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**AUSTERITY POLICY IN FLINT MICHIGAN
DISASTER AND RESPONSE**

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ABSTRACT

In April 2014 Flint Michigan, switched its municipal water supply from the Detroit Water and Sewerage System to formerly disused system drawing water out of the Flint River. This switch, along with the decision not to add corrosion control chemicals into the water caused severe lead contamination, poisoning the citizens of Flint. The extent of this disaster remains unknown, as the negative health repercussions of lead exposure will continue to emerge in the children of Flint over the next decades. While the effects still remain to be seen, the cause can be analyzed in order to establish an understanding of what went wrong, and importantly what can be done into the future to prevent similar disasters from occurring.

The Flint crisis fits into the larger narrative of American neoliberal austerity policy, and environmental injustice. The crisis in Flint was not an accident, but instead the result of intentional policies put in place as part of a larger austerity plan by the Governor of Michigan and appointed emergency managers. These policies and other policies across the United States place harsh economic policy and political philosophy above the public health, safety and welfare of communities, particularly disadvantaged communities across the United States. These policies are part of a politics of displacement and expulsion where the basic services needed for community survival are reduced or eliminated in favor of fiscal policy.

In response to these politics it becomes clear the American urban planner must take a strong role in opposing these austerity policies. The planner, whose role is to protect the public health, safety, and welfare of a city, is uniquely placed to institute a policy which protects cities and citizens, particularly disadvantaged and under represented communities, from these intense and punishing



programs of exclusion and expulsion. To prevent further disasters like Flint prioritization must be on transitioning economic and social policy from that of the austere city, to the just city.

KEYWORDS: austerity, Flint, disaster, risk, planning.

1. DISASTER

1.1 Predicting Disaster

In April 2014 Flint, Michigan switched water supply from the Detroit Water and Sewerage Department to a disused system, which drew water out of the Flint River. An emergency manager appointed by Michigan governor Rick Snyder as cost cutting policy to alleviate Flint's growing financial deficit made this decision, and the decision to not add anti-corrosive chemicals to the water. The repercussions of these decisions are immense and the true impacts of the disaster have yet to be fully realized. What is known is that thousands of children will now have long-term mental damage due to lead poisoning. It is important to understand that while an individual tragedy, the Flint disaster is not unique. Instead it is part of a larger, consistent, and malicious disaster that has ended in tragedy across the United States: a slow yet very preventable disaster which often goes ignored until the last possible moment, once it can no longer be overlooked by forcing itself to the forefront of American consciousness through crises like Flint.

Flint Michigan, Love Canal New York and countless other disasters fall outside the traditional disaster framework. They are not acts of god, created by global shifts in weather, or the random slipping of continental tectonic plates, but are instead mundane in origin: caused by human negligence and error. These anthropogenic harms cause as much damage as natural disasters and more often than not exacerbate the impacts of natural disasters enormously. During Hurricane Katrina it was not the high winds or rain that caused a majority of the damage, but the poorly maintained levee and canal system that flooded large portions of New Orleans.

This paper explores these anthropogenic hazards to understand how they occurred and why they could not have been prevented even while under human control. It focuses on understanding how the risk calculations made led to these disasters and how these disasters impacted the communities that experienced them. This research will examine policy decisions of a variety of man made disasters to identify commonalties between events and further to identify a typology for these types of risk. Following this examination, the second half of this paper will identify areas with a similarly high risk for this type of disaster, and put in place resiliency strategies to combat their effects. Further, the intent of this paper is to examine the planner's role in addressing disaster, particularly the management of anthropogenic hazards, and the development of best practices for planning and an overall framework for understanding the planner's role in preventing these types of man-made disasters.

1.2 Creating a Theoretical Framework for Flint



A disaster is defined as “a sudden event, such as an accident or a natural catastrophe, that causes great damage or loss of life” (Oxford English Dictionary, 2016), but this definition is woefully inadequate to understand disasters and their impacts. Disasters are rarely sudden events: with radar, weather modeling, and a whole array of scientific measurements, natural disasters are now tracked, analyzed and predicted with high levels of accuracy. Continuing disasters are infrequently the result of accidental or natural events, but instead are a product of human interaction with the natural environment and risk calculation. A hurricane may hit a coastline, but the true disaster can be traced back as the effects of specific human choices, priorities and risk calculation (Beck, 1999). Risk miscalculations, and the specific choices by policy makers of where to allocate risk, are what produce the negative impacts associated with disaster. In Love Canal, New York, the city school district decided to construct a new school on the toxic site because the property in the area cost much less than in other areas of the city. In this case, the city placed a higher value on purchasing cheap land choosing to overlook the risk of pollution leaching out from the site. Like in Flint, the government made decisions, which prioritized financial interest over the best interests of the community with disastrous consequences.

In continuing this rethinking of disaster, it is crucial to break from the notion that the impacts of disaster are accidental, or that risk and the allocation of risk are random activities undertaken at a number of organizational levels, including that of the State. Instead, risk allocation and calculation should be understood as key components of neoliberal policy and the modern austerity regime. In Naomi Klein’s *Shock Doctrine*, Klein identifies post-Katrina New Orleans as a product of disaster capitalism: a form of advanced capitalism which generates wealth for large multinational corporations by providing disaster services. Klein defines disaster capitalism as a predatory form of capitalism that uses crises such as Hurricane Katrina as constant sources of capital instead of attempting to resolve and improve the lives of those so badly affected (Klein, 2007, 163). Henry Giroux identifies increased risk and the precarious position of people of color as a central component of type of disaster capitalism (Giroux, 2006, 13). Different from Foucault’s biopolitical state, where the taking of life is institutionalized, Giroux identifies a state of disposability where segments of the population are determined to be acceptable losses and are no longer considered in government risk calculus (Giroux, 22). This becomes clear for Giroux and others post-Katrina, where low income communities of color were disproportionately affected by flood water, and not provided the proper support post disaster by both the federal and state governments. For Klein, Giroux, and others these politics of disposability are inextricably linked to the rise of neoliberal policy within the United States as well as the manner in which austerity policy and risk allocation are distributed within the United States. When public services must be cut, they are cut first from those groups deemed disposable.

Rights and freedoms have changed in the United States: having moved away from discussions of individual rights and civil rights to the rights of companies and corporations, discussions now focus on corporate free speech and the free movement of capital. Within years of each other, *Shelby Co. v. Holder* and *Citizens United v. FEC* were decided by the Supreme Court, the first rolling back 50 years of civil rights legislation and the second allowing corporations to spend unlimited sums of money on campaign contributions. “Democratic values, identities and the social relations along with public space, the common



good and civic responsibility are slowing being overtaken by a market-based notion of freedom and civil indifference in which it becomes more difficult to... insist on a language of the public good” (Giroux, 25) As the priority of the state has shifted from public protection to private interest, basic protections put in place to protect communities’ futures have been rolled back, framed as wasteful and inefficient public spending, in favor of the profit-maximizing principles of modern capitalism.

Numerous conservative politicians entering all levels of government have cut public programs across the US. Deemed wasteful, numerous social services and now public infrastructure projects have been cut as new austerity measures are put in place, which eliminates funding for public education, and privatize public infrastructure. The increased privatization of government services coupled with the dramatic decrease in public spending has established a prioritization of profit over people which has rendered “populations in the United States [who have been] marginalized by race and class...simply collateral damage in the construction of a neoliberal order” (Giroux, 11).

Environmental justice groups consistently confront this type of policy throughout the United States as they fight against the unequal distribution of pollutants and environmental hazards in vulnerable communities, especially in communities of color. Twin studies by the University of Michigan indicate that low-income areas are specifically targeted by industry as they are a “path of least resistance” when siting large polluting uses (Ludwig, 2016). Poor, historically African American towns such as Diamond, Louisiana have been the focus of large petrochemical manufacturing as these communities need jobs and in such desperation cannot come together to fight against these types of industry, unlike other more affluent communities (Bullard, 2006). Environmental justice groups have made clear the dynamic between race, class, and disposability: polluters are consistently located in proximity to those unable to fight them or demand stricter regulation and control. This is specifically identified in the Flint Water Advisory Task Force’s (FWATF) “Final Report” which makes central the question of environmental racism when investigating the Flint crisis, including as one of the Task Forces findings that: “the Flint water crisis is a clear case of environmental injustice” (FWATF, 2016 13). This report places Flint at the center of a new debate regarding neoliberal policy and environmental racism, where the choices made by Flint’s emergency manager would not have been made in a community with more resources. Following Giroux’s model of biopolitics it is poor communities, migrant communities and African American communities like Flint, which are understood to be disposable, likely to have policy in place favoring economic efficiency over the public good.

1.3 Michigan’s Emergency Manager Law, Austerity and Disaster

When natural disasters are tracked, federal agencies produce simulations and projected landfall sites. A technocratic bureaucracy of government scientists works to understand as much as they can about the potential disaster in order to enact the most effective emergency response in the appropriate location. In Flint the opposite is true: instead of a concerted government effort to identify the potential for this crisis, it took months for the state to respond to overwhelming scientific reports indicating the water distributed through the Flint water system was unsafe to drink. Multiple scientists and private citizens of Flint expressed mounting concerns regarding the water quality only to have the government ignore and even discredit these reports until they could no longer ignore them.

The Flint crisis implicates the systemic failure of all levels of government, particularly the Governor Rick Snyder administration, which faults both the Michigan Department of Environmental Quality and the Snyder appointed emergency managers. Specifically the FWATF criticizes Snyder's use of Michigan Public Act 72 of 1990, also known as the "Local Government Fiscal Responsibility Act", which allows the governor of Michigan to appoint emergency managers to cities in financial crisis, allowing the manager to assume control of local municipal government in order to enact harsh austerity measures to relieve a city's financial crisis.

Governor Snyder's interpretation of Public Act 72 comes from a particularly conservative policy paper written by the former emergency manager of Detroit, Louis Schimmel Jr., for the conservative Mackinac Center for Public Policy. In the policy paper Schimmel advocates for the amending of Public Act 72 to include provisions that would strengthen the emergency manager's effectiveness at implementing cost cutting policy, including the centralization of local power to the emergency manager as to ensure local government "cannot impede the overall effort of the EFM" (Schimmel, 2005). Snyder's use of Public Act 72 removed all policy making decisions from the elected government of Flint, instead placing these decisions in the hands of a financial emergency manager whose main objective was to substantially cut public spending through the renegotiation of employee contracts, the elimination of unnecessary public spending, and the privatization of public infrastructure.

Snyder's succession of emergency managers in Flint used their powers to erode democratic checks and balances in single-minded pursuit of new austere emergency budgets. This was achieved by selling off public assets, breaking contracts with public employee unions and creating a skeleton crew local government, which provided only the basic services, necessary for municipal government. The FWATF's report indicates that this devolution of local power to one manager, beholden to only the governor, was one of the most problematic elements of the emergency management law. Instead of local government protecting the interest of its citizens through local decision-making, the Flint emergency manager made decisions about all government functions through the narrow framework of austerity budgeting and financial management. Without an understanding of public services the emergency manager was put in a position to manage the water system, resulting in a mismanagement of the system which prioritized cost cutting methods over fundamental, legally required safety measures.

2. RESPONSE

2.1 Investigating the Role of the Urban Planner

After placing the Flint crisis into a planning framework, it becomes clear that emergency manager law as enacted by Governor Rick Snyder runs in opposition to the role of urban planners in protecting the public good. Planning centers on the distribution of resources and the maintenance of a city, particularly in regards to goods and services (Adler, 2015). Planning also places an emphasis on community participation and consultation in the decision making process. Under a planning framework local input is valued in the decision making process, as opposed to the regime put in place by Rick Snyder and Public Act 72, which explicitly removed all local decision-making. The centralization of power and the single minded pursuit of cost cutting measures led Flint emergency managers to buy into a

government culture structured to discredit local voices and concerns in favor of their program, directly impacting the quality of Flint water and resulting in their disregard for both community and scientific concerns regarding water quality.

As Beck identifies, neoliberal privatization increasingly fails to provide public services such as health care, public housing, education and infrastructure management. It is then the planner who must address the negative impacts of these neoliberal policies and institute policies and plans to protect the public good from those who intend to prioritize austerity (Beck, 2002). Susan Fainstein's article "New Directions in Planning Theory" sets up the "Just City" as an urban model, which counters the disposability politics of modern neoliberal capitalism. In "New Directions," Fainstein identifies the continued patterns of increasing inequality within the United States as running in opposition to the goals and ethics of city planning. Further, she suggests that only the elimination of policies, which enforce environmental racism, and structures of class domination can create the conditions for a just society (Fainstein, 2000, 452). In "Resilience and Justice" Fainstein continues to describe the need for planners to implement resiliency strategies that protect disadvantaged communities from disasters, including disasters caused by these types of austerity policy. Fainstein argues that unlike sustainability, which attempts to find a balance between the environment and the status quo, resiliency accepts the struggle to create just policy within unjust structures, arguing that the status quo must be disrupted. This means that planners cannot only be technicians of zoning, but must become advocates and activists, creating policies and plans which combat the unjust policies of neoliberal capitalism and instead create spaces of resiliency for communities of color and others deemed disposable, especially when in opposition to larger state policy (Fainstein, 2013, 157)

Moving forward, planners must take a more active role in opposing these austerity policies. Critical to understanding the threat of the austerity regime one must examine the "state-rescaling of localities" in which larger central government begins to take more power from the locality, and local government centralizing those powers and those government functions within the larger government. Giving up local autonomy in favor of centralized power and control (Donald et al. 2014). This centralization of local political power is observed in Michigan and beyond, both Kentucky and Kansas have elected highly conservative governors who believe in small government and big business. Sam Brownback of Kansas cut taxes and the social programs those taxes funded in the enforcement of a political and economic philosophy that rejects government spending and social policy in favor of private prosperity. In Kentucky, newly elected Matt Bevin has cut funding to social programs including the Kentucky University and Technical College system, both in response to mounting budget imbalance. These cases are reminiscent of Flint: just as the emergency manager cut public spending, these governors have done the same. While the policies have not yet reached the level of those in Flint it is clear that these policies will have substantial impacts on the wellbeing of these states, particularly the ability of citizens of these states to gain an education and succeed economically.

These financial decisions, part of a hyper-conservative economic vision, have placed cities at a brink. Without revenues from taxation or state spending to fund these programs, basic services provided by city and local governments will become almost impossible to sustain. Without the support of state governments, small, low income, and minority communities will increasingly be faced with crises like Flint. In anticipation of these coming crises,

planning must establish resiliency plans for these populations, which promote self-sufficiency, and other resiliency strategies typically found in plans addressing natural disasters.

2.1 Progressing From Flint

The aftereffects of the Flint crisis will continue to be felt for a generation: it is all but certain that thousands of children will have permanent brain damage as a result of lead poisoning. As investigations progress through the decisions of politicians and bureaucrats it will become clear that the disaster was not accidental or unpredictable, but the effect of a political philosophy which places higher value in averting financial disaster than human disaster.

Just as specific weather patterns are used to predict hurricanes and tornadoes, specific policies should be identified as potential risks for man made disaster. In Flint, after Katrina, and as more information becomes available across the United States, more and more governments are moving towards this conservative government philosophy – increasing the risk for more disasters like Flint. While the next crisis may not result in lead poisoning, the policies put in place by Governor Snyder and Governor Bevin directly attack the preservation of the public good, safety, and welfare by privileging a highly conservative economic agenda which prioritizes profit over people. The crisis in Flint must be used as a teachable moment for citizens, governments and planners to identify policies that run counter to the protection of the public welfare and to establish protections against such policies. While financial managers place profit and financial health over the health of the community, the planner is uniquely positioned to protect those interests in the face of ever more powerful conservative governments and neoliberal economic projects.

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