I. The rights of persons
    A. Because humans have moral standing they are guaranteed rights
        1. derived from both Kantian and utilitarian moral theory
        2. given substance in America
            a. Declaration of Independence: life, liberty, and the pursuit of happiness
            b. given substance in the constitution: freedom of speech, belief, thought, expression, person under law
        3. given broader substance in international law
            a. UDHR, Convention on Economic, Cultural, and Social Rights
            b. rights include work, housing, health care, food
        4. some feel environmental rights of person should be included
            a. right to clean and healthy unpolluted environment
            b. is a necessary precondition to life, liberty, and the pursuit of happiness
    B. While pollution affects us all, in US and globally it affects some people more than others
        1. racial minorities
        2. poor
        3. indigenous people
II. Environmental justice movements have emerged, one of those is the Environmental racism movement
    A. Environmental racism first used as a term by Rev. Benjamin Chavez with the release of "Toxic Waste and Race in the United States"
    B. summary of environmental racism
        1. poverty important, but race most important variable in locating hazardous waste facilities
        2. blacks, hispanics, native americans, Asian/pacific islanders overrepresented in communities with uncontrolled toxic waste sites
        3. 5 o 6 areas of worst industrial pollution if 78% minority
        4. 50% more likely to die of exposure to hazardous waste
    C. environmental racism making a sociological distinction
        1. difference between personal racism and institutional racism
        2. cause of environmental racism is institutional racism
            a. personal racism
            b. institutional racism
                i. ways in which society's institutions are arranged
                ii. different power arrangements
                iii. differential treatment and consequences

    c. both US and global social arrangements are organized in such a way
        i. certain gourps are affected to a greater or lesser degree by environmental practices
        ii. deprived of environmental rights

D. social organization
    1. most societies are stratified by income, wealth, and power
    2. those at the top haave
        a. access to institutions
        b. control over institutions
        c. power to shape society in their favor
    3. conversely those at the bottom have less access, control, power
    4. literally translates into life chances
        a. Titanic
        b. minorities and poor higher infant mortality, lower life expectancy, hunger and disease
        c. also most affect by a society's negative environmental practices

E. Urban American
    1. social construction of the urban ghetto
    2. environmental injustice in urban area
        a. highest levels of air pollution because of concentration of traffic
            i. blacks die of asthma at 3x the rate of whites
            ii. environmetal cancers
        b. site of most toxic and hazardous dumps
            i. south side of Chicago, toxic triangle
            ii.
        c. slumlording and lead poisoning
            i. in Chicago ten areas with highest rate of poisoning 70% minority, 90% of cases
            ii. 37% of black urban preschoolers suffer from lead poisoning
        d. most illegal dumping is done in urban areas
            i. 80% of dumping in areas that are 65% minority
            ii.
        e. People of color are twice as likely to live in counties with highest levels of industrial toxins
        f. People of color are three times more liely as Whites to live near one of the largest toxic waste dumps in the country

F. Native Americans
    1. dumping on reservations

2. uranium mining and nuclear testing

G. Migrant workers
    1. EPA
    2. DDT sprayed on workers in third world plantations
        a. 2 million pesticide poisonings a year

H. EPA
    1. enforces laws and regulations less vigorously
    2. leviews lower fines in minority areas, 1/5
    3. slower to put toxic waste sites on Superfund list
    4. policy of containing waste, rather than remove it

III. global environmental justice

A. First and third world (color)
    1. history of this relationship 500 years of colonialism
    2. environmental consequences were catastrophic
    3. indigenous people

B. new arrangements called "free trade"
    1. GATT, NAFTA, FTAA- WTO
    2. limits to agreement
        a. serve interests of first world/ mnc
        b. severe impact on communities, people, maquiladoras
        c. lack of environmental regulations
    3. "developmental" projects
        a. 40% mining and oil
        b. increase in % withough environmental impact

Examples,

I. Toxic and hazardous waste dumps are located more often in inner city areas, and in areas that are predominately black and latino
    A. Chicago's south side
    B. 99 of 162 toxic hot spots in areas that are 65% minority
    C. 10 areas with highest lead poisoning 70 per cent, over 90% of cases
    D. worst 5 of 6 areas for industrial pollution 78% minority

II. Most illegal dumping is in the inner city, half of city wards that are 65% or more minority account for 80% of illegal dumping tonnage.

III. Indian reservations, among the poorest areas in the US, have taken nuclear and toxic waste in exchange for money from the government or private waste companies

IV. Lifeboat theory is racist, overpopulation is not just us vs them, it is global problem caused by global system but also women and children in the third world

V. The US ships several million tones of toxic and hazardous waste to poor third world countries, Germany is the biggest exporters of toxic waste to the third world "impeccable logic"

VI. Migrant workers are subjected to pesticides. There is no law in the US that a farmer or agribusiness has to inform the migrant workers what or if they are being exposed to

VII. Plantations workers are sprayed in the fields and in their villages near the fields by pesticides that are outlawed in the US, DDT

VIII. Air pollution is more concentrated in the inner city where the majority of poor minorities live

Young black men die of asthma at a rate of 3 times that of young white men

African Americans have higher rates of environmental cancer rates

I. Not just a question of pollution and toxic dumps, delayed and ineffective action
   A. EPA enforces its laws and regulations less vigorously
   B. it levied lower fines in poor minority areas, 1/5th
   C. slower to put toxic waste sites on Superfund list
   D. policy of containing waste, rathe than removing it, put a tarp over it
   E. 1 billion to clean up Potomac, 3% of that to clean it up

II. Environmental Racism - Native Americans
   A. Nuclear Waste
      1. 104 US nuclear power plants
      2. 22 in Canada
      3. Waste
         a. 70, 000 metric tons high level
         b. millions of liquid
         c. spent fuel rods
         d. tailings
         e. mines: 1000 alone on Navajo land
         f. affected: Hopi, Navajo, Lakota, Apache, Laguna Ojibwe, Ok tribes, Alabama-Coushatta, Yakama, and Spokane
   B. Western Shoshone
      1. 1951 AEC set of nuclear test site in Nevada within W Shoshone Res
      2. 1951-1992 US and GB 1054, 220 above ground tests
      3. government claim very little exposure, equivalent of chest x-ray
      4. 1997 National Cancer Institute study:
         a. 160 million persons 200x to 3000x the amount govt claimed

    b. 75,000 cases of thyroid cancer, many still at risk because of long latency period
5. AEC and DofE would wait until winds would blow north and east so radiation wouldn't blow towards Vegas or La, but toward the Shoshone
    a. they would duck and cover
    b. structures not air tight
    c. work outside and hunted when clouds came over
    d. gather water outside
    e. not even evaluated by DoE
6. Government wants land
    a. Shoshone title has been recognized
        i. Treaty of Ruby Valley 1853
        ii. Indian Claims Commission offered to buy land based on 1873 value $26 million now $91 million
7. Shosone refuse to sell
8. Govt wants put nuclear waste dump there
    a. Monitored Retrieval Site
    b. govt and nuclear industry have been funding Native tribal organizations research into turning reservations into MRS
9. Govt has decided to dump all nuclear waste in W Shoshone land at Yucca mountain
    a. Nuclear Energy Institute (nuclear industry) spent $12.8 million to their congressional delegates to get this through
    b. get it out of our back yard 1997 Nuclear Waste Policy Act
    Sen Rod Grams of Minn: "We in the Senate have done our part in trying to restore the promises mad by the fereal government to the ratpayers os this country to move nuclear waste our of our home states."
    DOE: "Native responsiblity to hold nuclear waste emanates from the 'superior Native understandin of the natural world' and the fact tht we are 'our brother's keeper.'
    c. operating reactors still have to store waste for five to ten years
    d. 15,000 shipments + will lead to 268 accidents as shipments pass through areas with 50 million

C. Navajo and uranium mining - 1950 to 1980
1. The birth of the atomic age created the need for uranium ore
2. some of the richest deposits of uranium ore are found on the Navajo reservation and the Laguna Pueblo
    a. Four Corners
    b. Colorado Plateau

3. between towards the end of WWII, esp between 1950 and 1980 uranium was mined
    a. mining companies heavily subsidized
    b. Kerr-McGee
4. many of the workers were Navajo, mines and processing mills
    a. who were poor and desperate for the wages that mining pays
    b. and responding to the appeal of their country
5. however, neither the tribal councils nor the miners were told about the dangers
    a. by the start of the Manhattan Project, it was known that uranium and radium caused lung disease, cancer, and other fatal problems
    b. studies by Public Health Service confirmed this beyond a doubt but the AEC
        i. sole purchaser said it had no responsibility for the safety of the mine
        ii. and the mining companies resisted taking any safety measures
        iii. Secretary of the Interior took no action to protect the workers

            "They dug the uranium ore with pick and shovel in the small mines called 'dog holes' or blasted the rocks with dynamite, breathing radon gas and silica-laden dust. They ate food tainted with uranium oxide and drank the contaminated water that dripped from the mine walls. They carried uranium home to their wives and children on thier shoes, clothes, and bodies."

        iv. no ventiliation system
            no protective gear
        v. 20 years to impose limits for radiation exposure
        vi. after the deaths, mining cos and the gov argued over who should compensate the victims or if any compesation was due (few years after closing 1 in 5, cancer of lungs, pulmonary fribrosis)
        vii. deaths are particularly bad
            decimate small communities
            leave families in poverty
    c. Navajo fought fought congress and the courts in 70s and 80s
        i. disregard for the rights of native peoples

ii. "discretionary function" - no court review of certain court functions (Federal Tort Claims Act)

d. in 1990 Congress passed Radiation Exposure Compensation Act
   i. bureaucratic nightmare that natives have to traverse
   ii. slow processing of claims
   iii. demands which subvert the intent of the law
   iv. this included the human guinea pigs, fallout victims, other workers exposed

6. Not just death
   a. left behind over 1000 mines uncapped
   b. piles of radioactive mine waste (tailings)
   c. rain leaching uranium into ground water
   d. small open pit mines filled with water inviting children to swim
   e. Laguna Pueblo
      i. 3000 acre open pit mine
      ii. untouched for seven years after operations stopped
      iii. pueblo started own reclamation
   f. Shiprock
      i. radioacative mill
      ii. 70 acres of spent uranium with 85% of radioactivity
      iii. about 20 yards from the San Juan river
   g. Durango
      i. Mt. Uranium tailings pile 23oo feet high

I. Environmental Racism - Native Americans

A. Mohawk

1. Akwesasne "Land Where the Partridge Drums"
2. 25 sq miles on St. Lawrence border between NY and Canada
3. home to 8,000 Mohawks
4. GM factory Superfund site
   a. 823, 000 cubic yards of PCB-contaminated materials
   b. land , water, and bodies
5. Traditionally fishers
   a. whales polluted
   b. turtles polluted- Mohawk legend - *Turtle Island*

"This used to be a fishing village. That's all gone now. There's only one family that still fishes. We can't farm here because of all of those air emissions. Industy has pretty much taken the entire traditional lifestyle away from the community here.

   c. 65% of Mohawks on Adwasnes have diabetes
   d. from fish to spaghetti
6. history of polluting Mohawk land
   a. 1900s Aluminum Company of America factory
   b. 1950s cheap power from St Lawrence and Moses Sanders Power Dam lured giant coporations
      i. GM and Reynolds
7. Reynolds
   a. 400 pounds of fluorides per hour, reduced in 1973 to 75 pounds ber hourd
   b. But
      i. stock losses
      ii. Vegetation
8. Today 25% of all NA industry is located on or near the Great Lakes which are drained by the St Lawrence
9. Canada as designated Akwesasne Mohawk Res as most contaminated
10. US side, GM had 258 acres near res
    a. five saturate dlagoons
    b. numerous PCB laden sludge pits
    c. lead, chromium, mercury, cadmium,
11. GM one of the worst polluters in the world
    a. 1994 Multinational Monitor Top Ten worst corp
    b. potentially responsible for 200 Superfund sites
12. EPA fined GM for multiple violations of the Toxic Substances Control ACt and added site to Superfund for cleanup
13. EPA resolve has weakened from "treatment" to "containment"
    a. limits amount of cleanup to ⅓
    b. saves GM $15million
14. GM cleanup
    a. sand and grave over contaminated areas
15. Women's Milk Project
    a. women are first environment
       i. baby, mother, family
       ii. everything the mother feels, eats, and sees affects the baby
    b. bioaccumulation analysis from fish to wildlife to breast milk

    c. 200x the PCP levels for mothers who ate fish from the St. Lawrence
        i. example one woman: PCBs, HCBs, DDC, mirex (a flame retardent)
        ii. fish is traditional food
    d. same in studies of fetal umbilical cords
16. GM fights every step of the way
    a. did some dredging in 1998-99
    b. but shipped them off to some unlucky site in Utah
    c. may identify more hot spots, and may do more remediation
17. fight is going international POPs, persistent organic pollutants "dirty dozen"
18. Every one carries 500 measurable chemicals in their body that were not in existence prior to 1920
    a. effect brain development and behavior
    b. endocrine functions
    c. immune systems
    d. reproductive systems
    e. 72,000 are used on a regular basis, less than 20% have been tested