# Grass-Root Consumer Protests and Toxic Wastes: Developing a Critical Political View[1]

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Frank Kahler is a house painter who lives next to a toxic waste dump in South Brunswick, New Jersey. His family's health deteriorated and they lived with constant nausea, headaches, rashes, and dizziness caused by toxic wastes leaking into his water. As Kahler discovered the problem, he found himself pushed into the role of political activist. Said Kahler,

> I never saw myself as an activist, it was thrust upon me. I had to protect my family, ironically, from the very people my tax money hired. My water was polluted, the lives of my family endangered, but no-one cared, no-one warned us. In civics class I was taught, and I believed, that the primary purpose of government is to protect the citizens from harm. But my government didn't care if my family lived or died. I still feel bitter.[2]

Lois Gibbs attained national attention as the housewife who led the fight to close a toxic waste dump at Love Canal. More recently she has become a leader in the national grass-roots consumer movement against toxic waste. Like Kahler, she never saw herself as an activist. Said Gibbs,

> I never thought of myself as an activist or an organiser. I was a housewife, a mother, but all of a sudden it was my family, my children, and my neighbours. All around me I saw things happening to my neighbours – multiple miscarriages, birth defects, cancer deaths, epilepsy, central nervous disorders, and more ... we were never warned. We had no idea we were living on top of a chemical graveyard.[3]

Grass-root consumer protest activities against toxic waste dumps have sprung up in communities across the United States over the past decade. The analysis of these protests offers a unique opportunity to understand both the involvement and the impact of ordinary people on environmental politics at the grass-roots level.

In fact, these activists bear little resemblance to their more middle class counterparts who are involved in national environmental organizations.[4] This new movement has attracted a diverse constituency which includes working class housewives, poor rural black farmers, and low-income urban residents.[5]

1. I wish to thank Terry Haywoode for her invaluable comments on this paper.
2. Interview with Frank Kahler, March, 1986.
3. Lois Gibbs, letter on behalf of Stop Environmental Cancer Project, Santa Monica, California, February 1982.
4. Allan Schnaiberg, *The Environment: From Surplus to Scarcity*, New York, Oxford University Press, 1980.
5. Nicholas Freudenberg, *Not in Our Backyards*, Monthly Review Press, 1984.



This article examines the process by which these ordinary men and women, who never regarded themselves as activists, became politicised and even radicalised in response to the real dangers toxic waste poses to their community, their health, and even their lives. I will display this process of politicisation by looking at the ways in which grass-root activists develop a critical view of politics through protest. Through such protests, I argue, ordinary people construct a broader analysis of politics: they shift from a non-ideological stance to an ideological stance, from defining themselves as non-political to defining themselves as political, from having a deep faith in the established political system to developing a critical political analysis. This critical perspective, I argue, creates the potential for grass-root activists to play a more active and militant role within environmental politics, and possibly in movements for social change.

A number of excellent case studies have provided evidence of the process by which ordinary people have become radicalised in grass-root protest action. We see this, for example, in the works of Molotch on the oil spill in Santa Barbara, in Nelkin's study of working class resistance to jetport expansion in Boston, in Levine's analysis of the protest against toxic wastes at Love Canal.[6] As we read these works, we note that a critical political analysis of protesters emerges in a similar way in the different struggles. While this pattern is implied in these largely empirical studies, in this article I will provide a framework for understanding this process. In the following sections I will (1) discuss a dominant critique of grass-root activism and offer an alternative model, and (2) display this alternative model by analysing one case: the fight to close a toxic waste dump site in South Brunswick, New Jersey.

## The Protest in South Brunswick[13]

In the following section, I present the case of Frank Kahler, who became a leader in the six-year fight to close a toxic dump site in South Brunswick, New Jersey. Kahler's experience, I believe, is illustrative of a larger pattern of the politicisation of ordinary citizens identified over the past decade in the literature on grass-roots environmental activism.[14,15] The case developed here is drawn

11. E. P. Thompson & Herbert Gutman make the link between the formation of class consciousness and traditional culture. See Thompson E. P., *The Making of the English Working Class*, New York, Vintage Books, 1966; Gutman, Herbert, *Work, Culture and Society in Industrializing America*, New York, Vintage Books, 1977.
12. Jeff Lustig notes that "traditions provide the commitments and the categories out of which radicalism will develop, if it will develop at all... they are not a drag on progress", see "Community and Social Class", *Democracy*, April, 1981.
13. The case material on Frank Kahler's protest against a landfill in South Brunswick, New Jersey, is drawn from a series of interviews which took place in March and April, 1986, and from the film *In Our Water*.
14. See, for example, Brown, L., & Allen, D., "Toxic Waste and Citizen Action", *Science for the People*. July/August, 1983: 6–12; Hamilton, L., "Concern about toxic waste: 3 demographic predictions", *Sociological Perspectives*, October, 1984: 463–480; Perlman, J., "Grass-rooting the system", *Social Policy*, September/October, 1976: 4–16.
15. A review of relevant U.S. books was published in the *CDJ*, Volume 20 No. 2, April 1985, special North American issue.

from a number of interviews with Kahler, and follows the progression of his developing political critique.

Frank Kahler moved to South Brunswick, New Jersey in 1963 because he wanted a more rural life for himself, his wife, and his three children. Kahler's home was adjacent to a landfill. At the time he planned to buy his house he checked government inspection reports, which said the landfill was exemplary. Over the years, Kahler noticed a decided shift in the type of waste that was accepted for the landfill. In 1963, the most noxious substance accepted was inert plastic.

But in recent years the landfill owners started accepting truck loads of wastes such as Shell No Pest Strip and barrels labelled "Toxic Wastes, Shell Chemical". Sometimes as much as forty to fifty drums were brought in and dumped. A machine would then run over the barrels which had liquids in them. This caused the barrels to spray like geysers, and the drums to rupture. "It sounded like mortar fire from a distance".

The landfill polluted the well water which Kahler's family and his neighbours used, creating a toxic brew with high concentrations of chemicals such as chloroform, toluene, xylenes, trichlorethane, trichlorethylene, benzene, and other organic compounds. In the mid-1970s, Kahler became a leader in the five year fight by the residents to close down the landfill.

Frank Kahler never viewed himself as an activist. He saw himself as moderately patriotic, saying that he had a deep faith in the government, the country, and in its capacity to address injustice from within. For Kahler, the government was like "Santa Claus", a symbol of faith embodied in songs like God Bless America, an institution to protect the individual, the family, and the community. His whole life and system of beliefs were deeply challenged when he realised that even though he was certain that the JIS landfill had seriously contaminated his water, "his" government would do nothing about it. By carefully following the progression of Kahler's own thinking and analysis, we are able to see the stages of the process of developing a critical political consciousness.

*Stage 1*: Discovering the problem.

Frank Kahler began to suspect that his well water was polluted in 1975. He describes the moment of his earliest suspicions. After drinking a foul tasting cup of coffee, he rinsed the cup and poured in a fresh cup of water. He smelled the cup of water and it smelled putrid. At this point, he suspected that the landfill had contaminated the water. He confirmed this suspicion when he scooped up water from a puddle at the landfill and found that it smelled much like water from his tap.

Kahler's first action was to go to the South Brunswick Department of Health. He thought that if he had a problem with polluted water, he needed only to go to the appropriate regulatory agency and they would help him resolve the problem. He believed that this was a logical step because governmental regulatory agencies are supposed to protect the public from harm.

The next development in Kahler's political education occurred when municipal, county, and state agencies came to test his water over the next six months. Each agency told him that there was nothing wrong with his water, and that it was fit for human consumption. Said Kahler,

> I couldn't believe their reports. I couldn't believe them because I smelled the stuff and it was vile. I couldn't believe them because my family lived with constant rashes, nausea, headaches, teary eyes and itching skin. Without a Ph.D. in chemistry, without knowing what was in the water, I knew something was wrong. The morning I suspected my water was bad, I condemned my own well. That's what everyone should do. Don't wait for officials to tell you, they don't care.



In this initial phase of Kahler's developing consciousness, we see how he acted on the taken-for-granted assumptions that governmental regulatory agencies would protect his rights. This perspective was embedded in the expectation that a democratic political system provides safeguards for the ordinary citizen. But Kahler's own experience made him question this understanding of the relationship between government and citizen. Governmental regulatory agencies had violated what Kahler saw as their mandate.

This was the moment of truth for Kahler. Until this moment, he said, "I had a childlike, naive view that government was there to serve me." When faced with a conflict between his knowledge that his water was polluted, and government's response, he found the government wanting. Kahler experienced the contradiction between what government, as he understood it, was supposed to do and what it actually did. This event set in motion a process of questioning and becoming increasingly critical of "his" government.

*Stage 2*: Local Township Meetings

As a second step, Kahler decided to raise this issue at local township government meetings. He hoped that local officials were more accountable to the electorate and, therefore, would be more responsive than the bureaucrats.

His local officials repeatedly made it clear to him that they would take no action in response to his problem. At one meeting, an official told Kahler that he should not worry about pollution because this was the price of a better way of life, and after all he could just as easily be killed crossing the street. A lawyer, who later became the mayor of the town, warned the township board to be careful about their reponse to Kahler since, "landfills were a necessary part of the industrial society, and there were only a limited number of them in New Jersey".

By attending these meetings Kahler learned that "his" local officials would do nothing to help him. He concluded:

> What they really said was to hell with Kahler, his wife, and his kids, to hell with the community. We have to worry about an industrial landfill, which is a draw for industrial corporations.

Kahler's critique of government developed further after this experience. He found that his issue was dismissed because it conflicted with the growth needs of the local economy. Kahler concluded that government promotes economic growth and, therefore, favours the wishes of powerful business interests over that of the ordinary citizen. He had reached the point of making a political analysis, which was also developed by radical ecologists. This lesson was learned by Kahler through the process of political protest.

*Stage 3*: Going to Court

At a point when Kahler felt frustrated and hopeless, a friend put him in touch with Ted Sheldon, a professor of environmental science at Rutgers University. Sheldon helped Kahler go through a complicated bureaucratic process where he was able to have a laboratory in Edison, New Jersey, test his well water. The lab results of these tests confirmed his worst fears. The water which the county and state had designated as potable, was contaminated with high concentrations of chloroform, toluene, xylenes, trichloroethane, trichloroethylene, benzene, dichloroethylene, and other organic compounds.

With evidence in hand, Kahler and his neighbours attempted to get a court order to close the landfill. With the aid of a lawyer, they filed suit against industrial giants such as BASF Wyandotte, Phelps Dodge, General Motors, Shell Chemical, Ortho Pharmaceutical, and others who had used the landfill.

Kahler took this third step on the basis of his concept of the next appropriate action to close the landfill. While he experienced most government agencies as inept and bureaucratic, and his local officials as unresponsive and beholden to private industry, he hoped the courts would protect his rights. Kahler said,

> This is how I felt in 1975. Someone had done us wrong. All that I had to do was go into the court and fairly present the facts and be judged on the basis of those facts now that it was confirmed that my well was polluted.

Kahler's action was a logical one, given a dominant assumption in a democratic society that courts embody the principle of justice. The case went to court where it lasted four days. Kahler and his neighbours were told that the trial would take forty days, and that it would cost them about twenty to thirty thousand dollars more than they had already spent. They could not afford to continue. One expert witness alone had cost them seven thousand dollars. The companies he had sued had eleven experts. They were, as Kahler put it, "economically bludgeoned out of the courtroom".

Kahler's experience in court left him feeling personally abused, legally impotent, and politically powerless. He concluded that the system of justice was "heavily loaded in favour of industrial interests as opposed to private citizens". Kahler arrived at this analysis as he reflected on each step of the court case to reveal a hidden structure of power which renders the ordinary citizen powerless.

Kahler reflected on what happened to him throughout this process. To begin, he noted his naivity in the process of picking a lawyer. He chose a lawyer suggested by his uncle, who was the son of a friend. He believed that he would be a satisfactory attorney because the courts would evaluate the facts objectively. Today, he notes, he would contact Lois Gibbs at the Citizen's Clearinghouse for Toxic Wastes and been referred to an experienced advocacy lawyer. Kahler understands that his inability to choose an appropriate individual as his attorney reflected his lack of awareness about how the political process works. In contrast, he notes that corporations have been involved with many such cases and have an arsenal of experts, attornies, and information.

Next, Kahler reflects on the power of those with money to hire the greatest number of experts to promote their view, and related to this, the power of experts to interpret "the facts" in court. With their limited finances, Kahler and his neighbours hired one expert. They were pitted against giant corporations who had hired eleven experts. They simply did not have the financial resources for a court case.

Kahler felt the most abused in court when his commonsense expertise was challenged by defence witnesses because he was only an ordinary person. The defence made the argument that because he was not an expert, he could not analyse the cause of his polluted well, and they accused him of polluting his own well water.

Finally, Kahler speculated on the hidden system of political favours which influences the courts of justice outside the courtroom. He noted that soon after he lost the case, the presiding judge was promoted to a higher politically appointed post.

Through Kahler's analysis of his court experience, it is apparent how far he has shifted in his political perspective. From his previous belief that the courts would



protect his rights, he developed a complex analysis of the hidden system of public and private power, and of its relationship to a democratic system of justice. By analysing his experience at each step of the court case, he came to see inequity inside and outside the courtroom. How can he be dealt with justly when he lacks experience in legal processes, "expertise" in the issue, financial resources, and the ability to grant political favours?

## Developing a Critical Political View

Frank Kahler's story is repeated again and again in numerous grass-root protests. Using Kahler's protest, I have tried to display an alternative framework in which to understand the process by which ordinary people become politicised through what some analysts dismiss as single-issue protests. According to the dominant critique of grass-root activism, these single-issue protests are limited because their participants fail to develop a broader political analysis and, therefore, do not transcend their single-issue focus. That way of viewing these phenomena misses or oversimplifies a complex process of changing political consciousness. Ordinary people who are forced by the circumstances of their lives to become involved in political protest, and who reflect on that experience, develop their own practical critique of power and injustice.

This process was illustrated by Frank Kahler's protest. The imminent danger posed by the pollution of his well, forced Kahler into a face-to-face confrontation with a government he had not previously experienced at first hand.

To the outside observer, each step of Kahler's political campaign may have seemed mundane. Contacting regulatory agencies, attending local township meetings, and going to court, are hardly radical forms of political struggle. Yet for Kahler and his neighbours, each of these steps made it possible for them to unveil a hidden structure of political power.

We see Kahler's progressive disenchantment with the established political system as he reflected on why he was hurt by his government and suffered from its policies. In the early phase of protest, Kahler approached his local government for help because he believed it would protect his family and community. He was confronted by official indifference to his suspicions about his family's water supply. His response to this was to ask: How can a democratic government allow this to happen? At each step, his reflection led him to question his assumptions about politics, and develop an increasingly critical analysis of government. His faith in government could not be sustained in the face of his experience.

Kahler struggled with the state government for five years. During that time, he was the subject of the film *In Our Water*, which he saw as an ongoing source of political pressure. Ultimately, the Department of Environmental Protection did close down the landfill. The water which the state and county had declared fit for human consumption was found to be so polluted that it is now one of the federal superfund projects.

What has happened to Kahler after his final triumph and vindication? Did he return to the life of the private citizen? When we see him today, Kahler continues to be politically active. He speaks at universities and community organisations, and helps to form alliances with workers around issues such as the Worker and Community Right to Know Act. Government officials, he says, tell him that he's a scaremonger and that he's trying to create a panic. Kahler acknowledges that he is a rabble-rouser, adding that if he were younger, he might have become a revolutionary. He feels that his primary goal as an activist is to help others like himself to understand both the danger of toxic wastes and the abuse of political power.

While many grass-root protests may disappear when the issue is resolved, I have tried to argue that a residue remains. When people become involved in single-issue protests, they begin to view the political world differently, and may transcend their initial single-issue focus. This change in consciousness occurs whether people win or lose their individual issue. In the process of Kahler's protest, an ordinary, law-abiding, patriotic citizen, a man rooted in the particular concerns of family and community, developed a critical analysis of the political process. He was able to pull aside the veil of government neutrality and to glimpse a structure of political power which is normally invisible. In the process, he changed his approach from non-political to political, from non-ideological to ideological, from passive bystander to citizen activist. The more elusive gain that I have tried to display in this article is the change which occurs in ordinary people who take an active stance.

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