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OPEN RIVERS :  
RETHINKING WATER, PLACE & COMMUNITY

# WATER & ENVIRONMENTAL JUSTICE

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An interdisciplinary online journal rethinking the Mississippi  
from multiple perspectives within and beyond the academy.

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Assistant Editor:

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Media and Production Manager:

Joanne Richardson, Institute for Advanced Study,  
University of Minnesota

## Contact Us

*Open Rivers*

Institute for Advanced Study  
University of Minnesota

Northrop

84 Church Street SE

Minneapolis, MN 55455

Telephone: (612) 626-5054

Fax: (612) 625-8583

E-mail: [openrvrs@umn.edu](mailto:openrvrs@umn.edu)

Web Site: <http://openrivers.umn.edu>

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FEATURE

# “CONTRABAND” PRACTICE: DOING ENVIRONMENTAL JUSTICE WITH WATER

By Karen Bauer, Merle Geode, Simi Kang,  
Chika Kondo 近藤千嘉, David Naguib Pellow,  
심제현 Jae Hyun Shim, and 신 선 영 辛善英 Sun Yung Shin

*When I asked the following six artists, theorists, community advocates, organizers, and members to contribute to this issue, it was primarily to share a reading or practice related to water and environmental justice (EJ) in our Primary Sources column. In soliciting these citations, I also asked them to answer a series of questions (which you will find below), the answers to which, Open Rivers’ editors and I*

*agreed, warranted their own feature space. This is because while so many of us know the term “environmental justice”—maybe even have a working relationship with it in our lives or those who we care for—how the idea circulates, is deployed, and is increasingly misused, is much more opaque. So to start this issue off, poet 신 선 영 辛善英 Sun Yung Shin, writer/artist Merle Geode, master’s student at Kyoto University*



*Detail from ‘womxn in water’ image courtesy of heather c. lou.*



*'womxn in water' image courtesy of heather c. lou.*

*Graduate School of Agriculture Chika Kondo*  
近藤千嘉, *University of Minnesota Cultural Anthropology Ph.D. student Karen Bauer, Food, Land and Community Program Coordinator at Hope Community Inc. and Subversive Siren*  
심제현 *Jae Hyun Shim, and the indomitable David Naguib Pellow, Dehlsen Professor of Environmental Studies at the University of California, Santa Barbara, orient us in*

*environmental justice and its relationship to water.*

*I thank each and every voice here for building presents and futures beyond the violences they each identify below—we won't survive without their work.*

—Simi Kang

## What is environmental justice?

### Sun Yung Shin

As a lay person, as someone not involved in environmental justice, someone who is neither a scientist, naturalist, or activist, I would define environmental justice as a set of values and practices that create the conditions under which all peoples and communities live in balance with the natural world without degrading the conditions of life for other species. I would say that EJ would have to include an iterative truth and reparations process to repair past and ongoing harms to vulnerable, exploited, and abused human communities and non-human life forms and their ecosystems. Industrialism and capitalism are externality-producing machines and it is historically marginalized peoples bearing the brunt of those multiple and interlocking toxicities.

Environmental justice is a mysterious term to me. The word “environment” implies that what is around the subject, and in some ways can be seen as making that which supports the life of the animal, or the plant, or living thing, an object. I may be reaching, but I have always felt that that’s how the white environmental movement portrays its work. “Our” environment implies, sometimes, a possession. Or that we are active, agents, the center, and what’s around us, “nature,” “land,” “animals,” is our background. It seems to relate to 19th century Romanticism, in which Nature is sublime but in some way exists to be beheld by

humans, that it’s our gaze (or the gaze of white men) that creates the relationship of awe.

environ (v.)

late 14c. (implied in *environing*), “to surround, encircle, encompass,” from Old French *environer* “to surround, enclose, encircle,” from *environ* “round about,” from *en-* “in” + *viron* “a circle, circuit,” also used as an adverb, from *virer* “to turn.” (<https://www.etymonline.com/word/environ>)

### Merle Geode

I think environmental justice, to me, is about fighting for transparency and access to resources.

### Chika Kondo

To put it as simply as possible, EJ is a daily practice where any decision being made puts the health and wellbeing of the environment and the people and ecosystems connected to that environment over profit and greed.

### Karen Bauer

To me, environmental justice is an ongoing process of self-reflection, collaboration, and action. It begins by re-evaluating my place in the world as only one entity intimately connected to others, and continues by me listening to and working with people inside and outside of academia to restore and secure the rights of others—human and nonhuman—in this world.

## Jae Hyun Shim

Environmental justice can be defined in so many ways: through a lens of anti-racist environmentalism or as an act of true justice as it intersects with the land and water. More clinically, environmental justice is a way historically white environmental initiatives can (and should!) look to communities of color to lead processes that heal spaces they and their ancestors have continuously been stewards of. For me, the most essential things that need to be included in environmental justice are intersectionality that is clearly named and a mindfulness towards the planet and the ways humans impact our natural environment.

## David Naguib Pellow

In my community and in my view, environmental justice is a goal, a vision, and a practice in which no community is unfairly burdened with environmental harms and when social justice, democracy, and ecological sustainability prevail. It is also a process and a goal of recognizing that we live in and have always lived in multispecies societies and that we must work to make those multispecies societies *multispecies democracies*. [1] It is also a vision of regenerative development, where our activities don't seek to merely *reduce* socioecological harm (which is generally the rather limited goal of *sustainability*), but rather



*Kawahara, Tottori. Farm trucks called (kei-tora—translates to economic van) serve a vital purpose for farmers. The annual registration fee and associated taxes are less than regular cars. While you might not see very many in urban areas they are a common sight in the rural areas of Japan. Image courtesy of Chika Kondo.*

they seek to produce benefits and prosperity for the denizens of our socioecological systems. [2] In other words, it is a practice and theory

of indispensability—where we are all viewed as critical participants in creating and sustaining our democratic collective present and futures.

## What is water's role in environmental justice? Or why and how does water matter to environmental justice?

### Sun Yung Shin

The Dakota people say that water (and everything else) is a relative, not a resource. Hearing this triggered a profound paradigm shift for me. It is working its way through my thinking as I read and consider more. To attempt to rid myself of a relationship that has been based in colonial resource thinking is not easy, but I am committed. I don't want to have a relationship to water that is one of domination and subjugation.

### Chika Kondo

Water is a precious and essential gift from nature to be shared with all beings. The Standing Rock Sioux Tribe's resistance against the Dakota Access Pipeline reawakened an important lesson for me: *Mni Wiconi*. Water is life. I had for a majority of my life taken for granted my relationship with water.

I think there is a fundamental brokenness we have with our connection to water. Oversimplification removes the responsibility we have as people and hides the importance of our dependence on water. It also largely ignores the many communities and indigenous people who have been critical caretakers in making sure we give back. Water is not something that moves in just one direction.

### David Naguib Pellow

Water is everywhere in EJ struggles. In my current research and activism around the intersections of EJ concerns and incarceration in the U.S., I have found that water contamination is perhaps the single most prominent environmental threat in the prison and jail system. There are literally dozens of confirmed and documented cases where water contamination in U.S. jails and prisons is so bad that the water is visibly discolored, has a foul odor, and has made prisoners sick, producing skin lesions and rashes and other ailments. Recently, a prisoner at Avenal State Prison in California took a video of visibly contaminated water coming out of the faucet in his cell and sent it to me as documentation of environmental injustices in that facility. I was horrified not only at the site of the most precious and basic building block of life being polluted and forced upon caged people, but also at the fact that this person was risking further repression and state violence by simply recording and documenting that reality because he used a cell phone to do so, the possession of which is considered contraband. But as much as I am terrified for these imprisoned folk and our ecosystems, I am heartened by the resistance movements that have been unbroken throughout the history of incarceration. Prisoners, former prisoners, their families, and allies have worked to make visible these environmental injustices and to improve the lives of the



caged and work toward the eventual abolition of prisons. Mumia Abu-Jamal wrote and spoke out about water contamination affecting him and his fellow prisoners in Pennsylvania as early as the mid-1980s. In 2005, eighteen prisoners at the St. Louis and Central Michigan Correctional Facilities (in the state of Michigan) sued the prison system over what they claimed were unconstitutional conditions, including the fact that the city's drinking water was contaminated with p-CBSA, a byproduct of the banned insecticide DDT, and that was the same water prisoners were forced to drink. The city of St. Louis, Michigan's schools switched to bottled water but the area

prison officials did not, so the prisoners brought a lawsuit in U.S. District Court. In 2003, the women's correctional facility in Texas known as the William Hobby Unit experienced a water contamination crisis since it received its water from the nearby town of Marlin, Texas, which was also contaminated. Prisoners brought a lawsuit against officials claiming that the water contamination caused serious injuries. More recently, Wayland Coleman, who is imprisoned at Massachusetts Correctional Institution Norfolk, has fought for the right to drink safe and clean water at that facility after contaminated water left a sizable percentage of prisoners with health



*Keihoku, Kyoto, Japan. Keihoku is a region of Kyoto city up in the mountains before you reach the Sea of Japan. The village of Shimokuroda and its people safely protect the flowing rivers that feed into greater cities like Osaka and Kyoto. Farmers and residents gather regularly to clean up any landslides and clear up river channels. Image courtesy of Chika Kondo.*

complaints. Coleman purchased and stored water bottles in his cell for distribution to his fellow prisoners and was punished by prison authorities for doing so because that water was considered “contraband.” Imagine that—for some of us, water is life, but for the state and the prison industrial complex, the storage and distribution of this life-giving substance is defined as a crime. Fortunately, Coleman never gave up his fight and has been supported by a group of allies on the outside called the Deeper than Water Coalition.

## Karen Bauer

I think I was only able to begin to understand environmental justice once I started doing research in the community of Junín in the Intag Region of Northern Ecuador. The Junín River flows throughout Junín and to many of Junín’s residents, the river—along with other natural features—is an animated entity that deserves

respect and protection. However, when transnational mining corporations enter the community and begin to pollute the river, it becomes a multipurpose site. Once a site of irrigation and life, the presence of copper-deposit mining has now transformed the river and other water sources in the area into a location for conflict, contamination, and death.

By working with environmental activists in Junín, I began to understand the importance of respecting the agentive nature of the land and the river. To be quite frank, the earth doesn’t owe humans shit. It existed before humans and can exist without humans. Humans, on the other hand, owe our lives to the earth and therefore must constantly work to give thanks, building and maintaining a mutually beneficial relationship with the earth and its human and nonhuman residents.



*Pro-campesino/anti-mining protest art on a community building in Junín , Ecuador. The message roughly translates to “If the miners try to rule over us, we’re not going to leave because that is why I am part of my people and I do not get tired of fighting! Long live the farmers, long live the fight, long live Junín!” Image courtesy of Karen Bauer, 2017.*

## Merle Geode

I'm a 36-year-old Minneapolis resident. I grew up in California and spent grades K–8 in Rancho Cordova, in Sacramento County. Although I am not finding data for the current cancer rankings for this county, Sacramento County was a cancer hotspot in the state for a number of years. As of 1999, it was in the number one position for a number of major cancers. I moved from Rancho Cordova in 1997. It was only many years later that I found out I had been living within 10 miles of the epicenter of an Aerojet dumping site which had been the source of groundwater contamination since the 1950s, and it was designated a Superfund site in the early 1980s, but due to

illegal dumping of a slew of harmful chemicals and known carcinogens (including perchlorate, a major component of jet fuel that has been linked to thyroid cancer and hormonal disruptions) as well as failure to disclose to local residents exactly what was being dumped, the pollution went on for decades under the radar. There have been a number of lawsuits and organizing by residents (notably in 1997–2000) that led to different testing methods which revealed that the levels of perchlorate in the drinking water were about 50 times higher than the permissible value. Aerojet (and its parent company GenCorp) have been slapped with a number of settlements to clean up the water, which the EPA estimated would take about 240 years to turn around the damage that had been caused. It is hard to say how my body



*If not justice, then water brings healing. Image courtesy of Merle Geode.*

has been damaged by this directly—however it has lingered in my mind as a potential cause for why, at 31 and with no significant genetic predisposition for cancer, I was diagnosed with ER/PR+ invasive intraductal breast cancer (stage IIb) in January 2014. In October 2015, I had a recurrence and was diagnosed with bone metastases to

the spine. As I looked back on other factors (like getting my period very early at age 8) as well as being exposed to contaminated drinking water through the height of my developmental years, I am left to question polluted groundwater as a very likely contributor to my current state.

## How do you do environmental justice?

### Merle Geode

I think my framework [for environmental justice] feels very personal; it isn't an area in which I have scholarly or professional background but I have been feeling the pull to become more engaged with environmental justice activism, especially locally (just talked with a friend last night, actually). I think the most insidious things are the things that remain invisible until it is too late. I happened to find out about Aerojet's contamination plume (which spans several thousand acres in the county) through word of mouth from a sixth grade teacher who also had breast cancer and still lives in Sacramento and taught in Rancho Cordova. I guess the resource I would advocate for would be to trust one's body, talk to others in the community, etc. Environmental justice may not be possible for me (and others) who may already be dealing with the consequences of toxic exposure. The cases that went to court are long gone and it's difficult to prove harm in these sorts of cases in which there is not necessarily a direct link, albeit the circumstances create a believable and likely hypothesis that something happened in my young developing body because of what I ingested. I can't change the past, but I think that this has made me feel concerned about preventing similar damage in the lives of others—that justice might take the form of preventative actions, or giving visibility to the underbelly of what I have alluded to before: the insidious things that like to hide. I now check for news articles, public records, etc., in the places where I live to look at histories of recorded pollutants, etc. I don't know if that

is helpful but that is my first reaction to your question. That the most troubling things may actually still need to be revealed, and people need to trust their bodies first, and to use the resources available to them to be their own self-advocate, and for those who have the ability, advocate for others in the community who are less able to do so. I am privileged to have an educational and professional background that has given me a lot of resourcefulness when it comes to looking up information and I realize not everyone will have that same background—and that said, there is still a lot of information that remains purposefully inaccessible to protect corporate interests.

### Chika Kondo

[As I said before,] Water is not something that moves in just one direction. I'm currently living in Japan where I've been building relationships with farmers who also play vital roles in making sure that water is utilized as a shared, common resource. Communities who live up in the mountains hold great respect and pride in making sure that the waters flow abundantly through the many rivers, tributaries, and other channels so that all families, both rural and urban, can also drink and use clean water. Not only do farmers work cooperatively to irrigate their fields, they also hold great respect in knowing that each grain of rice is the creation of life thanks to water. And with each grain of rice they plant, they are also providing sacred grounds for the many tree frogs, dragon flies, and other life that help to maintain and build a thriving ecosystem. I think

this give and take and deep respect for water and the surrounding environment is another kind of embodiment of *Mni Wiconi*.

As I learn more about my own ancestral roots in Japan, I am also reclaiming my own personal relationship to water and hold deep appreciation for how water not only is an integral part of me but is something I share in common with all living beings. Without water there truly is no life.

## Sun Yung Shin

I was born on what is in some ways an island—South Korea, which is the lower half of the Korean peninsula. With the border with Northern Korea running east-west, it creates an island of South Korea. Water is everywhere in South Korea, clear spring water running down the black mountain rocks, cutting rugged and wild shapes as it flows over millennia. The water is so pure



*Keihoku, Kyoto, Japan. This photograph, showing the river under snow, is also in Keihoku, a region of Kyoto city up in the mountains before you reach the Sea of Japan. The village of Shimokuroda and its people safely protect the flowing rivers that feed into greater cities like Osaka and Kyoto. Farmers and residents gather regularly to clean up any landslides and clear up river channels. Image courtesy of Chika Kondo.*

that Koreans have always drunk lukewarm (barley) tea and developed thin celadon ceramicware. In China, there is not as much natural spring water, I have been told, which is why they drink very hot tea in thick cups. They traditionally have had to boil their water to ensure it is drinkable. This may have been some celadon museum propaganda, but it seems plausible.

I grew up in the Chicago metro and Lake Michigan is an essential part of my topographical psyche and created my mental map of what a city should be—built alongside a large body of water. The Chicago River, which used to be horribly polluted, and was dyed green every Saint Patrick's Day, also looms large in my childhood memories of water.

## Jae Hyun Shim

When I think about the water—and I think about it a lot—I think about the ways that it has healed me. Some of my water memories are from when I was small. I would spend hours in the pool or bathtub. Others are from the past two years: time spent in an isolated float tank, a lake, a therapeutic pool, even just in a steamy bath.

This past November a friend invited me to the community pool one Saturday morning. A year prior, she had joined a synchronized swim team and has been sharing the joy of swimming with as many folks as possible. The first time I was in the water with the Subversive Sirens, I completely understood the hype. We collectively move through the water, manipulating our bodies in ways not possible on land. I've felt privileged every time I sink into the pool, sharing these experiences with artists and movement builders over the past two and a half months.

Now my memories are almost exclusively of time spent in pools. And pools are political. All of the ways we access water are. Swimming, and access to water in all of its forms, have long been weaponized by white folks as ways to exclude communities of color. Possibly the most

well-known example of this is when a Las Vegas hotel drained their pool in the 1950s because Dorothy Dandridge had dipped her toe in. This attitude and lack of access persists; according to a study done by the Centers for Disease Control and Prevention (CDC) from 1999–2010, for people under 29, Indigenous folks were twice as likely to drown as white folks and Black folks were 1.4 times as likely. It wasn't until the most recent Summer Olympics (2016, Rio de Janeiro) that an African-American woman won a gold medal for an individual swimming event. Simone Manuel is also, notably, the first Black woman to have won a gold in any individual swimming event. True to the adage of having to be twice as good to get half as far she also won another gold and a silver.

The feeling I get from swimming synchro is that being present with my body isn't something I can opt out of when I'm in the water. When we swim together, we are moving a different world into existence, a world where little black and brown children of all genders see people like themselves swimming and speaking to issues that we care about. The four pillars we swim for are Black liberation, equity in swimming/aquatic arts, body positivity in athleticism, and queer visibility. Our team insists on being political with our routines, with how we show up. We do this because we need to create spaces for ourselves and our joy regardless of the ways dominant culture and capitalism try to dictate how that can or should look.

## Karen Bauer

Realizing that the earth does not need me to survive and will only continue allowing humans to stay if we protect and restore it fueled my call to environmental justice.

My environmental justice is also critically attuned to recognizing what violent work naming can do. While the West's recent focus on the "international crisis" of climate change has caused people to be more conscious of their actions, it

also conceals not only the primary source of the problem, but the everyday, lived conditions that many marginalized people endure and protest due to others' actions. The current state of the environment has been primarily shaped by the actions of large-scale corporations and the government, not by the everyday person. People of color, Indigenous people, and those with low-income are burdened the most by these actions. Not surprisingly, many of these communities have worked towards establishing and maintaining environmental justice long before it was considered an issue by the national and international public.

Anthropologist, Zoe Todd's article "An Indigenous Feminist's Take On The Ontological Turn: 'Ontology' Is Just Another Word For

Colonialism" precisely illustrates the problems that occur from the practice of naming. In her article, Todd focuses on Euro-Western academics' recent desire to develop scholarship that thinks beyond the human, ignoring long-standing, critical, Indigenous-led ontological scholarship. I strongly believe the same framework can be used to critique the desire to turn climate change into a recent crisis. Linguistically changing the temporality of climate change produces very particular types of environmental justice. It also leaves little room for other (often Indigenous, WOC (women of color), low-income, disabled) practices that aim to disrupt and work outside of the broader environmental justice movement in order to fight for the rights of all, not just some. In Junín, for example, environmental and human rights organizations entered into the community at a very



*Kawahara, Tottori Prefecture, Japan. Rural Japan rice paddy fields taken during the summer season. Image courtesy of Chika Kondo.*

particular time, giving the people of Junín very Western ways of discussing the issues happening in the village. These organizations have already left, even though the effects of mining and the fight to protect local land have been happening in the area long before the organizations entered and are continuing to happen long after they leave.

Environmental justice to me is ultimately about grounding myself to the earth. It involves me constantly reminding myself that while humans have been given the ability to live on earth, while we are here, everyone has the right to be taken care of equally. Environmental justice to me also means engaging with other forms of knowledge production outside of Euro-Western academia in order to restore the degradation that has been done to the planet. These forms of knowledge must also be community-based and require active listening from those in power in order for

reparations (to local communities, environments, health, and economies), alternative economic and environmental practices, and redistribution of resources to occur. Moreover, environmental justice is about taking seriously the social, economic, and environmental concerns and practices of marginalized folks before they become a crisis to the rest of the world.

## David Naguib Pellow

The lessons I take away from each of the cases I discussed above are (1) that environmental justice calls us to support the struggles of those under the heel of the state, and (2) if the state views efforts to document and confront environmental injustices anywhere as criminal behavior, then perhaps we should all cautiously, responsibly, and gleefully embrace such “contraband” actions as a regular practice everywhere because they are vital for our collective liberation.

## Footnotes

[1] In recent years, scholars have pursued what has been called the post-humanist or multispecies turn in which researchers across a range of disciplines are grappling with the realization that humans are not and have never been autonomous, discrete individuals since we are entangled within and comprised of networks of multiple nonhuman organisms. The implications of this turn are enormous. Scholars of critical animal studies and ecofeminism are more comfortable taking this acknowledgment even further to explore the ways in which humans and more-than-humans can interact, collaborate, and co-exist in more respectful relationships that are not premised on dominance. That is what I mean by multispecies democracy, which is also informed by my goal of linking environmental justice (whose primary emphasis is on social justice for humans in the context of environmental threats) with ecological justice (a framework that seeks greater balance and integration between human and nonhuman justice). This project is challenging and potentially controversial because people of color, indigenous peoples, and other marginalized populations have historically been cast as “closer to nature” as a means of controlling and devaluing them. Multispecies democracy is a theory and practice that embraces justice for all with attention to the unique contexts and histories that shape these struggles for specific groups and populations.

[2] The term “socioecological” signals my view that social systems and ecosystems are intimately linked, and to separate them in our minds and actions reinforces the age-old scourge of dualism, or the false opposition between (human) “culture” and (nonhuman) “nature.” Thus the environmental crisis is also necessarily a social crisis because it impacts both humans and ecosystems and is driven by social practices that are only made possible by drawing on the wealth of ecosystems.



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## About the Author

Karen Bauer is a Ph.D. Student in the Department of Anthropology at the University of Minnesota.

Merle Geode (they/them) is a writer/artist living in Minneapolis, MN.

Simi Kang is a Doctoral Dissertation Fellow in the Feminist Studies Program at the University of Minnesota, Twin Cities, a Sikh American educator, a scholar, an artist, and a community advocate.

심제현 Jae Hyun Shim (they+she) is the Food, Land and Community Program Coordinator at Hope Community Inc., a Subversive Siren, and 60% water.

신 선 영 辛善英 Sun Yung Shin is a MAT, MFA, poet, healer, and educator.

Chika Kondo 近藤千嘉 is a Master’s Student at Kyoto University Graduate School of Agriculture, Division of Natural Resource Economics.

David Naguib Pellow is the Dehlsen Professor of Environmental Studies at the University of California, Santa Barbara.