so families living on her family’s place. Nashville relatives were horrified when little Martha, upon seeing a cat chasing a squirrel, exclaimed in a dialect that sounded to them distinctly Negro, “He qwin ketch dat ‘kwirl.”

Like many other white rural southerners, Blackwell’s early life was populated more by blacks than whites—those who labored in kitchens, cleaned around the house, and worked the land. Her parents employed an older woman, Anna, whose sole task in her dotage was to churn buttermilk on the porch. Blackwell remembers being wakened every day by her softly singing “come butter, come butter” to the steady beat of the churn. Blackwell’s affection for the woman, despite the oppressive hierarchy on which the relationship was based, is a warm one, solidly fixed in the firmament of her recollections of a secure and happy childhood.

Her children will not have similar memories because they have virtually no regular contact with Noxubee County’s African American majority. In this, the experience of children in Noxubee County has since the mid-1960s been like that of children in the nation’s large northern and coastal cities.

A number of factors, including regular increases in the minimum wage laws, made it prohibitive for many whites to keep black workers. As a result, blacks who have lived in a state of peonage moved not only to large northern metropolitan centers but also to nearby towns, where ghettos sprouted beside the central business areas. Despite their proximity, they became no less separate from their former overlords and ladies than their relatives who had migrated north. Whites can get quite sentimental about this change. A descendant of the county’s aristocracy of the soil tenderly remembered a black woman that worked for his family and helped raise him: “I mean, I loved her as much as you’d love your mother. Probably didn’t even pay her minimum wage. But she ate breakfast, she ate lunch, she ate supper. She was clothed in nice clothes every day. She was taken care of when she was sick. She can’t have that today because nobody can afford it, so she’s on the welfare rolls. So what’s a better way of life?” In part, the man clearly longed for the return of a paternalistic idyll, for severely compromised and unequal plantation relations, and his comment underscores the extent to which a resistance to sharing power perpetuates suspicious race relations. But I did not doubt his regret at the passing of a human connection between blacks and whites that is now as little possible in the rural South as in big cities.

## NOTES

1. Copyright © 1996 Colin Crawford. Reprinted with permission.
2. Assistant Professor of Writing, Brooklyn Law School.
3. This article is an excerpt from a work of fiction based on actual events that took place in Noxubee County, Mississippi. It is provided to give the reader a sense of the subtle currents that run through a typical community involved in an environmental justice action.