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**EDITOR**

Allan Schnaiberg

Department of Sociology, Northwestern University  
1810 Chicago Avenue, Evanston, IL 60208-1330  
[Phone: 708-491-3202; FAX: 708-491-9907]

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*Open for self-nominations*

## SITING LULUs BY LOT

Allan Mazur  
Maxwell Graduate School of Citizenship & Public Affairs  
Syracuse University  
Syracuse, NY 13244

Community opposition to LULUs (locally unwanted land uses) has become so common that a few years ago the Readers' Guide to Periodical Literature began listing "NIMBY" as a topic heading. Today it is exceedingly difficult to site "undesirable" facilities that are essential for a modern society, especially airports and waste disposal plants.

One proposed solution is to pay local governments to accept these unwanted land uses, thus opening up sites and profiting needy communities at the same time. In terms of social justice, however, such compensation is like prostitution, paying women to accommodate men whom they would otherwise find noxious. Rich ladies do not succumb to this monetary seduction; it appeals only to poor women. In the same way, poor communities -- where monetary compensation is especially tempting -- would receive all of the LULUs while wealthy areas remained exempt.

I propose that certain necessary types of LULUs, to be deemed by law as "essential," be distributed by lot across all communities, rich and poor. For example, if the federal government claimed as essential a new maximum-security penitentiary, then one state would be selected at random to be the recipient. That state, in turn, would randomly select one of its counties, and perhaps the county government would then randomly select a smaller jurisdiction -- a city or township -- as the physical site for the penitentiary.

That community, once selected for a LULU, would then be exempt from any future enforced siting, at least until all other communities had a turn at receiving an essential LULU.

Often the siting process would begin at the state level (e.g., each state needs a low-level radioactive waste dump), or at the county level (e.g., sanitary landfills). In either case the principle is the same: The community site is

chosen at random, and once burdened with an essential LULU, a community is free of additional enforced siting.

The process must treat two classes of LULUs, those restricted by physical characteristics of the site and those unrestricted. Examples of restricted LULUs are hazardous waste facilities, which cannot be placed near vulnerable water supplies, or nuclear power plants, which must be placed far from large concentrations of population. Unrestricted LULUs would include low-income housing, half-way houses for the mentally ill, and hospices for indigents. These could be placed into any community although many communities presently keep them out.

A community chosen by lot to be the site of an unrestricted LULU would be required by law to accept it. If necessary, the government's right of eminent domain would be used to obtain private land (With compensation) for public use. Communities chosen by lot to be the sites of restricted LULUs would first be evaluated to see if they qualify on physical grounds. If not, alternate sites would be drawn until one suitable is found.

Naturally, communities will attempt to have themselves evaluated as unsuitable for restricted LULUs, and wealthy communities can hire expensive experts to defend their locales as unacceptable, giving them a special advantage despite every attempt at a fair evaluation.

However, any community passed over for a restricted LULU will automatically be designated the prime location for the next LULU to be sited. Even if a locale could successfully each new restricted LULU, it must eventually accept the next unrestricted one. Also, these processes would be highly visible to journalists so any community that tries to dodge "its turn" would be subject to widespread scorn. If the method of compensatory payment is like prostitution, my proposal is like a draft by

lottery, where every community is obligated to serve if called upon. Like the military draft, when enough people are threatened with these

LULUs, there will be strong pressure on government to assure that enforced sitings are indeed essential for the society.

### EDITORIAL MEA CULPAS

*In issue #60, I published Steve Kroll-Smith's second instalment on the role of attorneys. With my low capacity for high-tech adaptation, I managed to lose one sheet of the Fax transmission, and never noticed the loss. What follows is the missing portion, which immediately follows the sentence: "Sociologists who agree to work as experts on toxic tort cases must be prepared to educate their employers." Following the passage below, the original version continues with: "The common thread in this discussion...." My sincerest apologies to Steve and the membership. Please note Steve's new address for this academic year.*

### TOXIC TORTS II: ADDENDUM

Steve Kroll-Smith  
The Environmental Social Science Research Institute  
The University of New Orleans  
New Orleans LA 70148

...Experts can assume that most attorneys are educable, though not of all them want to learn. However, unless the expert is successful in communicating the strengths and limitations of the study design, serious confusion and misunderstanding can result. For example, a lawyer may assume that individual damage or stress assessments can be derived from the aggregate data.

The limitations of this type of research begin with the observation that the law and our respect for one another as human beings prevent us from pre-testing for elevated levels of social pathology. Because the true pre-levels are never unequivocally known a valuable piece of the puzzle is missing. Moreover, it is impossible to randomly assign plaintiffs to victim and non-victim groups. Thus the control and experimental groups will be non-equivalent.

It is not impossible in such cases for the experimental and control groups to be statistically equivalent, but there are no assurances of this and so experts must be very cautious in generalizing from these types of data.

Experts themselves can expect to experience measurable levels of stress in their attempts to explain the limits of the quasi-experimental design to an attorney looking for immediate, irrefutable evidence. It is probably wise to use "for your eyes only" memos to get the message across. Hard copy can protect the integrity of the experts should questions arise regarding the limits of the data.

Finally, sociologists and attorneys do not have the same experience of time. Each profession responds to quite different temporal demands. Research in an ideal setting (one bereft of tenure-driven frenzy) requires patience, a willingness to take whatever time is necessary to produce quality results. The rhythm of the law, however, with its court dockets, concurrent cases and the pleas of plaintiffs to move quickly to trial or settlement, is unpredictable--arhythmic, if you will.

Attorneys are rarely sensitive to these differences in temporal cadences. Date for filing complaints, for example, are all too often made without prior consultation with the expert who is then told to provide a final report on a specific date. Before committing to the

attorney's schedule, however, remember that the law is considerably more flexible than its representatives are apt to let on. Moreover, remember that it is the expert, not the attorney, that will defend the report in deposition and trial. If a final report cannot be readied in the time allowed say so and negotiate a new time. Ultimately it is the quality of the report, not the fact that its preparation conformed with the attorney's timetable, that will determine how valuable the expert is to the case. ...

### CALL FOR PAPERS

I am calling for papers for the 1991 meetings in Cincinnati. I am especially looking for papers on the topics of: (1) environmentalism and its impact on social equality; and (2) the rise and fall of environmental movements and coalitions. Other papers are also welcome, either for roundtables or main sessions (if there is insufficient response to the above topics). Please remember also to submit papers to Carole Seyfrit (Mississippi State University) for the non-section ASA session on *Environment and Energy* (which includes natural resource issues as well). Deadlines are December 31 for both sets of papers.

•Allan Schnaiberg  
...

I am organizing a session for the 1991 meetings on *The Environment and the Grassroots: The Dynamics of Race, Class, & Gender*. New voices are emerging which challenge our traditional perception of such activism as white, male, and middle class. There is a new environmental activism which includes working-class housewives, rural black farmers, Navajo Indians and other disenfranchised groups currently suffering the consequences of environmental degradation in the United States and in developing countries.

This panel will focus on this emerging movement. I welcome papers which develop theoretical perspectives and research on these issues in the US and around the world. Send papers to:  
Celene Krauss  
209 Lincoln Place  
Brooklyn, NY 11217 [phone 718-857-1262]

### PUBLICATION OUTLETS

Phil Brown [Brown University] calls to the members' attention the following remarks by the editor of *The Journal of Health and Social Behavior*:

Finally, a few words about our new journal cover and logo design. The logo is a fitting symbol of what I see as the diversity and the strength of our field. The sociology of health and illness can be defined as the study of health, health behavior, and health care as they *are influenced by* and *interact with* the social environment. The social environment of health includes a multitude of both micro- and macro-level effects; the interpersonal environment (family, social support, social networks), the cultural environment (social norms, ideology, belief systems), the organizational environment (service systems, providers, organizational structures), and the physical environment (toxic wastes, changing population structures, various environmental risks). The logo, drawing on the imagery of rainfall and water, constitutes a stylized representation of the environment. It also symbolizes processes of interaction (the interlinked circles) and the dynamics of environmental effects on health (movement, cause and effect relationships, and the like). My intent was to represent visually the underlying editorial purpose of *JHSB*: to publish articles that apply sociological concepts and methods to the understanding of health, illness, and medicine *in their social context*. It is the variety of levels embedded within the social context that gives medical sociology its special domain and energy.

...

Rabel Burdge is a co-editor for a new environmental studies book series from Longman-Cheshire. The focus will include a variety of social science approaches to environmental issues in both North America and Australia. Book proposals are welcomed, and can be sent to Rabel: Institute for Environmental Studies, U. of Illinois-Urbana, Illinois 61801-4723.

...

Section members are encouraged to submit polished articles to Society and Natural Resources. The editors are Donald Field and Rabel Burdge, and the journal is published by Taylor and Francis. As well, new associate editors will be chosen beginning in volume 5 of the journal, and section members are invited to contact Burdge [U. Illinois] about serving in this capacity. Members should also encourage their libraries to subscribe to this journal.

### FORTHCOMING MEETINGS

The Midwest Radical Scholars and Activists Conference will be held at Loyola University's lakeshore campus on October 19-21. There will be a number of environmental sessions and workshops on community organizing.

...

International Association for Impact Assessment is having its 10th annual meetings, at the University of Illinois. Abstracts are due by 15 December to

Larry Leistritz  
Dept. of Agricultural Economics  
North Dakota State University  
Fargo, ND 58105

...

Penelope Canaan (U. Denver) is a member of the working group on *comparative environmental institutions*, chaired by Errol Meidinger (SUNY-Buffalo), which is one of the groups within the Law and Society Association planning for the meetings on June 26-29 in Amsterdam. This will be site of the 1991 annual meetings of the Association, as part of the first International Conference of Law and Society Scholars. Contact either Canaan or Meidinger. Theme of the meeting is *Law & Society in the Global Village: Towards Collaborative and Comparative Research*.

### FILM REVIEW The New Resource Wars

Al Gedicks

Department of Sociology, North Hall,  
University of Wisconsin, La Crosse 54601

The New Resources Wars is a new, 45-minute documentary film that shows the conflicts between multinational mining companies and Indian/rural communities in Wisconsin, New Mexico and Wyoming. Each segment examines a different aspect of the resource extraction process, from pre-mining to boomtown development.

The opening shots of the film contrast the rapid pace of mining activity in Wyoming and New Mexico with the slow, careful harvest of wild rice by Chippewa Indians in northern Wisconsin. The wild rice harvest is a potent symbol of a way of life that may be destroyed if Exxon Minerals goes ahead with plans to construct a large underground zinc-copper mine next to the Chippewa's wild rice lake. Tribal members talk about how their cultural survival is tied to the fate of the wild rice. If pollution from Exxon's proposed mine destroys the wild rice, the same fate would befall the tribe. The determination of the Indians to resist Exxon's plan is particularly evident in one group interview with Chippewa women:

"We like where we're living. They put us here years and years ago on federal land and now that we're here - there's something that they want and now they want to move us away from it. This is where I belong. This is my home. This is where my roots are and this is where I'm gonna stay."

Exxon was sufficiently worried that this film would interfere with their mine construction plans so they lobbied the Wisconsin Humanities Committee to deny the filmmakers a \$30,000 finishing grant. While Exxon's intervention delayed the release of the film for several years, it did not prevent the emergence of a powerful Indian and environmentalist alliance that forced Exxon's withdrawal from the project in 1986.

Once mining is established in an area, the balance of power shifts decisively in favor of the industry. In the New Mexico segment, the

film examines the impact of the uranium industry on the Indian and Chicano populations.

Despite well-documented evidence about the harmful effects of radiation from uranium mining, individual Navajo landholders continue to lease land to mining companies. Elsie Peshlakai, a Navajo community organizer, explains how hard it is to warn Navajo landholders about the dangers of uranium mining when there is no Navajo word for radiation:

"The mining companies will get away with anything they can, and especially when a landholder is uneducated, doesn't speak or read or write English, doesn't understand the word lease, and when you have to explain to them about nuclear fission...it's very complicated. It isn't that they don't care. It's just that they cannot comprehend."

The inability of local communities to participate in the basic decisions about mineral resource development can also lead to catastrophic accidents. The film contains footage of the aftermath of one of this country's worst accidents involving radioactive tailings at the Churchrock tailings dam on the Navajo reservation. In July, 1979 the dam holding back the tailings broke and released 100 million gallons of radioactive water and 1100 tons of contaminated debris into the Rio Puerco River. Dr. Joerg Winterer, an army pediatrician with the Indian Health Service in Gallup, New Mexico, tells how he was threatened with a court martial when he publicly disagreed with his superiors who said the spill posed no danger to the Navajo:

"At first I was sort of unbelieving. I didn't understand that there was going to be inertia, neglect and misleading information systematically distributed. And as I got more and more involved and started really confronting really confronting people with hard facts I started to understand that nothing was going to happen unless I made it happen."

While the environmental hazards of mining are well-documented, the social impacts are less well known. The last segment of the film deals with the social impacts of the coal boom in Gillette, Wyoming, the self-proclaimed "Energy

Capital of the Nation." The film intercuts interviews with two women who live in a trailer and try to raise a family amid the pressures of the ups and downs of the coal industry in the early 1980s. Kathy Grant, who is married to a coal miner, explains how the frequent slumps in the coal market would affect her family:

"I have seen women beaten, children beaten, I have seen alcohol problems right close to home. We've had various problems in our marriage from time to time because of the economy slowing down to the point that he couldn't find work and my husband would become very hostile because there was no one to blame. There was no one he could strike out at, no one he could say, 'Hey, it's your fault I'm unemployed.'"

The enormously accelerated rate of change in boomtowns creates a great deal of stress that is too much for many families. The former director of the Gillette Mental Health Center says

"I felt like I was in the front lines of a conflict, and that I was picking up the pieces, trying to help the really crippled people survive who were not making it because of the amount of disruption and stress in the community."

As multinational mining companies increasingly abandon politically unstable sources of minerals and fuels in the Third World in favor of the political stability of domestic resource colonies, the kinds of conflicts documented in Wisconsin, New Mexico and Wyoming will occur with greater frequency. This film can be a useful starting point for discussing the dynamics of community conflict over resource extraction issues. The film also provides some examples of how people can become empowered in the course of struggles to resist multinational development.

The New Resource Wars is available for classroom use in either 1/2" VHS or 3/4" videocassette formats. Rental is \$45. The film can be purchased for \$125 in the 1/2" VHS format; or \$225 in the 3/4" format. Contact Al Gedicks. Phone: (608) 785-6782 or 784-4399.

## COUNCIL ELECTIONS

Gary Williams has reported that in the recent (delayed) section elections, two new Council members were elected for three-year terms. They are Barbara Farhar (Solar Energy Research Institute) and Eugene Rosa (Washington State University). Their terms begin immediately, and last through the annual meetings of 1993.

## RECENT MEETINGS

The Fund for Research on Dispute Resolution (FRDR) in Washington, DC, recently held a workshop on trends and opportunities in dispute research. One session, on community and environmental disputes, included the following papers:

- Robert Percival (U. Maryland), "The ecology of environmental conflict: risk, uncertainty & the transformation of environmental policy disputes."
- Gerald McCormick (U. Washington), "Relating environmental conflict, dispute resolution, community mobilization & empowerment, and 'the public good': identifying linkages & perspectives."
- John Forester (Cornell) "Envisioning the politics of public sector dispute resolution."
- Penelope Canaan (U. Denver), "Back to the basics: a research agenda on environmental & community disputes."

## MEMBERSHIP NEWS AND NOTES

**Carlo Jaeger** (Human Ecology Group ETH, Swiss Federal Institute of Technology, Winterthurerstrasse 90, 8057 Zurich, Switzerland), whose interests are in regional development and global change, has published "Debt, conservation, & innovating sustainable regional development", in *International Environmental Affairs*, 2 (2): 166-123.

**Claire W. Gilbert** (110 NE 19th Ave, #3, Deerfield Beach, FL 33441) is currently working on a "social scientific fiction" novel which links personal transformation and global environmental and social changes. The work, set in 2000, draws on background material from her work in progress, *Green Messiah*, which analyses such social and environmental trends.

**Roger Batz** (Sociology Dept., Principia College, Elmhurst, IL 60120) is interested in interchanges around the intersection of environment and social, economic, and political issues and movements. He is particularly interested in grass-roots movements, including rural electric cooperatives and anti-nuclear movements.

**Rabel Burdge** (U. Illinois, Institute for Environmental Studies, Urbana, IL 61801) will be President of the International Association for Impact Assessment. He has recently edited (with others) two impact assessment journals. One is *Social impacts of development: putting theory & methods into practice*, Environmental Impact Assessment Review, vol.10. The other is *Integrating impact assessment into the planning process: international perspectives and experience*, Impact Assessment Bulletin, vol. 8.

**Kurt Finsterbusch** (U. Maryland) is a co-editor of a new Westview Press book, *Methods for Social Analysis in Developing Countries*, which includes low-budget approaches to doing social impact assessment. He is a coauthor of "Unanticipated consequences of A.I.D. projects..." in Robert Bartlett, ed., *Policy through Impact Assessment: Institutionalized Analysis as a Policy Strategy* (New York: Greenwood, 1989). He has also published "Community responses to exposure to hazardous wastes" in Dennis Peck, ed., *Psychosocial Effects of Hazardous Toxic Waste Disposal on Communities* (Springfield, IL: Charles C. Thomas).



FROM: Allan Schnaiberg, Dept. of Soc., Northwestern U., 1810 Chicago, Evanston, IL 60208

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