

Undoing Justice

Reflections from

Post-Communist Romania

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Starting point

In this article, we draw upon a case study of anti-mining movements in Romania (Save Rosia Montana) in order to broaden our understanding and conceptualization of environmental justice: Rosia illustrates that contemporary democratic systems have become increasingly caught within ever more complex contradiction and conflict over environmental issues.

Therefore, the 'traditional' focus of EJ on redistribution, recognition, and participation fails to account for the new dynamics and new actors in environmental conflicts.

Main argument

What the observations from the Rosia Montana case lead us to is a changing of the terms in which environmental justice could be looked for: we argue that subjectification instead of representation may be seen as an exercise of justice in an open political sense.

Drawing upon Ranciere's work, we argue for justice to be understood not as a formalised and preconceived 'thing' that needs to be applied/demanded but as an egalitarian ideal that is continuously transformed, embodied and performed in specific historically and geographically ways.

Methods

Fieldwork in Rosia Montana between 2007 and 2010

Activist researcher: I complement my initial 'outsider' positioning with a more insider/participant position by working as a volunteer for such grassroots organizations/networks, supporting them with mobilization, dissemination and communication.

Participatory observation: active participation in main events (annual Green-festivals, workshops, petition, protests).

Interviews with Rosieni and other activists (30 open and semi-structured interviews).

Rosia Montana



Rosia Montana



Rosia Montana movement, brief overview (I)

- Semi-urban village from Transylvania, home for over 800 families
- Traditional mining since ancient times
- 2000: Canadian company (Gabriel Resources later RMGC) proposes one of the largest open pit mine in Europe using cyanide
- 2002: locals organize themselves in opposition by creating an association called Alburnus Maior.
Endorsement of the 'Rosia Montana Declaration' by over 30 organizations.

Rosia Montana movement, brief overview (II)

- **2004** - The Ministry for Culture releases an archaeological discharge certificate for Carnic Massif. Alburnus Maior takes the ministry to court over this decision. The EP Agency - Alba Iulia puts a halt to the EIA procedure.
- **2007** – The licensing procedure for the Rosia Montana project is stopped for an unlimited period.
- **2008** - Alba Iulia's Court of Appeal declares that Rosia Montana's Urban Plans are illegal.

‘Save Rosia Montana’ movement

- emblematic environmental movement in post-communism
- local grassroots opposition in 2000 - national and transnational by 2007
- one of the first movements problematizing market democracy and capitalism

'Save Rosia Montana'



Not for Sale



I don't want any type of development...don't want just anyone to come here to change the area. I tell people openly "you have to grow up, you cannot be dependent on Gold or whoever comes...dependent on others just as drug addicts.

This Property is Not for Sale



2013-currently

The new Social-Democratic government has further pushed for the development of the mine by proposing to the Parliament a change in the current mining law no. 85/2003. The proposal registered under no 304/2013 wanted all EXTRACTIVE activities by private companies to be considered FOR public utility.

“The revolution of our generation”.

September 2013





Foto: Cristian Vasile



1-3 septembrie 2013, Bucuresti

Environmental justice theories

Disproportionate exposure of poor and minority residents to environmental toxics, poor environmental services, and intensive resource extraction (Bullard 1990; Pellow 2000; Schlosberg 2007).

Bullard: the EJ movement has provided the „leadership in redefining environmentalism to include social equity and racial justice” by looking at the tools and strategies to eliminate unfair, unjust, and inequitable conditions and decisions.

Pellow: environmental justice seeks for the ideals of “justice as fairness” and justice as “mutual respect owed to human beings as moral persons”.

Noriko: EJ movements are also about redistribution of power in decision-making (2003).

EJ and CEE: starting observations

- “The corporation should not be make legislation” - not merely asking for their right to be recognized or considered for redistribution BUT questioning this very system of allocation of rights.
- The post-communist context is perhaps more clearly illustrating that the problems of capitalism are not existing solely as a result of the corrupt communist legacies; actually, these legacies have worked in favour of the transition to market capitalism. The call is to point out to the fragile democracy globally.
- If we were to accept that such socio-ecological conflicts are merely about recognition/participation we would be missing the much more radical elements of the struggles in question. So radical, in fact, that most protesters in the Rosia were criticized for wishing the ,unreasonable’ (to what seems inevitable development) and, therefore, eventually demonized as nostalgic communists or extremists.

Undoing justice (I)

Justice Politics & *Dissensus*

Consensual politics is celebrated as a dialogue among representative of existing (visible) groups or classes (the workers, the peasants, etc.). Conflict around different opinions and values or around what solutions are best to apply to a contested situation. **The situation itself is not contested.**

Dissensual politics is not about the mere contestation or use of power: it is the **conflict over the actual situation:**

*“not simply a conflict of interests, opinions or values. It is a **conflict over the common itself.**” (Ranciere)*

Undoing justice (II)

Rights vs visibility: a Preliminary Problem

“A well known Aristotelian sentence says that human beings are political because they own the power of speech that puts into common the issues of justice and injustice while animals only have voice to express pleasure or pain. It could seem to follow from this that politics is the public discussion on matters of justice among speaking people who are all able to do it. But there is a preliminary matter of justice: How do you recognize that the person who is mouthing a voice in front of you is discussing matters of justice rather than expressing his or her private pain?”(Ranciere).

Undoing justice (III)

Identity as denial

- Identity (miner, worker, peasant) - product of a denial, an already constructed in-betweenness of (partial) violent contingencies forgotten in societal normalization processes: *“it is never the simple assertion of an identity; it is always, at the same time, the denial of an identity given by an other, given by the ruling order of policy. Policy is about “right” names, names that pin people down to their place and work.”* (Ranciere).
- Politics of rights as foundational identity politics may be seen as self-defeating: *“representation is extended only to what can be acknowledged as a subject.”* (Butler).
- Radicalizing the politics of justice would entail avoiding seeing politics as merely *“a set of practices derived from the alleged interests of ready-made subjects”* (Butler).

Justice as subjectification

- Subjectification as an exercise of justice *implies a* re-partitioning of the time and space one is living with: making time/space for activities other than the work we(they) are supposed to: **demonstration of equality.**
- Rosieni's self-identification (as miners, Christians, Romanians, ecologists or entrepreneurs) is simultaneously, a process of de-identification (they are neither only these identities). It is a process of making a choice about a 'self' that is not already given but could come to being and becoming in multiple ways and only through 'doing'.
- Disrupts habitual conditions of sensible experience, altering ways of feeling, seeing, talking and acting. (Rosia as a 'big stage' of various encounters and not mere mono-industrial).

'Rosia Montana as a Big Stage'



'Rosia Montana as a Big Stage'



'Rosia Montana as a Big Stage'



Re-inventing Selves



Re-inventing Selves



Re-inventing Selves



Rosia as Other Spaces – Debating



Rosia as Other Spaces



Rosia as Other Spaces



Undoing Environmental Justice

To count politically about justice is to allow the imagination of something else to be performed; it is not some equal feature or property in a human (as if it were an object) but rather, trusting and inviting the human capacity to imagine and perform equality and/for alterity.

Social emancipation was first made of individual breaks with the kind of 'identity' that pinned workers down to 'their' place and 'habitus'. It was an 'aesthetic' revolution as I understand the term, an overturning of the partition of the sensuous which assigned to workers their place in (or outside of) the (...) 'private' realm of production and reproduction (Ranciere).