

11.368: Response Paper 8

Perhaps my reaction was informed by reading Clapp's chapter last this week, but I found her review of literature to be rather generalized. She describes current issues related to the export of toxic wastes, including the 1989 Basel Convention, main actors (MNCs, NGOs), and efforts that those actors take to perpetuate or curb the continuance of waste transfer. She outlines liberal economic arguments for why waste transfer does and should exist, as well as the counter from environmentalists and activists, but for the most part these arguments seemed intuitive or well known. I found myself mired in details and did not come away with many key messages except that toxic waste transfer does indeed exist, is largely caused by globalization and fluidity of trade, and has both advocates and opposition. Perhaps this work would have been more influential in the early 1990s (closer to the Convention and the statement from Summers) and my lack of surprise is due to the growth in attention to the issues that Clapp describes.

The Adeola piece makes the theoretical and empirical link between environmental justice and international human rights, with additional attention to authoritarian regimes in developing nations. The main assertion is that because people have the fundamental human right to a means of livelihood, they have a right to a healthy environment. In order to protect these rights, a democratic framework and activist communities are needed. The author uses dependency theory, internal colonialism, and EJ frameworks to make this argument. I found the first two theories more helpful in explaining the *origins* of core-periphery inequity than the EJ framework, which seems limited to a listing of toxic waste transfers. However, it was still shocking to see Table 2, with the United States far outpacing the rest of the world in hazardous waste exports, (and it is probably significant to bring this Greenpeace data to new audiences). The Ogoni example was a compelling case of the environmental legacy of colonialism, paralleling (with greater intensity) the environmental legacy of slavery and inequality in the United States. In response to JoAnn's question of "is it an environmental justice issue?" I would respond that it is an EJ issue, through a Nigerian lens, making it also a political issue and a civil rights issue. But such seems to be the nature of EJ; it is inherently interwoven with economic, social, and political processes. In anticipation of the question "where do we go from here?" I respond that we must work towards the continued growth of activist and diplomatic NGOs and responsible industry committed to protection of EJ/human rights—not an easy task.

Koenig's feature article—with its shocking descriptions of injustice and clear support for the indigenous/Ecuadorian perspective—gave me a hopeful sense of history in the making. If this lawsuit is to succeed and Chevron-Texaco is obliged to compensate the people of Ecuador through the ruling of an Ecuadorian court, it could revolutionize the fight for protection of international EJ/human rights. I am not optimistic about a fast resolution, though, as the tactics of the corporate lawyers suggest a lengthy appeals process. I am also curious to learn more about the NY district court ruling and the 1787 Alien Tort Claims Act under which that case was brought. The Yang piece seems to be begging for just this sort of a legal mechanism to address border/international injustices as the author notes that federal environmental statutes do not extend outside of the US. Despite other articles' celebration of the existence of international organizations, this piece notes that institutions alone (BECC, NADBank, CEC, IBWC) cannot necessarily affect change. There must be a financial, political, legal, and regulatory commitment to environmental quality and justice.