

Trading Human Health For Profit

by Nicole L. Warren

Welcome to "Toxic Town USA", formally known as Chester, Pennsylvania (Offman 1998). This Delaware County community, fifteen miles outside of Philadelphia, suffers from one of the many cases of environmental injustice, found in poor minority communities throughout the world. Over the years, residents of Chester have been subjected to severe pollution, resulting from the toxic emissions of several waste facilities in their neighborhood. Lead, dioxin, arsenic, nitrous oxides, and sulfur dioxide are just a few of the toxic chemicals emitted into Chester's environment on a daily basis. A *small* sample of the ailments residents are suffering includes: respiratory disorders, constant eye, nose, and throat irritation, increased risks of cancer, lung disease and liver and kidney toxicity (Howington & Viola). The pollutants and health risks present in Chester made it an appropriate choice for the EPA's 1995 study on the cumulative effects of continuous exposure to toxic waste.

Robert D. Bullard, director of the Environmental Justice Resource Center at Clark Atlanta University, is well acquainted with Chester's story, which is representative of many communities nationwide. He believes that environmental injustices are rooted in the practices of racism, adding that the existence of racial "discrimination is a fact of life in America", despite its illegal status (Bullard 6). Many African Americans have suffered mistreatment

from the housing industry, educational institutions, and from employers, all due to racial discrimination. It's no surprise that that discrimination should extend to other facets of American life. In the realm of environmentalism, another racially based injustice called environmental racism is occurring. The term, coined by former executive director of the NAACP, Benjamin Chavis, was created to give a name to the gross environmental inequalities imposed on poor, black communities like Chester, PA. Bullard reports "race has been found to be independent of income in the [disproportionate] distribution of municipal landfills, incinerators, abandoned toxic waste dumps, smelters, and other polluting industries" (22). Environmental discrimination, although not a new practice, has only recently, within the past 15 or so years, gained deserved attention. Despite the problem being revealed and publicized, a permanent, effective resolution has not been implemented. This is due in part to upper class citizens, who directly control the actions that influence facility site placement and policymaking, failure to recognize the devastation caused by environmental inequalities as human rights violations. Each citizen should be entitled to healthy and safe living environment. Bullard reinforces that environmental protection "is a right, not a privilege reserved for a few who can...escape or fend off environmental stressors that address environmental inequities" (Bullard 12). By addressing the problems of environmental injustices as human rights violations, the cause can be more effectively campaigned and resolved.

One of the main accusations made by environmental justice advocates is that the environmental movement centered on white, elitist concerns. Traditionally, as

Environmental Ethics editor Eugene Hargrove notes, environmentalism has focused on “environmentalists concerns, and these have not included concerns about human welfare” (Westra ix). The attention was given to protecting natural species and system, neglecting how toxic environments affected humans. This accusation is supported in much of the literature exploring suburban and urban life, where a common theme is found in the in their discussion of the exclusionary practices of the upper classes, and the effect their actions have on the general population. In this instance, their actions have been instrumental in creating the environmental disparities imposed on poor, minority communities. With their observations and ideas, Sharon Zukin, and Yi-Fu Tuan, are able to evidence the impact of segregational habits of the upper classes. Their respective books, The Culture of Cites and Topophilia, give insight into part of the foundation of the evolution and continued existence of environmental inequalities in present day society. Tuan also recognizes that environmental inequalities are “fundamentally human problems” (1), and Topophilia offers support for a human rights approach to resolution. The Culture of Cities illustrates how the symbolic economy created by upper class citizens of cities is another factor in the development and preservation of inadequate living environments in poor minority communities.

Just as discrimination is a fact of life in America, so is sprawl in suburban areas. Bullard strongly believes that suburban sprawl affects everyone everyday, as it “heightens racial disparities and concentrates poverty” (ix), among other things. But despite its negative implications, beginning in the twentieth century, many city dwellers have

become a part of what Tuan calls an “exodus into the suburbs”(226). Of note, among the reasons for the initial migration is the desire to escape from the threatening elements of urban life. People sought to segregate themselves from the overcrowding and pollution, and to find economic opportunities and better environments in which to raise families. One of the main, if not the predominant reasons citizens fled, was to avoid living with other citizens they found undesirable: immigrants, and the poor. Tuan confirms that the original Anglo-American inhabitants of the cities disliked “the twin defects of poverty and strange, therefore unacceptable habits”, of the immigrants and poor. In response to their presence, the upper classes relocated to the suburbs (229). The modern day threats to white Americans are blacks and Latinos, yet still today they are not able to admit leaving the cities for racially or culturally based preferences. Regardless of the catalyst for their inclusion in the suburban sprawl, the quality of life in the metropolitan areas they escape suffers. A brief history of Chester, PA demonstrates the impact of the suburban exodus:

Throughout the first part of this century, Chester was widely known as a center for economic growth, with companies employing so many people that they were small cities onto themselves. [...] Like many cities in the Northeast, Chester was hit hard in the postwar era. New technologies gave industries more mobility, and they began to consolidate and move out of the cities. From 1950 to 1980, 32 percent of the jobs in Chester disappeared. The economy collapsed. Much of the more upwardly mobile population moved away. Those that were left were predominantly minorities, transforming the racial makeup of the city. From 1950 to 1990 the population declined from 66,000 to 42,000. During the same time

period the proportion of the population that was African-American increased from 20% to 65%." (Kelly 14 Feb 1998)

Nowadays, sprawl is still occurring, as poorer citizens are displaced by the construction of roadways, mass transit systems, and strip malls that benefit suburban residents. They are also suffering in health, resulting from pollution emitted from waste sites, incinerators and other polluting industries that suburbanites and elite city residents don't want in their neighborhoods. Tuan credits the discontent of the wealthier suburban residents in part to the belief that by moving from cities to suburbs, the elite "lose human attributes in proportion as they are removed from the center"(31). The residents the upper classes desert are left to live in the "ruin" that they've created, including damage to the environment.

Over the centuries, the upper, elitist classes have no doubt maintained the influence they have on all aspects of society. Through the practice of exclusion, they have attempted to shun the perceived annoyances (poor, immigrants, blacks) from their communities. This is an effort to maintain what Tuan describes as, "the precision, the order, and the predictability" (152) of their neighborhoods. They have been able to achieve this by creating and continually implementing deceiving metaphors in daily commerce. Sharon Zukin analyzes the power of the symbolic economy in cities and its role in "social inclusion or exclusion, depending on your point of view" (vii). The cultural constructs of a city can delegate "who belongs where" through its images and symbols, regulate the economy by producing goods, and design public space through planning backed by the private sector. By

controlling images in the cities for the benefit of visitors and upper crust residents, images deemed unsavory are removed or concealed. Zukin claims that this requires “controlling all sorts of urban ills, from violence and hate crime to economic decline” (Zukin 2). In an effort to create and preserve the cultural illusions of cities’ symbolic economies, waste sites, incinerators, etc. must be placed in areas outside the realm of the illusion. In most instances, those places are poor, black communities somewhere on the outskirts of the city’s center.

Such is the case in Chester, a 70% black, poor community, that houses five of the seven waste facilities in their Delaware County. This city produces 90% of all the toxic chemicals released in the entire county, protecting the symbolic economies of neighboring, predominantly white suburbs of Swarthmore and Haverford (Howington & Viola 22 June 1996). Both are college towns that boast of hundreds of professionally landscaped wooded acres, substantial cultural and educational resources, and impressive architectural structures. Meanwhile, their waste, along with that of the other thriving suburbs in Delaware County, is “banished” to Chester. Such maintenance of a symbolic economy relies on the power, and the interest of politicians and the wealthy elite. With their money, clout, and “desire to establish their identity as a patrician class, building the majestic art museums, parks and architectural complexes that represent a world-class city”, elite citizens strive to protect the positive images the Swarthmores and Haverfords. This effort requires that they delegate poor areas as the “trash cans” that keep their areas of the city clean. The architectural structures they have erected are legitimized because they significantly contribute to the

economy of the city. To them, those buildings are not merely representations of their talent, upbringing, education and wealth, but representations of a flourishing city, or what Tuan calls “a human and environmental ideal” (151). Minority communities gain waste sites as their unwanted neighborhood “cultural icons”, while the museums and parks reflect a “world-class” city. Poorer urban areas are deemed illegitimate and unworthy to reap the benefits of the main city. They are unable to secure “a share in the pageantry of a far larger [and more deserving] world”: the suburbs (Tuan 152).

More interested in boasting their city as an “emblem of human greed” (Tuan 223), the elitists leave the poor, minority communities of the country to decay. Abandoned, with little support, it is a challenge for the poor to even enlist the aid of environmental groups or the government. Instead they must raise their families in communities plagued by serious environmental hazards that are endangering their health. Residents of Chester have been experiencing the adverse effects of the environmental hazards in their community. In addition to several other findings, the EPA’s 1995 Environmental Risk Study of Chester concluded that:

- 1) the blood lead levels of children in Chester is unacceptably high, with levels above the Center for Disease Control's (CDC) recommended maximum level;
- 2) air emissions from facilities in Chester are a large component of the cancer and non-cancer risks to citizens;
- 3) the health risks from eating contaminated fish from Chester streams is unacceptably high; and

4) health risks such as kidney and liver disease and respiratory problems, from the pollution in Chester exceeds levels that the EPA believes are acceptable (CRCQL 6 April 1996).

Some residents of Chester maintain that the EPA has refused to release the findings of the report in their entirety, perhaps for fear that the enormity of the injustices in Chester would be revealed, sacrificing the symbolic economy of surrounding neighborhoods.

In recent years, with the assistance of the allegations introduced by Benjamin Chavis, the environmental justice movement has made *some* strides. He asserted that the "environmental movement was itself a diversionary tactic designed to shift the nation's attention from the plight of the African American...to wealthy white American's elitist concerns about the natural environment" (Lazarus 260). He claimed that the number of toxic waste sites in minority communities, regardless of socioeconomic status, was significantly higher than those in white communities, and expressed concerns of the economic costs of pollution control hurting the poor and minority communities. In a 1987 The United Church of Christ (of which Chavis was the president of at that time) conducted a study entitled, "Toxic Wastes and Race in the United States: A National Report on the Racial and Socio-Economic Characteristics of Communities Surround Hazardous Waste Sites". Results of that report fueled and supported Chavis' claims. It was discovered that "communities with a single hazardous waste facility were found to have twice the percentage of minorities as communities without such a facility (24 percent vs. 12 percent)", and "communities with two or more facilities have more than three times the minority

representation than communities without such sites (38 percent vs. 12 percent)" (Lee 14). At that time, Black citizens comprised only 11.7% of the general population, yet the percentage of blacks living in cities that topped the list of locations housing the most sites, was significantly higher (Lee 15). The study reported that Memphis, TN had a 43.3% black population and 173 waste sites, Atlanta, GA had a 46.1% black population and 94 sites and Chicago, IL had a 37% black population and 103 sites (Lee 15). In "Environmental Racism! That's What it is!", Richard J. Lazarus credits Chavis claims with "reshaping the way environmental law and justice are conceived" (255). Prior to his statements, there were no such injustices documented in the field of law and environmental racism was not the subject of any scholarly pursuits. But beginning in the early 1990's, environmental law casebooks featured the topic, and law symposia and conferences have also put it in the spotlight. The environmental law profession was compelled to "think about the distributional dimension of environmental law more thoughtfully, more systematically, and more thoroughly" (Lazarus 263). Environmental racism's new found attention resulted in steps toward positive changes in protection standards, enforcement policies and facility siting.

Benjamin Chavis' accusations were influential and the "impact has been widespread but relatively invisible to most observers" (Lazarus 263). Congress has not passed any environmental justice laws, there haven't been amendments to any environmental protection laws, and there haven't been "any major judicial rulings embracing claims of racism and inequity" (Lazarus 264). Robert Bullard also sees elitism as a partial reason for this decline in interest and

lack of substantial changes, suggesting that environmental groups have a shared opinion that “really reflects the larger society. And society is racist. And so we can’t expect a lot of our organizations not to somehow be affected by that”(Bullard 5). Although citizens would like to rely on the government and environmental organizations to act in the best interest of the population, this isn’t always a realistic expectation. This is especially true for poorer minority citizens who have existed as a sometimes seen and not heard population, with their concerns being ignored or given little attention. Along with Chester’s history of economic and environmental decline, there is a history of political corruption, earning the city a place on *George* magazine’s 1998 “10 Most Corrupt Cities of America” list. In 1933 Chester Mayor John McClure and 95 of his colleagues were indicted for conspiracy to violate probation. None of them served time and McClure stayed in office until his death in 1965. His successor, Jack Nacrelli, in office until 1979, was convicted of racketeering, income tax evasion and bribery. Even in his imprisonment, he continued to make political decisions regarding Chester. In 1992, “the county district attorney won convictions of a member of the city council and three members of the city’s redevelopment authority on charges that included ethics violations and accepting bribes from contractors” (Decorncy Hinds). More recently, during Aaron Wilson’s term from 1996-1998, he was accused of “refusing to address citizens’ concerns about a proposed additional waste treatment facility, telling activist Zulene Mayfield she had not right to challenge him” (Scharr deProphetis). And Pennsylvania’s Department of Environmental Protection was responsible for issuing the permits for the five waste sites currently in

Chester. Behavior of politicians in Chester supports the idea that politicians often champion causes on the behalf of special interest groups, such as the wealthy that back them financially, and not on the behalf of the welfare of all citizens. Policies and legislation aren't always passed out of genuine concern or because they're the "right thing" to do. More frequently they're made as a result of the untiring efforts of grassroots organizations, often formed by concerned citizens. When citizens feel that the government has misrepresented or underrepresented their interests, they take action and form their own organizations to combat the wrongs in their communities. Injustices are avoided and eliminated with the "organized, knowledgeable, and effective community opposition" (Lazarus 270). Such has been the case with environmental activism.

Concerned, angry citizens in Chester, Pennsylvania united and took action. These citizens have demonstrated their topophilia by strengthening the "affective ties with their material environment" (Tuan 93), by fighting further damage to their surroundings. Formed in 1992, under the leadership of Zulene Mayfield, Chester Residents Concerned for Quality Living (pronounced "circle" and henceforth referred to as CRCQL) has been deemed "one of the most active environmental justice groups in the county" (Pokempner 31 March 2001). Since its inception, CRCQL has waged and won several battles against companies seeking permits to construct more waste facilities in Chester, as well as forcing existing sites to become legally accountable for the damage they cause. In addition, CRCQL educates their community about health risks associated with the pollution, and offers information outlining preventative measures. Many residents do not

have the financial resources to relocate, and must learn to adjust their lifestyles to Chester's toxic environment. It is extremely doubtful that Chester will be waste facility and pollution free, especially as long as its neighboring, wealthy suburbs can benefit from the current facility placements.

Zukin reminds that among other things, the success of a city or suburb is dependent "on how they manipulate symbolic images of exclusion and entitlement"(7). Part of that manipulation is to present an image of a clean, healthy, safe community, complete with waste removal and other environmental amenities. Placing a waste site in the center of a city or suburb next to the local art museum would discredit, and even destroy, the worth of the area. The property value would decrease; halting any new industry (with the exception of more waste sites), and visitors and residents would avoid the city because of the stench, unsightliness, and health hazards. Capital would be lost, the symbolic economy would be ruined, and the illusion revealed. Survival of the illusions of a symbolic economy is dependent on a city's' "urban oases", created by a collection of attractions, such as museums, college campuses, nature spectacles, architectural wonders, and ornamental landscaping (Zukin 9). Just as "a sidewalk café takes back the street from casual workers and homeless people" (Zukin 9), Chester allows other communities to secure their environmental amenities. But while wealthier residents in the suburbs enjoy their luxuries, Zulene Mayfield and her neighbors must host waste treatment plants. Already excluded from residing in the main city or the suburbs, by fault of their race and economic status, Chester residents play an undesirable role in the symbolic economy of their Pennsylvania County.

Aggravated and offended by their role as Delaware County's trash can, CRCQL successfully challenged the actions and decisions of the Pennsylvania Department of Environmental Protection (PA DEP). Their most notable effort has been a lawsuit filed against the PA DEP, after they granted *another* permit to a soil treatment facility. In 1996 CRCQL filed a civil right suit against them alleging that the department's "permit decisions with regard to Delaware County had a racially discriminatory impact" (Pokempner), and in doing so violated Title VI of the Civil Rights Act of 1964, which bars discrimination on the basis of race, color, and national origin in programs receiving federal funding, including local and state agencies. CRCQL could not prove discriminatory intent, and the case was dismissed. But they persevered, and appealed the case to the U.S. Supreme Court. The court took the case, but in 1998 the soil treatment facility decided not to build, and the case was held moot, leaving the status of such litigation unclear. So for the moment, communities like Chester will continue to suffer, securing the illusion of the suburbs and main cities as "sites of visual delectation...and urban oases" (Zukin 11). CRCQL has become an exemplary model of how the force of strong, endearing topophilia can create a place that productively defies the oppressive practices of their government. Tuan would regard such a place as having "become the carrier of emotionally charged events or perceived as a symbol" environmental justice in action (Tuan 93). Chester began as "waste dump" protecting the cleanliness of its nearby suburbs, and later emerged as a symbol of hope for other communities who may be suffering as Chester is. CRCQL continues to fight for the

improvement of the environment in their neighborhood, but now focuses more on educating residents on identifying and addressing health risks caused by the pollution (i.e. their Lead Poisoning Prevention Program, established with money won in one of their law suits). Zulene Mayfield and her neighbors defied their wealthier counterparts who underestimated the power of ordinary citizens, thinking they were incapable and perhaps unworthy of successful bouts for their human rights.

Communities affected by environmental racism have allies in influential parties who are invested in securing human rights for all inhabitants of earth. At the World Conference Against Racism in August of 2001, environmental racism was recognized as “a human rights violation [...] caused by government and private sector policy, practice, action or inaction which intentionally or unintentionally, disproportionately targets and harms the environment health, biodiversity, local economy, quality of life and security of communities, workers, groups, and individuals based on race, class, color, gender, caste, ethnicity and /or national origin”(WCAR). Part of a proposed plan of action, to aid in the dissipation of environmental disparities, lies with demanding governmental responsibility and action. In order for the government to eliminate their deficiencies and take the necessary action, they must recognize and respect “the fundamental rights of all people to clean air, land, water, food, and safe and decent housing”(UNCHR). Zulene Mayfield is aware of the clout of the United Nations, and admits environmental racism is “a human rights issue. I mean, at many times we [CRCQL] had early on played with the idea of petitioning the UN for violations of the human

rights act, because conditions here concerning the environment we felt were that bad" (KWRU March 1999). The United Nation's Commission on Human Rights also recently revised their resolution on the Adverse Effects of the Illicit Movement and Dumping of Toxic and Dangerous Products and Wastes on the Enjoyment of Human Rights, affirmed that this practice "constitutes a serious threat to the human rights to life and health of individuals..." and urges all States to adopt and implement policies relating to such damaging practices. This recognition will have an impact on the struggle to eliminate environmental injustices, but it will also require the continued efforts of grass roots organizations, and wide spread recognition from officials and citizens.

Robert Bullard knows this, and asserts, "African Americans...have begun to treat their struggle for a clean environment as an extension of the struggle for basic human rights" (34). Activists and citizens have also become aware of the fact that hazards imposed on their neighborhoods are part of the slew of discriminatory acts against blacks. For this reason, the environmental justice struggle closely relates to the Civil Rights Movement, which is an extension of the struggle for Human Rights. Yi-Fu Tuan urges "that however diverse our perceptions of environment, as members of the same species we are constrained to see things a certain way" (3). Although all humans do not share the same perceptions and belief systems, we are all bonded in that we "share a common world", as a species (Tuan 5). Shared sensory organs allow all humans to touch, hear, see, smell and (with caution) taste their physical environment. From those sensory experiences, perceptions of a person's surroundings can be

formed. And although perceptions of the environment, whether they are positive or negative, vary from person to person, medical science has deemed the health dangers of environmental hazards a fact. Tuan urges, "that environments that are bad enough to endanger health require immediate action ..." (2). Poor, black citizens in urban areas are well aware of these dangers, but can the same be said for their counterparts in suburbs, or other areas of the city?

Zukin and Tuan have framed the picture of exclusion and illusion that fuels the practice of environmental racism. Tuan credits this in part to the elitist mentality of wealthier citizens as Zukin demonstrates how a symbolic economy allows them to play a "deceptive game of representations" (Zukin 10), to maintain a front of equality and cultural inclusion. Towards an end, Tuan, the United Nations and World Conference Against Racism participants suggest universal recognition healthy, safe environments as a human right of *all* people. Citizens are encouraged to exercise their power as responsible members of society, to end environmental injustices. As a leading environmental justice scholar, activist, and director of the Environmental Justice Research Center, Robert Bullard is taking responsibility. Zulene Mayfield is not a scholar, and doesn't consider herself an activist, but she is a concerned citizen that took action. Her and the other members of CRCQL are taking responsibility. Others can follow their paths, keeping in mind that "as society and culture evolve, attitudes toward an environment can change--even reverse itself--over time" (Tuan 75). There is hope that wealthy, elitist and government officials will see the disparities and

take vigorous, lasting action. As they opt to “trade human health for profit”, I’ll remain baffled by their inhumanity and insensitivity (Bullard 5).

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