

Luke Cole: An Undying Legacy

By Christine Joy Ferrer

A tragic car accident in Uganda on June 6, 2009 led to the death of Luke Cole, co-founder and editor emeritus of *Race, Poverty, and the Environment* journal.

Two days before the fatal incident, Luke Cole and his wife, Nancy Shelby, witnessed a wild leopard appear on the side of the road in Uganda. The leopard began walking towards their vehicle. Luke turned the ignition off. A little nervous, they wondered if they should roll their car windows up. The leopard sauntered past. They marveled at their first sight of such a magnificent creature.

“Our life together was an adventure,” says Shelby. “He expanded my boundaries, opened my eyes to things, places, and ideals I would have never otherwise seen or known. And he did the same for all the hundreds of lives he’s touched.”

Luke was an outstanding environmental justice lawyer who won many cases, set precedent, and built the environmental justice movement. He litigated on behalf of farm workers in the Central Valley who dealt with toxic plumes of pesticides blowing off the fields into their homes; and for an impoverished New Jersey black community suffering from high levels of exposure

to dangerous pollutants. His legal victories shut down California’s dairy farm industry until it figured out a better way to dispose of its wastes; stopped the construction of toxic waste incinerators; and more recently, ended the pollution of an Alaskan village’s drinking water. He sued ExxonMobil, Chevron, Royal Dutch Shell, and over a dozen power and coal companies for contributing to global warming.

He founded and directed the Center for Race, Poverty and the Environment (CRPE)—where he provided legal and technical assistance to attorneys and community groups involved in environmental justice struggles worldwide.

Angela Harris Remembers Luke Cole

Luke lived by the mantra, “On tap, not on top,” recounts Angela Harris, the board chair of CRPE.¹ Luke acknowledged a lawyer’s rightful place as servant and his methods empowered communities to mobilize for their own rights.

“Luke started the conversation about how you lawyer for the environmental justice movement,” said Harris at one of his memorial services. “He recognized how environmental hazards do not affect everyone equally, taught environmental justice practices, and brought together two fields that had always been understood as totally separate and unrelated—environmental law and civil rights law.”

“He’d say that because we have our professional degrees and have ‘macho law brains,’ we lawyers think we should be up there in front of the struggle, filing lawsuits and saving everybody. But it’s not our job to run everything. It’s our job to help communities help themselves,” said Harris.



Photo:

Luke Cole and Nancy Shelby in Paris.

Courtesy of Berkeley Chocolate Club



Harris and Luke taught the first environmental justice class at the University of California Berkeley—one of the first of its kind in the country.

“He told young lawyers not to take action until they could convincingly answer: Does [the solution] educate? Does it build the movement? Does it get to the root of the problem?” Harris recounts, remembering Luke’s lectures. “People of color and poor people always get the short end of the stick, not because we need more laws, but because our capitalist

system with its history of racial exploitation is structured that way.”

Carl Anthony Remembers Luke Cole

The image of Luke educating a classroom of students, also resonates strongly with longtime environmental justice advocate and founder of Urban Habitat, Carl Anthony. He remembers Luke describing his experience with the Kettleman City Law Suit, in which he litigated on behalf of a small farm-

Tribute to Luke Cole An Interview with Carl Anthony

What is it that you most remember about Luke Cole?

It is strange to me that one of the strongest images I have of Luke Cole is of him giving one of the most brilliant lectures I ever heard on environmental justice, to my class on race and poverty at the University of California, Berkeley. When Luke presented his case to a classroom filled with African American, Asian American, Latino, Native Ameri-

can, Pacific Islander, and a small group of white students, was it nothing short of breathtaking.

I say it is strange, because I also have so many images of Luke at public rallies, in his modest apartment in the mission, in poor people’s homes, in gathering places, and in small towns in the San Joaquin Valley. I remember clearly attending his wedding reception at a beautiful home on a vineyard in the Central Valley. As the sun went down over the family spread, his family, the well off folks, and the farm workers with mud on their boots were all there, celebrating his marriage with Nancy. Even

his mentor friend from Harvard Law School, the famous African American attorney, Derrick Bell, was there. It’s as if his life’s work was to use his privilege to put his family and community in order.

Yet, this image of Luke as a teacher in the classroom is the most poignant. Luke taught hundreds of students of color, many the first in their families to go to college, what they truly needed to know. Luke described the David and Goliath struggle of the small farm worker town, Kettleman City, against the largest toxic waste dumping company in the United States. “Poor communities are

Photo:
Luke Cole

© Cole family



Enoch Adams (right) from Kivalina, Alaska spoke at the memorial service. ©2009 Christine Joy Ferrer

worker town against the largest toxic waste company in the United States and won.

“Luke explained how poor communities are targeted for dump sites because those in power believe they have no voice,” says Anthony. “The struggle for environmental justice is not primarily a legal struggle, or a technical struggle. It is a political struggle. Most important of all, vulnerable communities must organize, learn to tell their own stories, and speak for themselves. When they do—like El Pueblo para el Aire y Agua Limpio (People for Clean Air and Water)—they can win.”

Memorial Services

At Luke’s San Francisco memorial service at the

Cowell Theatre on October 25, spoken word, reflections, and renditions of “De Colores” and “Hallelujah” filled the auditorium. A gallery showcased hundreds of Luke’s collectibles, from miniature airplanes to bubbleheads and root beer paraphernalia. Honoring his love of chocolate, samples from Brazil, Madagascar, and France were shared with loved ones, friends, and colleagues.

A sea of 500 plus guests overflowed into the theatre’s lobby. The service was one of several held across the country over the past few months. People were inspired again to tell their stories.

Enoch Adams, representing the community of Kivalina, Alaska, spoke of Luke’s unwavering determination.

targeted for dump sites because those in power believe they have no voice.” Eloquently building his argument, Luke laid out the facts of the Kettleman City to my class. “But the struggle for environmental justice is not primarily a legal struggle. It is not a technical struggle. It is a political struggle. Most important of all, vulnerable communities must organize, learn to tell their own stories, and speak for themselves. When they do, like El Pueblo para el Aire y Agua Limpio (People for Clean Air and Water), they can win.”

What do you believe are some of his greatest achievements? And how did his work coincide with the mission and goals of Urban Habitat and the Journal?

Luke Cole was a giant in the environmental justice movement. The most militant of envi-

ronmental justice advocates, as well as those with impeccable academic credentials respected him. His organizing and support of the Kettleman City Law Suit was a turning point in the early environmental justice movement. His book, *From the Ground Up, Environmental Racism and the Rise of the Environmental Justice Movement*, is a classic in the field. Throughout history, people who live in cities have ignored those outside the city walls, oblivious to the exploitation of rural populations.

Tell me about his work with Urban Habitat. How and why did you decide to collaborate and produce *Race, Poverty & the Environment Journal*?

I first met Luke Cole in March of 1990. The year before, I had been talking with a few of

my friends about issues of the environment and race, and a few of us, Karl Linn, Arthur Monroe, Victor Lewis, Eleanor Walden, the late Chapelle Hayes, Amhara Hicks at the Forest Service, Ellie Goodwin at NRDC, and Cordell Reagon of SNCC, formed a loose core group of the Urban Habitat Program. The collapse of the Cypress freeway in West Oakland riveted worldwide attention on rebuilding inner city transportation. I wrote an essay, “Why African Americans Should be Environmentalists,” and sent it to a dozen of my friends. On February 1, 1990, the *New York Times* reported that members of a number of civil rights groups and other communities of color, had written to the eight largest civil rights organizations in the country accusing them of racist hiring. As a result of these



Nancy Shelby, Luke Cole's wife, at the San Francisco memorial service on October 25, 2009. ©2009 C. Ferrer

“We sought help from representatives in the state of Alaska, but they refused to touch the issue. Luke was the first one to step up and help us when the contaminants flowed into our drinking water,” said Adams. “We sued and we won. For the first time, our people can drink water.”

The six-year legal battle was settled right before Luke's death.

Brent Newell, CRPE's legal director said, “Please stand up if Luke helped you become who you are today.” When more than three-fourths of the audience stood up he added, “Just look around you. Luke's energy, passion, and wisdom live on.”

Although his legal victories and accomplishments were numerous and his name known internationally, Luke was a husband and father first and foremost. He leaves behind his wife Nancy and son, Zane.

Recalling the leopard she saw with Luke shortly before he died, Nancy reflected on another key moment in their life together when in the fall of 1992, shortly after they met, Luke had whisked her away to lunch at a little Italian restaurant called Meza Luna in San Francisco. He surprised her with a birthday gift of a wooden sculpture of a leopard by Howard Finster.

“It was his brightness that I was drawn to, his intelligence and engagement with life, his desire to do good work, and his sincerity,” Nancy explains, describing her visionary husband. “He had a gift for seeing the strength in people that they didn't realize they had, and encouraged them to find their own power and authority.” ■

87

events, I was invited by NRDC to make a presentation at a panel on urban justice and ecology at the Public Interest Law Conference on Land, Air and Water, in Eugene, Oregon on March 1, 1990.

I posted my name on several bulletin boards seeking a ride from the San Francisco Bay Area to the conference, and ended up in a car with Luke and two other people. About halfway up to Oregon, after the ice was broken, Luke and I got talking and it turned out that I knew Luke's Dad, Skip Cole. He had given a lecture on ceremonial houses in Eastern Nigeria, at a class I was teaching in the

School of Architecture at U.C. Berkeley. From then on, Luke and I hit it off pretty well.

Our panel, with Felicia Marcus, Juan Soto, and the now famous architect, William McDonough, was a little odd. No one in the environmental movement was talking about cities in those days. As I recall, about 20 people showed up.

After the panel, I told Luke that I had felt a little weird participating in a conference about the environment with a thousand lawyers, and besides Juan Soto and myself, there were no other people of color. Luke agreed and drew up a flier calling for an im-

promptu caucus meeting. About 30 people came. As we went around the room we learned that people of color were fighting environmental justice battles all across the country. We agreed to collect their stories and publish them. Luke came up with the name, *Race, Poverty, and the Environment (RPE)*, A Newsletter for Social and Environmental Justice. The first issue was published on April 22, Earth Day 1990. ■

Carl Anthony co-founded Urban Habitat in 1989 and RP&E in 1990. He currently serves on Urban Habitat's board of directors.

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This issue is dedicated to Luke W. Cole (1962-2009)

Founding co-editor of the journal *Race Poverty & the Environment* and founder of the Center for Race, Poverty and the Environment.



Photos: (Above) Montage from the Luke Cole memorial booklet published October 25, 2009. Courtesy of Nancy Shelby.

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(Inside Front) Richmond refinery. ©2008 Scott Braley. (Inside Back) Urban garden in Havana Cuba. © John and Faith Morgan / www.powerofcommunity.com.

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