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## NUCLEAR POWER HAD A BAD YEAR IN 2005

[Rachel's summary: During 2005, there was considerable talk about the nuclear power industry reviving itself -- with the help of huge new federal subsidies -- but the industry seems to be in such deep trouble on many fronts that it will remain moribund, though still highly dangerous to world peace.]

By Peter Montague

[In this series we are discussing the most important issues of 2005. --DHN Editors]

Nuclear power did not have a good year in 2005, despite President Bush's and Congress's best efforts to revive the moribund industry with massive new federal subsidies.

Consider these facts:

\*\* The U.S. currently has 103 nuclear power plants in service. They employ a controlled atomic chain reaction to make heat to make steam to turn a turbine to generate electricity. The plants are very complicated and therefore prone to breakdown and operator error. Because of the partial fuel meltdown at the Three Mile Island{1} plant in Pennsylvania in 1979, followed by the serious fire at Chernobyl{2} in 1986, no new nuclear power plants have been ordered in the U.S. for the past 29 years.

Everyone -- even President Bush -- agrees that the current generation of nuclear plants is too problem-prone to inspire confidence. On June 22, 2005, the President gave a speech{3} at the Calvert Cliffs nuclear plant in Maryland saying, "Some Americans remember the problems that the nuclear plants had back in the 1970s. That frightened a lot of folks. People have got to understand that advances in science

and engineering and plant design have made nuclear plants far safer."

However, none of the President's new "far safer" plants have actually been built. Indeed, their designs have not even been approved by the U.S. Nuclear Regulatory Commission. Furthermore, as the Los Angeles Times reported June 11{4}, the new nuclear designs are not very different from the old designs. This is an industry that lost most of its talent during the "dry period" of the last 30 years, and bright young engineers are not flocking to design new nuclear power plants.

Still, three companies would love to build a new generation of nukes -- if they can convince taxpayers to put up the billions of dollars needed because there are few eager customers for new plants.

President Bush said he would put up \$2 billion{5} to help get four new power plants running. And the Idaho Engineering Laboratory has a \$1.25 billion project{6} going to develop a next-generation atomic/hydrogen plant. But the industry says it needs much more in the way of taxpayer subsidies{7} before it will thrive.

Private utility companies are reluctant to invest in nuclear power because they got badly burned once before. As the Los Angeles Times said June 22{8}, "But the sober reality of nuclear power is that the U.S. will move slowly and cautiously, at best, because Wall Street financiers and the nation's utility industry still have vivid memories of the legal, financial and regulatory debacles that resulted from the building binge of the 1970s."

One of the things utility executives remember best is the nuclear accident at Three Mile Island in 1979. Peter Bradford, a former member of the U.S. Nuclear Regulatory Commission, explained to the New York Times May 2{9}, "The abiding lesson that Three Mile Island taught Wall Street was that a group of N.R.C.-licensed reactor operators, as good as any others, could turn a \$2 billion asset into a \$1 billion cleanup job in about 90 minutes," Mr. Bradford said.

For reasons that are not entirely clear, President Bush and Vice-President Cheney are exceedingly eager to revive the civilian nuclear power industry. President Bush says it is because nuclear plants represent the best way for the U.S. to wean itself from foreign sources of oil. In his Calvert Cliffs speech June 22, the President said nuclear power, "could play a big role in easing the nation's dependence on foreign fuels," according to the Philadelphia Inquirer{10}. But even nuclear industry executives acknowledge that this argument doesn't hold water.

Nuclear power generates electricity; oil is used to generate only 2.8% of all the electricity in the U.S., so a few dozen new nuclear power plants can't make much of a dent in our reliance on foreign oil. At some time in the hazy distant future -- say 50 or 100 years from now -- after a raft of untried technologies have been financed, developed, tested, and deployed, then nuclear power plants might substitute for oil by producing hydrogen, but at present new nuclear power plants will do almost nothing to diminish U.S. reliance on foreign oil{11}.

Meanwhile, there are many other serious problems besetting the nuclear power industry:

\*\* Shoddy workmanship continues to plague the nuclear industry{12}. A leak of radioactivity at the Hope Creek Plant in New Jersey in March, 2005, was not caused by excessive vibration in the reactor's B recirculation pump, as the plant's operators first thought. It was caused by a faulty weld.

\*\* Sloppy management continues to embarrass the industry{13} as well. In March, 2005, operators of the Crystal River nuclear plant in Florida discovered that three illegal aliens had falsified social security numbers and thus gained employment inside the plant.

\*\* It did not help when officials at the Los Alamos National Laboratory revealed in January, 2005, that they had lost 600 pounds of plutonium{14} -- enough to make dozens of atomic bombs. Laboratory officials tried to reassure the public by saying the missing plutonium may have been buried in landfills in the town of Los Alamos, or perhaps it was shipped to a salt mine for burial, without any records of the shipment having been kept, or perhaps it was stolen. If a gold-plated national atomic laboratory can lose 600 pounds of one of the deadliest substances on earth, what chance does the nuclear industry have of operating reliably or safely -- given that it cannot weld metal reliably, or keep illegal aliens from entering the plant?

\*\* Mysteries continue to crop up at nuclear power plants. In December, 2005, federal regulators confirmed that radioactive water was showing up in storm sewer lines{15} and in recently-dug wells near the Indian Point 2 nuclear plant on the Hudson River upstream from New York City. The plant's routine radioactive releases into the Hudson River are deemed "acceptable" by regulators, but the source of the underground radioactive water remained a mystery.

\*\* The larger question of radiation safety came into focus in June with the publication of the BEIR VII report by the National Research Council. BEIR stands for Biological Effects of Ionizing Radiation and this seventh report in the series said there is no amount of radiation that can be considered safe{16}. In other words, all radiation carries with it some risk of causing cancer, said BEIR VII.

This report put the kibosh on a favorite theory of some in the nuclear industry, called hormesis. According to the hormesis theory, a little radiation is actually good for you. According

to the conclusions reached by BEIR VII, this theory can now be permanently put to rest. All radiation must now be considered harmful, and to be avoided whenever possible. (Naturally, this includes medical radiation, so make sure you actually need that next x-ray or CAT scan your dentist or doctor offers you.)

\*\* Nuclear waste disposal has still not been solved even though nuclear power plants have been producing super-hot, extremely dangerous radioactive waste since 1956 when the first plant went on-line (and the federal weapons program has been producing radioactive wastes since about 1940).

The federal government has committed to solving the waste problem on behalf of the private nuclear power industry, but so far without success. The feds have put all their eggs in a basket called Yucca Mountain in Nevada, but the project is mired in scientific, technical and management disputes and may never accept any waste. The Philadelphia Inquirer probably spoke for tens of millions of Americans{17} when it editorialized April 17, "Before the U.S. can grow more reliant on [nuclear] reactors, it must solve the problem of disposing of nuclear waste."

It was revealed mid-year that some of the technical data supporting the Yucca site may have been falsified{18} by project scientists; the FBI is still investigating.

The U.S. so far produced 59,000 tons (54,000 metric tonnes) of high-level radioactive waste, most of it sitting in pools of water close to the reactors that produced it. Earlier this year the National Academy of Sciences confirmed what nuclear critics have maintained for years -- that these "spent fuel pools" are sitting ducks for terrorist attack{19} and, if the water were simply drained out of such a pool, a ferocious fire could ensue, spreading large quantities of highly dangerous radioactivity into the air.

Independent analysts also revealed this year that even if the Yucca Mountain waste repository were opened by 2012 -- the most optimistic projection for getting it open -- it will by that time be too small to accommodate the waste it was meant to sequester. Dr. Frank von Hippel of Princeton University calculated that the nuclear industry could move about 3000 tons of waste to Yucca Mountain per year, but the industry creates 2000 new tons each year, so the inventory of waste held at power plant sites would only be reduced by about 1000 tons per year. At this rate it would take over 50 years to get rid of the "spent fuel" hazard at existing power plants.{20} These calculations do not take into account any wastes created by the dozens of new nuclear plants that President Bush hopes will be built to, as he insists, reduce our dependence on foreign oil.

Actually the problems with high-level wastes go deeper still. In April the Government Accountability Office (GAO) issued a stinging report accusing the nation's nuclear power companies -- and their watchdog, the Nuclear Regulatory Commission -- of failing to safeguard wastes now held at nuclear power plants -- or even to keep track of them

accurately. "NRC inspectors often could not confirm that containers that were designated as containing loose fuel rods in fact contained the fuel rods," the report said. Inadequate oversight and gaps in safety procedures have left several plants unsure about the whereabouts of all their spent fuel, the GAO said{21}.

Because Yucca Mountain is in deep trouble and may never open, eight utilities formed their own private waste disposal company and struck a deal with the Skull Valley band of Goshute Indians{22}, who live 50 miles from Salt Lake City, Utah. The Goshute tribe agreed to provide "temporary" storage of spent fuel from reactors, and in September the Nuclear Regulatory Commission gave the plan its official OK. No one is saying how long "temporary" might be if Yucca Mountain fails to open.

Even though this is an excellent example of the free market working its magic, the state of Utah has promised to sue in federal court, to try to stop the Bureau of Indian Affairs from approving the contract, and to try to prevent the federal Bureau of Land Management from allowing construction of a needed rail spur to transport waste to the site. So it's not yet a done deal. When it comes time to transport wastes, several states may try to prevent shipment on their highways, and it is not clear that utilities want to spend the money to ship wastes first to Utah, then, later, to Yucca Mountain in Utah.

Yucca Mountain and the Skull Valley Goshute project are intended to handle "high-level" waste -- the super-hot, super-radioactive spent fuel from reactors.

But even the problem of "low level" radioactive wastes has mired the industry and government in controversy. For several years the Nuclear Regulatory Commission (NRC) has been trying to "solve" the low-level radwaste problem by allowing them to be buried in municipal landfills. As part of its proposal, the NRC had proposed that certain radioactive metals could simply be sold to scrap dealers and recycled. The scrap dealers of the nation wanted no part of it, fearing that all metallic scrap would get a bad name because it might be (legally) radioactive after the government plan went into effect. No one wanted their child's braces made out of radioactive metal; no one wanted their forks and spoons to be slightly radioactive; no one wanted a radioactive hammer or saw. And no town wanted radioactivity in the local dump.

In June the NRC abandoned its proposal{23}.

The fight against this proposal was led by the Nuclear Information Resource Service{24} in Washington, D.C., and by the Committee to Bridge the Gap{25} in Los Angeles. Dozens of small anti-nuclear groups around the country told the NRC what a dumb idea this was, and in June the NRC abandoned its plan, saying the idea wasn't dead and might be revisited at a later date. In any case, it was a great victory for citizen activism -- and yet another sign that the nuclear industry is desperate to solve its growing waste problem but clueless as to how to go about it.

In sum, the radioactive waste problem remains unsolved -- indeed it seems further from solution at the end of 2005 than it did at the end of 2004 -- and it continues to provoke extremely heated debate. So it is with all things nuclear.

\*\* The nuclear industry's biggest problem remains the inseparable connection between nuclear power plants and nuclear bombs{26}.

Nuclear power can always provide a determined nation with the know-how, the technology, and the means to make atomic bombs.{27} This is what Iran is allegedly up to as we speak. This is how North Korea developed the bomb. India and Pakistan joined the nuclear club by first acquiring nuclear power plants. Nuclear power plants and nuclear bombs are inextricably linked. If for some perverse reason you wanted to put nuclear weapons into the hands of people who presently don't have them, the best first step to take would be to help them acquire a nuclear power plant.

On November 14, 2005, the former 9/11 Commission members issued a report card{28} on the Bush Administration's efforts to keep nuclear weapons out of the hands of terrorists. The Commission noted that President Bush himself has said nuclear weapons in the hands of terrorists are "the gravest threat our nation faces... at the crossroads of radicalism and technology."

The Commission went on to say, "We know that al Qaeda has sought weapons of mass destruction for at least ten years. Bin Ladin [sic] clearly -- and he has said this -- would not hesitate to use them. We have no greater fear than a terrorist who is inside the United States with nuclear weapons. The consequences of such an attack would be catastrophic -- for our people, for our economy, for our liberties, and probably for our way of life."

Then the Commission went on to evaluate the Bush Administration's response to this problem, pointing out that...

\*\* about half the nuclear materials in the former Soviet Union "still have no security upgrades whatsoever."

\*\* Some forty countries have the essential materials for nuclear weapons.

\*\* Well over 100 research reactors around the world have enough highly-enriched uranium present to fashion a nuclear device.

\*\* Too many of these facilities lack any kind of adequate protection. The terrorists are smart. They will go where the security is weakest.

The Commissioners said they were alarmed that so little had been done by the Bush administration to reduce the dangers of a terrorist nuclear bomb going off in a U.S. city -- like New York or Chicago or San Francisco.

They summarized the Bush administration's nearly-total failure this way: "The most striking thing to us is that the size of the problem still totally dwarfs the policy response," said Thomas H. Kean, the Republican former chair of the Sept. 11 commission{29}.

So, to summarize:

President Bush says nuclear terrorism is the nation's biggest threat and everyone else seems to agree. But the Bush administration is not doing nearly enough to prevent this catastrophe from happening.

Meanwhile everyone acknowledges that the best way for rogue states to "join the nuclear club" is to acquire a nuclear power plant first, then make a few weapons. The U.S. is aggressively promoting a new generation of nuclear power plants and Vice-President Cheney is personally trying to convince the Chinese (and others?) to purchase new nuclear power plants from Westinghouse{30}. Thus it seems clear that this administration is committed to getting more nuclear power technology into the hands of more people around the world.

In addition, in discussing the proliferation of nuclear weapons around the world, the bi-partisan 9-11 Commission members noted that "widespread reports of abuse and even torture of Muslim suspects by American captors had served as a recruiting tool for Al Qaeda." "The flames of extremism undoubtedly burn more brightly when we are the ones who deliver the gasoline," said Richard Ben-Viste, a Democratic member of the Sept. 11 Commission.

In sum, the U.S. is working hard to revive the moribund nuclear power industry and export the technology abroad, where everyone knows it forms the basis for weapons programs in the hands of any nation determined to join the nuclear club. Meanwhile the Bush administration is dragging its feet, not taking the necessary steps to secure weapons-grade nuclear materials that are poorly-secured in 100 countries. And, finally, the administration has thumbed its nose at international treaties against abuse and torture of prisoners -- thus creating an inferno of white-hot hatred against the U.S. among Al Qaeda and its suicide-bomber followers. Does anyone besides me think this is a sure recipe for trouble ahead?

No, it has not been a good year for the nuclear industry. One of these days, after a small A-bomb goes off in New York{31} or Chicago, the nuclear era will draw to a close definitively. But so, too, most likely, will the world's 200-year-long era of experimenting with democratic self-governance.

It must be apparent to almost everyone involved -- though few will venture to say so -- that nuclear technologies are simply too complex and unforgiving to be controlled by mere mortals. We humans are simply not up to the task of managing this hydra-headed monster.

If we earthlings are anywhere near as smart as we seem to think we are, we would learn from the nuclear fiasco and declare a world-wide policy of No Nukes. Then we would declare a moratorium on further deployment of the products of synthetic biology{32}, nanotechnology} and biotechnology{34} -- all of which are far more powerful and far less-easily controlled than nuclear power and nuclear bombs.

- {1} [http://en.wikipedia.org/wiki/Three\\_Mile\\_Island](http://en.wikipedia.org/wiki/Three_Mile_Island)
- {2} <http://en.wikipedia.org/wiki/Chernobyl>
- {3} [http://www.precaution.org/lib/06/bush\\_pushing\\_nuke\\_revival.050623.htm](http://www.precaution.org/lib/06/bush_pushing_nuke_revival.050623.htm)
- {4} [http://www.precaution.org/lib/06/few\\_differences\\_in\\_new\\_nukes.050612.htm](http://www.precaution.org/lib/06/few_differences_in_new_nukes.050612.htm)
- {5} [http://www.precaution.org/lib/06/radwaste\\_hot\\_potato.050606.htm](http://www.precaution.org/lib/06/radwaste_hot_potato.050606.htm)
- {6} [http://www.precaution.org/lib/06/few\\_differences\\_in\\_new\\_nukes.050612.txt](http://www.precaution.org/lib/06/few_differences_in_new_nukes.050612.txt)
- {7} [http://www.precaution.org/lib/06/uncertainties\\_slow\\_push\\_for\\_nukes.050725.htm](http://www.precaution.org/lib/06/uncertainties_slow_push_for_nukes.050725.htm)
- {8} [http://www.precaution.org/lib/06/nuke\\_comeback\\_planned.050622.htm](http://www.precaution.org/lib/06/nuke_comeback_planned.050622.htm)
- {9} [http://www.precaution.org/lib/06/industry\\_wary\\_of\\_new\\_nukes.050502.htm](http://www.precaution.org/lib/06/industry_wary_of_new_nukes.050502.htm)
- {10} [http://www.precaution.org/lib/06/bush\\_pushing\\_nuke\\_revival.050623.htm](http://www.precaution.org/lib/06/bush_pushing_nuke_revival.050623.htm)
- {11} [http://www.precaution.org/lib/06/nukes\\_wont\\_reduce\\_oil\\_imports.050509.htm](http://www.precaution.org/lib/06/nukes_wont_reduce_oil_imports.050509.htm)
- {12} [http://www.precaution.org/lib/06/hope\\_creek\\_leak\\_from\\_lousy\\_work.050405.htm](http://www.precaution.org/lib/06/hope_creek_leak_from_lousy_work.050405.htm)
- {13} [http://www.precaution.org/lib/06/illegal\\_nuke\\_workers.050316.htm](http://www.precaution.org/lib/06/illegal_nuke_workers.050316.htm)
- {14} [http://www.precaution.org/lib/06/plutonium\\_missing\\_from\\_los\\_alamos.051201.htm](http://www.precaution.org/lib/06/plutonium_missing_from_los_alamos.051201.htm)
- {15} [http://www.precaution.org/lib/06/hot-water\\_found\\_in\\_indian\\_point\\_wells.051220.htm](http://www.precaution.org/lib/06/hot-water_found_in_indian_point_wells.051220.htm)
- {16} <http://ehp.niehs.nih.gov/docs/2005/113-11/forum.html#anyd>
- {17} [http://www.precaution.org/lib/06/nukes\\_not\\_green.050417.htm](http://www.precaution.org/lib/06/nukes_not_green.050417.htm)
- {18} [http://www.precaution.org/lib/06/radwaste\\_hot\\_potato.050606.htm](http://www.precaution.org/lib/06/radwaste_hot_potato.050606.htm)
- {19} [http://www.precaution.org/lib/06/radwaste\\_outpaces\\_solutions.050612.htm](http://www.precaution.org/lib/06/radwaste_outpaces_solutions.050612.htm)
- {20} [http://www.precaution.org/lib/06/radwaste\\_outpaces\\_solutions.050612.htm](http://www.precaution.org/lib/06/radwaste_outpaces_solutions.050612.htm)
- {21} [http://www.precaution.org/lib/06/nuke\\_plants\\_not\\_attending\\_to\\_wastes.050412.htm](http://www.precaution.org/lib/06/nuke_plants_not_attending_to_wastes.050412.htm)
- {22} [http://www.precaution.org/lib/06/goshute\\_radwaste\\_plan\\_approved.050910.htm](http://www.precaution.org/lib/06/goshute_radwaste_plan_approved.050910.htm)
- {23} [http://www.precaution.org/lib/06/nrc\\_backs\\_off\\_low-level\\_waste\\_scheme.050604.htm](http://www.precaution.org/lib/06/nrc_backs_off_low-level_waste_scheme.050604.htm)

- 4} <http://www.nirs.org>
- {25} <http://www.committeetobridgethegap.org>
- {26} [http://www.precaution.org/lib/06/weapons\\_are\\_nukes\\_a\\_chi\\_lles\\_heel.050605.htm](http://www.precaution.org/lib/06/weapons_are_nukes_a_chi_lles_heel.050605.htm)
- {27} [http://www.precaution.org/lib/06/more\\_nuke\\_secrets\\_are\\_suspected.041226.htm](http://www.precaution.org/lib/06/more_nuke_secrets_are_suspected.041226.htm)
- {28} [http://www.precaution.org/lib/06/nine-11\\_com\\_mission\\_assails\\_bush\\_laxity.051115.htm](http://www.precaution.org/lib/06/nine-11_com_mission_assails_bush_laxity.051115.htm)
- {29} [http://www.9-11pdp.org/press/2005-11-14\\_remarks.pdf](http://www.9-11pdp.org/press/2005-11-14_remarks.pdf)
- {30} [http://www.precaution.org/lib/06/cheney\\_promoting\\_nukes\\_in\\_china.20040410.htm](http://www.precaution.org/lib/06/cheney_promoting_nukes_in_china.20040410.htm)
- {31} [http://www.precaution.org/lib/06/american\\_hiroshima.ny.20040811.htm](http://www.precaution.org/lib/06/american_hiroshima.ny.20040811.htm)
- {32} <http://www.rachel.org/library/getfile.cfm?ID=551>
- {33} [http://www.etcgroup.org/documents/TinyPrimer\\_English.pdf](http://www.etcgroup.org/documents/TinyPrimer_English.pdf)
- {34} <http://www.etcgroup.org/documents/comBANG2003.pdf>

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URL: <http://www.oriononline.org/pages/om/03-6om/Kaplan.html>

From: Orion Magazine, Mar. 10, 2003

**CONSENT OF THE GOVERNED**

*The reign of corporations and the fight for democracy*

[Rachel's summary: In Pennsylvania, citizens are developing fundamentally new tactics, aiming to take back control of their communities from corporations. To learn more about this exciting new development in American political thinking, you could attend {democracy school}.]

The autonomy of state and local governments continues to wane as corporations grow larger and gain more extensive rights under the U.S. Constitution.

An increasing number of Americans have begun to consider a whole range of single-issue cases as examples of "corporate rule," with government merely enforcing rules defined by corporations for profit.

But in communities across the country a revolt is underfoot that has corporations reeling.

By Jeffrey Kaplan

Describing the United States of the 1830s in his now-famous work, *Democracy in America*, the young French aristocrat Alexis de Tocqueville depicted a country passionate about self-governance. In the fifty years since sovereignty had passed from the crown to the people, citizens of the new republic had seized upon every opportunity "to take a hand in the government of society and to talk about it.... If an American should be reduced to occupying himself with his

own affairs," wrote de Tocqueville, "half his existence would be snatched from him; he would feel it as a vast void in his life."

At the center of this vibrant society was the town or county government. "Without local institutions," de Tocqueville believed, "a nation has not got the spirit of liberty," and might easily fall victim to "despotic tendencies."

In the era's burgeoning textile and nascent railroad industries, and in its rising commercial class, de Tocqueville had already detected a threat to the "equality of conditions" he so admired in America. "The friends of democracy should keep their eyes anxiously fixed," he warned, on an "industrial aristocracy.... For if ever again permanent inequality of conditions and aristocracy make their way into the world it will have been by that door that they entered." Under those conditions, he thought, life might very well be worse than it had been under the old regimes of Europe. The old land-based aristocracy of Europe at least felt obliged "to come to the help of its servants and relieve their distress. But the industrial aristocracy... when it has impoverished and brutalized the men it uses, abandons them in a time of crisis."

As de Tocqueville predicted, the industrial aristocrats have prevailed in America. They have garnered enormous power over the past 150 years through the inexorable development of the modern corporation. Having achieved extensive control over so many facets of our lives -- from food and clothing production to information, transportation, and other necessities -- corporate institutions have become more powerful than the sovereign people who originally granted them existence.

As late as 1840, state legislators closely supervised the operation of corporations, allowing them to be created only for very specific public benefits, such as the building of a highway or a canal. Corporations were subject to a variety of limitations: a finite period of existence, limits to the amount of property they could own, and prohibitions against one corporation owning another. After a period of time deemed sufficient for investors to recoup a fair profit, the assets of a business would often revert to public ownership. In some states, it was even a felony for a corporation to donate to a political campaign.

But in the headlong rush into the Industrial Age, legislators and the courts stripped away almost all of those limitations. By the 1860s, most states had granted owners limited liability, waiving virtually all personal accountability for an institution's cumulative actions. In 1886, without comment, the United States Supreme Court ruled for corporate owners in *Santa Clara County v. Southern Pacific Railroad*, allowing corporations to be considered "persons," thereby opening the door to free speech and other civil rights under the Bill of Rights; and by the early 1890s, states had largely eliminated restrictions on corporations owning each other. By 1904, 318 corporations owned forty percent of all manufacturing assets. Corporate owners were replacing de Tocqueville's "equality of conditions" with what one writer of the time, W. J. Ghent,

called "the new feudalism... characterized by a class dependence rather than by a personal dependence."

Throughout the twentieth century, federal courts have granted U.S. corporations additional rights that once applied only to human beings -- including those of "due process" and "equal protection." Corporations, in turn, have used those rights to thwart democratic efforts to check their growth and influence.

Corporate power, largely unimpeded by democratic processes, today affects municipalities across the country. But in the conservative farming communities of western Pennsylvania, where agribusiness corporations have obstructed local efforts to ban noxious corporate farming practices, the commercial feudalism de Tocqueville warned against has evoked a response that echoes the defiant spirit of the Declaration of Independence.

In late 2002 and early 2003, two of the county's townships did something that no municipal government had ever dared: They decreed that a corporation's rights do not apply within their jurisdictions.

The author of the ordinances, Thomas Linzey, an Alabama-born lawyer who attended law school in nearby Harrisburg, did not start out trying to convince the citizens of the heavily Republican county to attack the legal framework of corporate power. But over the past five years, Linzey has seen township supervisors begin to take a stand against expanding corporate influence -- and not just in Clarion County. Throughout rural Pennsylvania, supervisors have held at bay some of the most well-connected agribusiness executives in the state, along with their lawyers, lobbyists, and representatives in the Pennsylvania legislature.

Linzey anticipated none of this when he cofounded the Community Environmental Legal Defense Fund (CELDF), a grassroots legal support group, in 1995. Initially, CELDF worked with activists according to a conventional formula. "We were launched to provide free legal services to community groups, specifically grassroots community environmental organizations," Linzey says. "That involved us in permit appeals and other typical regulatory stuff." But all that soon changed.

In 1997, the state of Pennsylvania began enforcing a weak waste-disposal law, passed at the urging of agribusiness lobbyists several years earlier, which explicitly barred townships from passing any more stringent law. It had the effect of repealing the waste-disposal regulations of more than one hundred townships, regulations that had prevented corporations from establishing factory farms in their communities. The supervisors, who had seen massive hog farms despoil the ecosystems and destroy the social and economic fabric of communities in nearby states, were desperate to find a way to protect their townships. Within a year, CELDF "started getting calls from municipal governments in Pennsylvania, as many as sixty to seventy a week," Linzey says. "Of 1,400 rural governments in the state

we were interacting with perhaps ten percent of them. We still are."

But factory hog farms weren't the only threat introduced by the state's industry-backed regulation. The law also served to preempt local control over the spreading of municipal sewage sludge on rural farmland. In Pittsburgh and other large cities, powerful municipal treatment agencies, seeking to avoid costly payments to landfills, began contracting with corporate sewage haulers. Haulers, in turn, relied on rural farmers willing to use the sludge as fertilizer -- a practice deemed "safe" by corporate-friendly government environmental agencies.

Pennsylvania required the sewage sludge leaving treatment plants, which contains numerous dangerous microorganisms, to be tested only at three-month intervals, and only for E. coli and heavy metals. Most individual batches arriving at farms were not tested at all. It was clear, from the local vantage, that the state Department of Environmental Protection had failed to protect the townships, turning many rural communities into toxic dumping grounds -- with fatal results. In 1995, two local youths, Tony Behun and Danny Pennock, died after being exposed to the material -- Behun while riding an all-terrain vehicle, Pennock while hunting.

"People are up in arms all over the place," said Russell Pennock, Danny's father, a millwright from Centre County. "They're considering this a normal agricultural operation. I'll tell you something right now: If anyone would have seen the way my son suffered and died, they would not even get near this stuff." After a U.S. Environmental Protection Agency scientist linked the two deaths to a pathogen in the sludge, county supervisors tried to pass ordinances to stop the practice, but found that the state had preempted such local control with its less restrictive law.

The state's apparent complicity with the corporations outraged local elected officials. People began to understand, Linzey recalls, "that the state was being used by corporations to strip away democratic authority from local governments."

Many small farmers in rural Pennsylvania were already feeling the devastating effects of increasing corporate control over the market. They often had no choice but to sign contracts with large agribusiness corporations -- resulting in a modern form of peonage. By the corporate formula, a farmer must agree to raise hogs exclusively for the corporation, and to borrow \$250,000 or more to build specialized factory-farm barns. Yet the corporation could cancel the contract at any time. The farmer doesn't even own the animals -- except the dead ones, which pile up in mortality bins as infectious diseases ravage the crowded pens. The agribusiness company takes the lion's share of the profits while externalizing the costs and liabilities; the farmer left financially and legally responsible for all environmental harms, including groundwater contamination from manure lagoons.

Even if farmers could find a way to market their hogs on their own, loan officers often deny applications from farmers

unless they are locked into a corporate livestock contract. "The once-proud occupation of 'independent family farmer' has become a black mark on loan papers," Linzey writes on the CELDF website.

A bespectacled thirty-four-year-old, Linzey speaks with a tinge of southern drawl. Under the tutelage of historian Richard Grossman of the Program on Corporations, Law, and Democracy, he has become an eloquent speaker on organizing tactics, constitutional theory, and the history of corporations in this country. But he is also an excellent listener. He heard the indignation as incredulous supervisors came to understand their lack of authority in the regulatory arena. The rights and privileges that corporations were able to assert seemed incomprehensible to them. "There's disbelief," he says. "Then the clients attack you, and then you have to explain it to them, giving prior examples of how this works."

Township supervisors were quick to see that the problem was not simply factory farms or sludge, "but the corporations that were pushing them," Linzey says. Enormously wealthy corporations were able to secure rulings that channeled citizen energies into futile battles. The supervisors started to realize, according to Linzey, "that the only thing environmental law regulates is environmentalists."

By 1999, with CELDF's help, five townships in two counties had adopted a straightforward ordinance that challenged state law by prohibiting corporations from farming or owning farmland. Five more townships in three more counties followed suit. Also in 1999, Rush Township of Centre County became the first in the nation to pass an ordinance to control sludge spreading. Haulers who wanted to apply sewage sludge to farmland would have to test every load at their own expense -- and for a wider array of toxic substances than required by the weaker state law. Three dozen townships in seven counties have unanimously passed similar sludge ordinances to date. Citing a township's mandate to protect its citizens, Licking Township Supervisor Mik Robertson declares, "If the state isn't going to do the job, we'll do it for them."

So far, the spate of unanimous votes at the municipal level has halted both new hog farms and the spreading of additional sludge in these townships.

In De Tocqueville's time, local communities like those in Clarion County had enormous strength and autonomy. The large corporation was nonexistent, and the federal government had little say over local affairs. Americans by and large reserved patriotic feelings for their state. People, at least those of European descent, played a more active role in local governance than they do today. Their only direct experience with the federal government was through the post office. As de Tocqueville pointed out, "real political life" was not concentrated in what was called "the Union," itself a telling term; before the Civil War the "United States" was a plural noun, as in, "The United States are a large country."

Since the consolidation of the Union and throughout the twentieth century, the autonomy of state and local governments has continued to wane as corporations have grown larger and gained more extensive rights under the U.S. Constitution. In two decisions in the mid-1970s, the Supreme Court affirmed a corporation's right to make contributions to political campaigns, considering money to be a form of "free speech." And over the past few decades, corporations have won increasingly generous interpretations of the Interstate Commerce Clause of the Constitution. Originally intended to prevent individual states from obstructing the flow of goods and people across their borders, the clause has been used by corporations to challenge almost any state law that might affect activity across state lines. In 2002, for example, the federal courts ruled that a Virginia law prohibiting the dumping of trash from other states violated a waste hauler's rights. In early 2003, Smithfield Foods, one of the nation's largest factory-farm conglomerates, sued on similar grounds to overturn Iowa's citizen initiative banning meatpacking companies from owning livestock, a practice the citizens believed undercut family farms.

Elsewhere, corporate rights have posed increasingly absurd threats to sovereignty. In 1994, for example, Vermont passed a law requiring the labeling of milk from cows that had received a bioengineered bovine growth hormone; in 1996 the federal courts overthrew that law, saying that the mandated disclosure violated a corporation's First Amendment right "not to speak." Four years later, a Pennsylvania township tried to use zoning laws to control the placement of a cell-phone tower; the telecommunications company sued the township and won, citing a nineteenth-century civil rights law designed to protect newly freed slaves.

Until recently, these incidents might have been seen simply as aberrations or "corporate abuse." But an increasing number of Americans have begun to consider a whole range of single-issue cases as examples of "corporate rule." The role that government has played, in their view, is merely that of a referee who enforces the rules defined by corporations for their own benefit rather than the public's.

It was this perception that motivated the townships to take their revolutionary stand. But their successes in halting factory farming and sludge applications within their borders didn't prohibit corporations from attempting to press their case in the courtroom.

In 2000, the transnational hauler Synagro-WWT, Inc. sued Rush Township, claiming its antisludge ordinance illegally preempted the weaker state law and violated the company's constitutional right of due process. It also sued each supervisor personally for one million dollars. In response, Linzey recalls, one township supervisor asked, "What the hell are the constitutional rights of corporations?" A year later, PennAg Industries Association, a statewide agribusiness trade group, funded its own suit against the factory farm ordinance in Fulton County's Belfast Township on similar constitutional

grounds. Rulings on both suits are expected as early as mid-2004.

It was only after those suits had been filed that the two Clarion County townships, Licking and Porter, took the historic step of passing ordinances to decree that within their townships, "Corporations shall not be considered to be 'persons' protected by the Constitution of the United States," a measure that effectively declared their independence from corporate rule. For Mik Robertson, the issue is simple: "Those rights are meant for individuals." He and his two fellow supervisors later revised their ordinance to also deny corporations the right to invoke the Constitution's Interstate Commerce Clause; Porter Township is considering a similar amendment. Several other townships are preparing their own versions of the corporate rights ordinance, according to Linzey.

Now, when a corporation claims that an antisludge ordinance violates its rights, the townships can simply say those rights don't apply here. The corporation would then be forced to defend corporate personhood in a legal battle. That hasn't happened yet, but Linzey and his allies have energized a statewide coalition that has vowed to fight the issue all the way to the Supreme Court, raising awareness along the way about a basic question of sovereignty: By what authority can a conglomeration of capital and property, whose existence is granted by the public, deny the right of a sovereign people to govern itself democratically? Linzey predicts that such a suit could happen within a decade. That battle, he says, could ignite populist sentiment across the country -- even around the world.

Growing support for these issues was put to the test in 2002, when agribusiness interests, displeased by the spread of ordinances prohibiting factory farming, began prodding the Pennsylvania state legislature to pass an even more severe bill than the 1997 directive. This time there was no disguising it as waste-disposal regulation. The 2002 bill had one explicitly stated purpose: To strip away a township's right to control agriculture -- including sludge applications -- within its borders. When it stalled in a senate committee, the Pennsylvania legislators renumbered the bill and rammed it through before their constituents noticed. By the time CELDF found out about the bill, it was up for a vote in the house.

"We ignited opposition almost overnight," Linzey recalls. "We were working with 100-plus townships already. All we had to do was notify them."

Within two weeks, the coalition included four hundred local townships, five countywide associations of township officials, the Sierra Club, two small-farmers groups, the citizens' rights group Common Cause -- even the United Mine Workers (whose members had been sickened by sewage sludge applied on mine reclamation sites), which invited in the formidable AFL-CIO.

"It was like Sam Adams in 1766, when the Townsend Acts were passed," says Linzey. "He had already built the mob, the

rabble, and just had to alert the people that this was happening as an act of oppression."

Because the issue had been defined as protection of a community's right to self-determination, the bill became unpopular and was tabled indefinitely. On Thanksgiving Eve 2002, it met its end when a mandated voting period elapsed. Astonishingly, the coalition had won.

In so defining the issue, the deliberations in Clarion County resonate far beyond its borders. In recent years, judges, mayors, and a host of local and state legislators nationwide, whose authority as democratically elected representatives is similarly threatened by the increasing legal dominance of corporations, have begun to take action:

- \* In Minnesota, State Representative Bill Hilty has introduced a state constitutional amendment eliminating corporate personhood.

- \* The Arizona Green Party is campaigning for the passage of a similar amendment in their state.

- \* In the northern California town of Point Arena, legislators passed nonbinding resolutions in opposition to corporate personhood.

- \* Iowa, Kansas, Minnesota, Missouri, Nebraska, Oklahoma, North Dakota, South Dakota, and Wisconsin have all passed laws outlawing corporate ownership of farms.

But in the age of globalization, questions of sovereignty can no longer be addressed strictly within U.S. borders. Clarion County's townships may pass an ordinance saying that a sludge hauler's constitutional rights don't apply. "But if there is foreign participation, say if they are partially German-owned or Canadian," says Victor Menotti of the International Forum on Globalization, "you run up against another set of corporate rights under [international] trade agreements."

It was this other set of rights, the understanding of global "corporate rule," that brought many of the forty thousand demonstrators to the streets of Seattle in December 1999 to shut down the meeting of the World Trade Organization (WTO). It is also what incited subsequent demonstrations at the meeting of the World Bank in Prague in 2000, the meeting of the G-8 (the eight most economically powerful countries) in Genoa in 2001, the Free Trade Area of the Americas meeting in Quebec in 2001, and most recently, the WTO meeting in Cancun. Through it all, protesters have held fast to one principle: the right of a people to govern themselves, through their representatives, without obstruction by corporations.

One of the increasing number of public officials in the U.S. who face challenges to their sovereignty similar to those faced by their counterparts in the Pennsylvania townships is Velma Veloria, chair of the Washington State legislature's Joint Committee on Trade Policy. For fifty-three-year-old Veloria, the 1999 Seattle demonstration against the WTO was



a defining event. Veloria realized that behind the tumult in the streets, "there was a whole movement that was asking for accountability and transparency." She imagined what might happen if a tanker that was not double-hulled spilled oil in Puget Sound. She and her colleagues could pass a law requiring double hulls in Seattle harbor, but under the emerging rules of the WTO, such a law could meet the same fate as a Clarion County antisludge ordinance: It could be attacked as interfering with the rights of corporations, as a barrier to trade. "It opened a whole new field for me about the sovereignty of the state," Veloria says.

California State Senator Liz Figueroa, chair of the Senate Select Committee on International Trade Policy and State Legislation, has faced similar quandaries. In 2000, Figueroa authored a bill that made it illegal for the state to do business with companies that employed slave or forced labor. Figueroa explained to the city councils and constituents in her district that foreign trade imports produced by slave labor could undercut the local economy. But as pragmatic and ethically incontestable as the bill sounds, it could potentially be challenged under the WTO's rules.

"Our job is monumental," she says, referring to her efforts to explain how trade agreements can usurp democracy. "We have to make sure our own legislative offices even know of the conflict... we have to explain the reality of the situation."

Figueroa and Veloria are not alone. International trade agreements such as the North American Free Trade Agreement (NAFTA), the WTO's General Agreement on Trade and Tariffs (GATT), and the pending Free Trade Area of the Americas (FTAA) threaten the jurisdiction of any elected or appointed representative of a sovereign people at any level of government. A National League of Cities resolution declared that the trade agreements could "undermine the scope of local governmental authority under the Constitution." Last year, the Conference of Chief Justices, consisting of the top judges from each state, wrote a letter to the U.S. Senate stating that the proposed FTAA "does not protect adequately the traditional values of constitutional federalism" and "threatens the integrity of the courts of this country." In California, Minnesota, Oregon, Washington, Massachusetts, and New Hampshire, state legislatures have expressed concern over trade agreements, as has the National Council of State Legislators. Their statements, however more discreet, nonetheless echo the chants from the streets of Seattle: "This isn't about trade, this isn't about business; this is about democracy."

Despite their enormous ramifications, most international trade agreements remain a mystery to the average American. At the core, they are simple.

GATT and NAFTA cover the trade of physical goods between countries. They can be used to override any country's protection of the environment, for example, or of workers' rights, by defining relevant laws and regulations as illegal "barriers to trade." They provide for a "dispute

resolution" process, but the process routinely determines such laws to be in violation of the agreements.

In the case of GATT, a WTO member country can sue another member country on behalf of one of its corporations, on the grounds that a country's law has violated GATT trade rules. The case is heard by a secret tribunal appointed by the WTO. State and local officials are denied legal representation. If the tribunal finds that a law or regulation of a country -- or state or township -- is a "barrier to trade," the offending country must either rescind that law or pay the accusing country whatever amount the WTO decides the company had to forgo because of the barrier, a sum that can amount to billions of dollars. In short, practitioners of democracy at any level can be penalized for interfering with international profit-making.

Through this process, WTO tribunals have overturned such U.S. laws as EPA standards for clean-burning gasoline and regulations banning fish caught by methods that endanger dolphins and sea turtles. The WTO has also effectively undermined the use of the precautionary principle, by which practices can be banned until proven safe -- in one recent instance superseding European laws forbidding the use of growth hormones in beef cattle. A WTO tribunal dismissed laboratory evidence that such hormones may cause cancer because it lacked "scientific certainty." On similar grounds, the U.S., on behalf of Monsanto and other American agribusiness giants, recently initiated an action under GATT challenging the European Union's ban on genetically modified food.

Under NAFTA, which covers Canada, Mexico, and the U.S., a corporation can sue a government directly. The case would also be heard by a secret tribunal, such as when Vancouver-based Methanex sued the U.S. over California's ban on a cancer-causing gas additive, MTBE. The company, which manufactures the additive's key ingredient, claimed that the ban failed to consider its financial interests. Since July 2001, three men -- one former U.S. official and two corporate lawyers -- have held closed hearings on the thirteenth floor of World Bank headquarters in Washington, D.C., to decide whether, in this instance, a democratically elected governor's executive order to protect the public should cost the U.S. \$970 million in fines. The FTAA, recently fast-tracked for negotiations to put it into effect by 2005, would extend NAFTA's provisions to all of Latin America.

GATS, the General Agreement on Trade in Services, a recent trade agreement under the WTO, takes the usurpation of democracy one step further. While GATT deals with the exchange of goods across international borders, GATS establishes certain privileges for transnational companies operating within a country. It covers "services," meaning almost anything from telecommunications to construction to mining to supplying drinking water. It even includes functions that traditionally have been carried out or closely controlled by government, like postal services and social services such as welfare -- even libraries. Activists point out that the primary focus of the GATS is to limit government

involvement, "whether in the form of a law, regulation, rule, procedure, decision, administrative action or any other form," to quote the treaty itself. Public Citizen's Lori Wallach has called GATS a "massive attack on the most basic functions of local and state government."

Under GATS, any activity the federal government agrees to declare a "service" would be thrown open to privatization. The supply and treatment of water is a timely example, since the European Union is currently pressing the United States to make water among the first of the services it places under GATS. If clean drinking water is so declared, no government body in the U.S. could insist that it remain publicly managed. If any government wanted to create a publicly owned water district, foreign corporate "competitors" would have the right to underbid the government for control of the service. Just as important, a transnational company could challenge any rules -- including environmental and health regulations -- that would hamper its ability to profit from a business that is related to a service under GATS.

On March 28, 2003, twenty-nine California state legislators signed a letter of concern to U.S. Trade Representative Robert Zoellick about the provisions contained in GATS. The letter states that GATS could usurp any government regulation, including nurse-to-patient staffing levels, laws against racial discrimination, worker health and safety laws, regulatory limits to oil drilling, and standards for everything from waste incineration to trace toxins in drinking water. As a result, the letter states, GATS would "jeopardize the public welfare and pose grave consequences for democratic governance throughout the world."

Veloria and Figueroa both believe that if state legislators are to challenge this "power grab," in Veloria's words, they will have to organize among themselves. "One state cannot do it alone. We need to do it on a national scale." Otherwise U.S. citizens may find themselves under the thumb of NAFTA and WTO trade tribunals, "unelected bodies that have no accountability to the people." At that point, Veloria asks, "Why have state legislators, why have elected officials?"

In his work with the rural Pennsylvania supervisors, Thomas Linzey's approach to domestic corporate rights may well illuminate how individuals, states, and nations can deal with international trade treaties.

"Clarion County is one of many emerging examples of local communities reasserting their own authority to define how they want land managed and what sort of protections they want for their community," says antiglobalization organizer Victor Menotti. "It's when things like this come to light that people question what the hell we've gotten ourselves into. These local communities stand up, and others say, 'if they can do that, we can do that.'"

On many issues of local governance, Linzey believes, a state or local legislature "could declare null and void the federal government's signature on GATT." To him it would be the "ultimate act of insurrection: saying governments have no

constitutional authority to give away sovereign and democratic rights to international trade tribunals that operate in secrecy."

For now, Velma Veloria is still working through traditional channels. In an attempt to remove the antidemocratic provisions of the trade treaties, her committee will take up the issue with the state's delegation to Congress. But she is well aware that her colleagues, and the people of Washington State, may find that traditional route closed to them, as the Pennsylvania townships did in 1997.

If that happens, the practice of democracy at the local level would require legislators to defy the trade agreements. "At some point we might get to where the people working with Linzey are," she says. "We may end up saying we don't recognize parts of the international trade agreements that impact us. But that depends on the grassroots, on people demanding it."

There, too, the Pennsylvania coalition may offer some inspiration. "When the agribusiness folks filed suit over our anti-corporate farming laws," Linzey recalls, "page one of the lawsuit said 'we the corporations are people and this ordinance violates our personhood rights.'" When we photocopied that, people immediately understood how they're ruled by these constitutional rights and privileges. It sparks a conversation."

The Pennsylvania township supervisors are backed by a determined grassroots movement, with a constituency "ready to go to the mat for their binding law to establish a sustainable vision that doesn't include corporate rights and privileges," says Linzey. "The product is not the ordinance," he adds. "The product is the people."

The Pennsylvania ordinances express the will of a sovereign people who are exercising their right to create institutions that support their vision of how they wish to live. And, as one would expect in a democratic society, the people of Pennsylvania wish to be the ones who define the rules under which those institutions may operate, be they governments or corporations.

History repeats itself. In the course of asserting their sovereign rights, the citizens of rural Pennsylvania have undergone a profound change in personal identity and political consciousness not unlike that of their forebears. As historian Lawrence Henry Gipson noted, "The period from 1760 to 1775 is really the history of the transformation of the attitude of the great body of colonials from acquiescence in the traditional order of things to a demand for a new order." People who for generations had considered themselves loyal Englishmen suddenly declared themselves to be citizens of a new nation, one based on the sovereignty of its citizens.

Veloria believes we are at a similar juncture today. "I have faith that the American people will stand up for themselves and for democracy. They can only be pushed so far."

Jeffrey Kaplan's essays and articles have appeared in many regional and national newspapers and periodicals. He lives and works in Berkeley, California.

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{1} [http://www.celdf.org/misc/democ\\_school.asp](http://www.celdf.org/misc/democ_school.asp)

{2} <http://www.celdf.org>

URL: <http://www.precaution.org/lib/06/errors.060112.htm>

From: Rachel's News #837, Jan. 12, 2006

**ERRORS, ERRORS... MONSANTO AND PERCY SCHMEISER**

[Rachel's summary: First we numbered last weeks' issue #837 when it was really #836. Then we confused our readers by saying Percy Schmeiser owed Monsanto damages for having Monsanto's patented genes in his field. This is not quite correct.]

By Peter Montague

Last week, I mistakenly numbered Rachel's News #836 (dated January 5, 2006) as #837, which confused even me.

That is why this week's Rachel's News (dated January 12, 2006) is numbered (correctly) #837. In other words, last week's issue was actually #836 (dated January 5, 2006).

You can find the correctly numbered issue #836 (dated January 5, 2006) here{1}.

Now for the more serious error. In Rachel's #836 (dated January 5, 2006), I said the Canadian Supreme Court required farmer Percy Schmeiser to pay damages to Monsanto Corporation because its patented genetically engineered genes canola plants were found in his fields. Monsanto says he put them there himself. Schmeiser says the genetically modified organisms were carried into his fields on the wind.

It does not matter how the GMOs got into Schmeiser's fields because the Canadian Supreme Court decided that Monsanto owns any plants that contain their patented genes, no matter where they may be found or how they got there.

Percy Schmeiser does not owe Monsanto damages, but Monsanto now owns Percy Schmeiser's crops{2}, until he pulls up and discards each of the plants that contain Monsanto's patented genes.

So the upshot is, as "gene flow{3}" and pollen blowing on the wind carry patented genes across the globe, Monsanto, Dow and Novartis will be in a position to claim rights to any and all plants that contain their patented genes. At least, that's the precedent set by the Supreme Court of Canada.

{1} <http://www.rachel.org/library/getfile.cfm?ID=552>

{2} <http://www.gmfreireland.org/interviews/schmeiser.php>

{3} [http://en.wikipedia.org/wiki/Gene\\_flow](http://en.wikipedia.org/wiki/Gene_flow)

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URL:[http://www.precaution.org/lib/06/pp\\_academy.060105.htm](http://www.precaution.org/lib/06/pp_academy.060105.htm)

From: Rachel's Precaution Reporter #20, Jan. 11, 2006

**PRECAUTION ACADEMY: PRACTICAL TRAINING FOR PRECAUTIONARY ACTION**

[Rachel's summary: Could your community begin to take precautionary action to improve its prospects for the future? To help your community make the shift to this new way of thinking, you could attend The Precaution Academy that we have just started. The first session will be held in New Brunswick, N.J. Mar. 31-Apr. 2. Three other sessions of the Academy are set for other locations in the U.S. later this year, too.]

First Precaution Academy Mar. 31-Apr. 2 in New Brunswick, New Jersey

**Practical Training for Precautionary Action**

The Science and Environmental Health Network ([www.sehn.org](http://www.sehn.org){1}) and Environmental Research Foundation ([www.rachel.org](http://www.rachel.org){2}) and [www.precaution.org](http://www.precaution.org){3}) have created The Precaution Academy to offer an intensive weekend of training to prepare participants to apply precautionary thinking to a wide range of issues in their communities and workplaces. The Academy is intended to serve the needs of citizen activists, government officials, public health specialists, small business owners, journalists, educators, and the engaged public.

Presenters and discussion leaders include Carolyn Raffensperger, Nancy Myers, Ted Schettler, Katie Silberman and Peter Montague.\*

The cost of the Precaution Academy in New Brunswick, N.J. is \$350, which includes hotel for 2 nights, plus six meals, and all instructional materials.

Participation is limited to 15 people. You may want to send an Email to Sherri Seidmon ([sherri@sehn.org](mailto:sherri@sehn.org)) to learn whether space is available.

Send your payment to Science and Environmental Health Network, P.O. Box 50733, Eugene, OR 97405

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Scholarships Available

We have three full scholarships available for the New Jersey session Mar. 31-Apr. 2. To apply for a scholarship, please tell us what organization you are affiliated with, what constituencies you represent, what you hope to get out of the experience, and your organization's total budget. Preference will be given to people who represent groups with financial need. Please also estimate your travel costs if you will be applying for a travel stipend as part of your scholarship. Send your scholarship request to:

Science and Environmental Health Network Sherri Seidmon (sherry@sehn.org ) P.O. Box 50733 Eugene, OR 97405

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At least two weeks prior to the date of the Academy, participants will receive a copy of the new book, Precautionary Tools for Reshaping Environmental Policy (MIT Press, 2006; ISBN 0-262-63323-X), supplemented by a short workbook of articles. Academy participants are urged to read selected portions of these materials before the session begins on Friday evening.

All day Saturday and half a day Sunday, presenters will lead discussions of the precautionary approach to problem-solving (and problem prevention), with emphasis on real-world applications of precautionary thinking.

The purpose of the Precaution Academy is

\*\* to prepare participants to apply precautionary thinking and action to problems in their home communities and workplaces;

\*\* to familiarize participants with the history of the regulatory system, quantitative risk assessment, and the development of precautionary thinking. What is different about the world today that makes a precautionary approach necessary and appropriate?

\*\* to clarify the different kinds of uncertainty involved in contemporary problems and the role of precaution in addressing uncertainty;

\*\* to prepare participants to respond to criticisms of the precautionary approach;

\*\* to help participants recast and rethink familiar problems and issues within a precautionary framework, and to explore how a prevention philosophy differs from a problem-management philosophy;

\*\* to familiarize participants with some of the many ways that precaution is being applied in the U.S., Canada and abroad so that you can considering trying these approaches at home.

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Other Precaution Academy Sessions planned for 2006 (Prices for these sessions will vary according to costs.)

May 19-21 in Chicago June 23-25 location to be announced Sept 8-10 location to be announced

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### The Mechanics

Participants will arrive at the Academy site on Friday afternoon. New Brunswick, N.J. is readily accessible by train and automobile from the New York and Philadelphia metropolitan areas. A train connects New Brunswick with Newark Airport. After an evening meal, we will meet for two hours to begin discussing the need for precautionary thinking in the contemporary world, and how the precautionary principle developed during the past 30 years.

### Saturday

We will meet from 9:00 to noon, take a 90-minute break for lunch, then meet from 1:30 to 5:30. At 7:00 we will have dinner together. After dinner, we will meet informally for a free-ranging discussion.

### Goals for Saturday

\*\* to prepare participants to put the precautionary principle to work in their own areas of interest;

\*\* to prepare participants to respond to criticisms of the precautionary approach;

\*\* to clarify the different kinds of uncertainty involved in contemporary problems and the role of precaution in the face of uncertainty;

\*\* to familiarize participants with a variety of ways that precaution is being applied in the U.S. and elsewhere;

During this session we will discuss in detail the five elements of a precautionary approach.

### Sunday

### Goals for Sunday:

\*\* to give participants experience recasting typical issues into a precautionary framework;

\*\* to make sure participants take home an understanding of the many ways that precaution is being used in communities all across the U.S., Canada, and abroad.

We will meet from 9:00 to noon, gaining experience in reframing issues from a precautionary perspective.

We will have lunch together, then go our separate ways so we can "try this at home."

Environmental Research Foundation in New Brunswick, N.J., and an editor of Rachel's Precaution Reporter and of Rachel's Democracy & Health News.

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\* Carolyn Raffensperger is executive director of the Science and Environmental Health Network (SEHN) in Ames, Iowa. Nancy Myers is communications director of SEHN; Ted Schettler is SEHN's science director and Katie Silberman is SEHN's administrative director. Peter Montague is director of

- {1} <http://www.sehn.org>
- {2} <http://www.rachel.org>
- {3} <http://www.precaution.org>

*Rachel's Democracy & Health News (formerly Rachel's Environment & Health News) highlights the connections between issues that are often considered separately or not at all. The natural world is deteriorating and human health is declining because those who make the important decisions aren't the ones who bear the brunt. Our purpose is to connect the dots between human health, the destruction of nature, the decline of community, the rise of economic insecurity and inequalities, growing stress among workers and families, and the crippling legacies of patriarchy, intolerance, and racial injustice that allow us to be divided and therefore ruled by the few. In a democracy, there are no more fundamental questions than, "Who gets to decide?" And, "How do the few control the many, and what might be done about it?"*

*As you come across stories that might help people connect the dots please Email them to us at [dhm@rachel.org](mailto:dhm@rachel.org) . Rachel's Democracy & Health News is published as often as necessary to provide readers with up-to-date coverage of the subject. Editors: Peter Montague - [peter@rachel.org](mailto:peter@rachel.org); Tim Montague - [tim@rachel.org](mailto:tim@rachel.org)*