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# Lois Gibbs and the Birth of a Movement for Environmental Justice<sup>1</sup>

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Abstract: The essay focuses on the two-year struggle of the 27-year-old married mother of two, Lois Marie Gibbs, living her American Dream in the typical suburbia of Love Canal. It deals with the efforts of a seemingly ordinary housewife who operated throughout a long period of crisis that totally involved her neighbourhood after she began to sense that something was affecting the health of the community. A mother whose devotion for her home and children has turned her into the main symbol of the grassroots movement's struggle developing new knowledge about the dangers of toxic wastes as well as placing toxic waste site cleanup in the international arena and influencing national policies.

Niagara Falls, State of New York. The Love Canal area could be described as the typical suburban middle-class neighbourhood that one might see in a TV movie. A simple white working community with its roots in family life. This secure suburbia offered its hundreds of families the dream of a home, a school close by and plenty of parks and green spaces. It was a safe place for kids to live and grow up without city problems.

As a consequence to the crisis at Love Canal, which is at the centre of this article, many neighbourhood women became activists. During the whole crisis it was women, not men, who had the most visible leadership on public activism and interpreted "the values equity, entitlement, and rights" expressed by "the women's movement, the civil rights movement, and the environmental movement of the 1960s and 1970s"<sup>2</sup>.

The work of one of them, Lois Gibbs, resounded the most. Her role in the environmental and political causes at Love Canal began in June 1978 when she became acquainted with Michael Brown's articles in the *Niagara Falls Gazette* (NG). The articles alerted people to the presence of certain toxic chemicals buried underneath the 99<sup>th</sup> Street School where her son, Michael, attended kindergarten. Upon reading the newspapers she began to connect the chemical contamination with her son's

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<sup>2</sup> Blum, Elizabeth D. 2008. *Love Canal Revisited: Race, Class and Gender in Environmental Activism*, Lawrence: University of Kansas Press: 31.

frequent health problems. With no prior experience in community activism she managed to lead an entire neighbourhood in a battle against the local and federal governments. From June 1978 until May 1980, she was the catalyst for the most important social environmental movement that arose around the Love Canal saga.

In her work, *Love Canal and the Birth of the Environmental Health Movement*, she recounts in detail her experiences of the two-year citizen challenge, dealing with the Love Canal crisis, which placed her in a prominent nationwide role and changed her life in a way she would have never been able to imagine.

### **Her history and the beginning of her activism**

Lois Marie Conn was born on June 25, 1951, in Grand Island, New York, a town that lies between the cities of Buffalo and Niagara Falls. Her father, Joseph Conn, was a bricklayer who worked in a steel mill, while her mother, Patricia, was a full-time homemaker taking care of their six children.

As a child, Lois, was quiet and extremely reserved; she rarely spent a lot of time outside the home. While she was growing up, her main ambitions were to finish high school, get married and raise a family. After completing high school in 1969, she married Harry Gibbs, a chemical production worker. In 1972, like many other families in the late 60s and early 70s, the newlyweds planned to move their family to 101<sup>st</sup> Street in the Love Canal neighbourhood where her husband monitored a chemical vat at the local Goodyear Plant. In her own words: “We had a white picket fence, we had a station wagon, we had a healthy child, we had a wood-burning stove, we had cable. We had the whole American dream”<sup>3</sup>. Her main concerns were taking care of household tasks, sewing and raising her son, Michael (born August 10, 1972) and daughter, Melissa (born June 12, 1975). Social clubs, church activities, Parent-Teacher Association (PTA) and political work were of no interest to her<sup>4</sup>.

She did not know the neighbourhood she lived in would be identified as the nation’s most notorious health disaster in American environmental history. Over its course, the story of Love Canal went well beyond the story about hazardous poisons. Primarily, it was the story about gravely concerned homeowners. They were ordinary citizens, mainly women and mothers, who dedicated their days fighting against the government to ensure their worries were properly represented and to protect their children’s right to a healthy life. In her book, Lois states: “I want to tell you our story, my story, because I believe that ordinary citizens, using the tools of dignity, self-respect, common sense, and perseverance, can influence solutions to important problems in our society”<sup>5</sup>.

With only a high school education and no experience as a neighbourhood activist, Lois got a crash course in environmental politics. In her first work entitled *Love*

<sup>3</sup> Copeland, Libby Ingrid. 1998. “The Lessons of Love Canal”. *Washington Post*; *Los Angeles Times*, August 11. <http://articles.latimes.com/1998/aug/11/news/ls-11923>. Accessed March 21, 2017.

<sup>4</sup> Levine, Adeline. 1982. *Love Canal: Science, Politics, and People*. Lexington: Helath: 30.

<sup>5</sup> Lois Marie Gibbs. 1982. *Love Canal: My Story. Lois Marie Gibbs as told to Murray Levine*. Albany: State University of New York Press: 1982: 1.

*Canal: My Story*, Lois reported the first articles that were published by Mike Brown in the Niagara Falls Gazette on the existence of more than 80 chemical residues in the Love Canal landfill. Reports confirmed the existence of toxic vapors and of hazardous compounds, ten of them “known or suspected [to cause] cancerous growth in laboratory animals, and one, benzene [...] a well-established carcinogen”<sup>6</sup>. At first, Gibbs did not realize the gravity of the problem – “I thought it was terrible, but I lived on the other side of Pine Avenue”<sup>7</sup> she said, – but Brown’s later news article, suddenly caught her attention. She observed that since her six-year-old son had started attending the local school, he had developed severe asthma and that this problem could have been related to the presence of chemicals in 99<sup>th</sup> Street. The school was sitting on a former toxic-waste dumpsite. “I was alarmed”, she wrote, “my son attended that school. I decided I needed to do some investigating”<sup>8</sup>. Immediately after the discovery, she related her fears to her sister Kathleen and contacted Wayne Hadley, her brother-in-law. Hadley was a biologist and, at the time, a professor at the State University of New York at Buffalo. She made the connection between the presence of those chemicals and the change in her son’s health since he started attending the school. He “had begun having seizures [...] Michael’s white blood cell count had gone down. [...] He had started school in September and had developed epilepsy in December; in February, his white blood count dropped [...] a year and a half later Missy was hospitalized for a blood-platelet disorder”<sup>9</sup>. When she called Dr. Long, the superintendent of schools, he replied that she could not prove the child was sick due to the presence of chemical vapors and he did not believe there was chemical hazard at the school. Therefore he was not about “to move 407 children because of one irate, hysterical housewife with a sickly kid”<sup>10</sup>, and told her to “stop worrying and accept the fact that Michael was a sickly child”<sup>11</sup>. Unsatisfied with those responses, the young mother decided to look for help from other parents by canvassing her neighbourhood.

### **First Source of Investigation: Knocking on Doors**

On what was her first day of her endeavour, she forced herself to “go door-to-door to see if other parents in the neighbourhood felt the same way. [...] At that time, though, I didn’t really think of this as “organizing”. [...] I was afraid a lot of

<sup>6</sup> New York State Department of Health: *Love Canal: Public Health Time Bomb*. A special report to the Governor and Legislature, September, 1978, p. 12. Online facsimile [https://www.health.ny.gov/environmental/investigations/love\\_canal/lctimbmb.pdf](https://www.health.ny.gov/environmental/investigations/love_canal/lctimbmb.pdf)

<sup>7</sup> Gibbs. (1982) 2011. *Love Canal and the Birth of the Environmental Health Movement*. Washington-Covelo-London: Island Press: 27.

<sup>8</sup> *Ibid*: 27.

<sup>9</sup> *Ibid*: 28.

<sup>10</sup> Goodman, Amy. 2014. *Fierce Green Fires. Documentary Explorers Environmental Movement’s Global Rise*. Truthout, Democracy Now! Tuesday, April 22. Video Interview. <http://www.truthout.org/news/item/23244-earth-day-special-fierce-green-fire-documentary-explores-environmental-movements-global-rise>

<sup>11</sup> Newman, Richard S. 2016. *Love Canal: A Toxic History from Colonial Times to the Present*. Oxford: Oxford University Press: 153.

doors would be slammed in my face”<sup>12</sup>. Most people living in her street underestimated the fact that they could have been affected too. They claimed it was not her business and that she was just doing all for publicity. She also had an unpleasant encounter with one bitter woman who accused her of downgrading property values.

When her son had been hospitalized for the second time in a few weeks all of her distress turned into action. While watching him sleep in the hospital bed she felt partly responsible for his injuries: “as a parent who took her responsibilities seriously, I realized that my fear of a stranger’s door was overriding *my responsibility to protect my child*”<sup>13</sup>. When her son was well again, she went back to that first door.

Firstly, she telephoned the president of the 99<sup>th</sup> Street School PTA who, regardless of the situation, answered that the problem was not her responsibility. Secondly, the “crazy fanatic” shy woman who had stayed home sick from school if “she had to present a book” began to consider circulating a petition among all the mothers living on her street. In this petition she demanded they sign to close down the school. She did not understand how chemicals could migrate over the 101<sup>st</sup> from 99<sup>th</sup> Street, but the closer she got to the canal, the more she could smell those nasty chemical factory odors. Exactly the same as the smell in her basement.

The woman she got in touch with was Karen Schroeder, who, along with her next-door neighbour, Thomas Heisner, emerged as a local leader organizing the first citizens’ group which formed around the troubled Love Canal area. The so-called 97<sup>th</sup> Street Tax-and-Mortgage-Action Group, was commonly known as the first rings group. It was made up of some families who were primarily concerned about economic and financial ruin. Thanks to Karen’s previous experience, Lois became aware of the dump’s encroachment. On June 13, 1978, Lois Gibbs attended her first public meeting at the 99<sup>th</sup> Street School auditorium. There were about 75 anxious and worried people who wanted to know if their future was safe. The meeting was chaired by the New York Health State Department (NYDOH) to impart and discuss general information about how parents should behave about the matter. She focused attention on the high numbers of miscarriages, birth defects, urinary tract disorders, cases of leukemia, asthma and other respiratory discomforts observed among the residents. Those illness and problems were to be linked to the presence of those ominous chemicals buried underneath Love Canal soil.

In her *memoires* Lois recounts that, in the midst of turmoil, a man said he could not even let his eighteen-month-old daughter play in his own backyard, because the soles of her feet would suddenly get burned. Another woman said her dog burned his nose after sniffing the ground in her yard. A state epidemiologist, Dr. Nicholas Vianna, failed to provide satisfactory answers to the questions addressed by the frustrated audience. Nevertheless, he tactlessly advised people not to eat any vegetables from their gardens and to make sure their children walked on the sidewalks. Moreover, the “high-level official, in response to an informal query, replied that the Health Department professionals were scientists, who did not worry about peo-

<sup>12</sup> Gibbs. (1982) 2011. *Love Canal*: 29-30.

<sup>13</sup> Gibbs. 1995. *Dying from Dioxin: A Citizen’s Guide to Reclaiming Our Health and Rebuilding Democracy*. Boston Ma: South End Press: 166. Italics added.

ple's reactions to cautionary statements and recommended actions. They dealt with numbers, with data on physical conditions, and only with these"<sup>14</sup>. This behaviour produced strong feelings of mistrust. Gibbs summed it up, writing that "the audience was really frustrated, and so was I. People began walking out, muttering, furious. There were no answers. They didn't understand, and they were becoming frightened"<sup>15</sup>.

### **The Birth of the 99<sup>th</sup> Street Parents Movement**

As time went by, Lois continued to knock on doors and to have face-to-face conversations with her neighbours. By doing so, she improved her ability to respond to individual eagerness and to control her feelings, thus discovering she was not alone. She had collected a great deal of information about her neighbours' health problems, which led them to the consideration they were seriously in danger. The birth of the Love Canal Parents Movement was the direct result: a group whose goals and targets could give the community a voice in the decisions subsequently taken.

Given the common difficulties, Lois decided to gather some of the parents and tried to interest them in forming a residents' committee "to get some sort of clean-up of the school area, and in general to form a parents' action committee for whatever might need to be done to make the school safe for the children"<sup>16</sup>. The families she contacted clung to her as their only possibility to know what would happen to their children and homes. While walking down 97<sup>th</sup> Street adjacent to the canal site, she ran into an old school-friend, Debbie (Huff) Cerrillo, who joined the battle. She had had several miscarriages up to then and occasionally suffered from heavy bleeding. Moreover, her house stood in one of the worst and most affected areas, and foul-smelling puddles were visible in her backyard. Debbie and Lois decided to ask people to join the group the two would then represent with other key members. Its main purposes were "to press for some restitution for property losses, because when people are concerned about their pocket-books, they are concerned, to insist on a cleanup of the chemicals, and to work for the immediate closing of the school"<sup>17</sup>. Together they formed the *Love Canal Homeowners Committee*<sup>18</sup>, an alliance that would mark the beginning of the future Love Canal Homeowners Association (LCHA for short).

Lois, Debbie, and several members of the already existing 99<sup>th</sup> Street School Parents Movement, got in touch with Senator Patrick Moynihan to start petitioning state officials. They then decided to make an appointment with Richard Lippes, an environmental lawyer and a Sierra Club officer, who showed interest in reviewing the case to start a possible lawsuit.

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<sup>14</sup> Levine. 1982. *Love Canal*: 40.

<sup>15</sup> Gibbs. (1982) 2011. *Love Canal*: 38.

<sup>16</sup> Levine. 1982. *Love Canal*: 31.

<sup>17</sup> *Ibidem*.

<sup>18</sup> *Ibidem*: 33.

House after house, she learned unbelievable things about the situation that rapidly opened her eyes to the government's vacillating behaviour. Not only was it not acting in the best interest of honest citizens, it was also acting against them.

In one house, a divorced woman with four children showed me a letter from the New York State Department. [...] She said the health department had contacted her and asked if her son would go onto Love Canal property, find two "hot" rocks, and put them in the jars they sent her. She had been instructed to give the rocks to Dr. Vianna<sup>19</sup>.

Some people were deteriorating before her eyes, but for the local government health seemed to be of secondary consideration. Talking to people, she also realized that workers were afraid about Hooker Electrical Company's power because they felt that they could lose their pensions<sup>20</sup>.

### **First NYDOH Blood Testing for Inner-Ring Residents**

During this particularly feverish period, Dr. Vianna and some United States Environmental Protection Agency (USEPA) and NYDOH members, were taking blood samples and doing a door-to-door health survey limited to residents between 97<sup>th</sup> and 99<sup>th</sup> Streets.

In early spring 1978, officials decided to undertake an epidemiologic investigation in inner-ring houses only. These health surveys dealt with a massive blood-sampling programme (2,800 samples in a few weeks) as well as sampling of air and water. Officials invited families who wanted their blood tested to come to the 99<sup>th</sup> Street School. Gordon Levine reports a resident's testimony about the ridiculous way the blood testing was organized:

The blood testing program was never organized to any degree, it was inefficient, and extremely trying for the residents [...] Two to four technicians were available to draw the blood samples. Hundreds of people were lying up for testing. Consequently, this cause more stress among residents. [...] The State could have made this procedure better had they used a little thought and organization (plans). They could have taken people by streets or alphabetically<sup>21</sup>.

Even Gibbs was critical of the way the state was working.

The air and water basement samples were sent to the State Capital, Albany. They showed several inadequacies and the results were incorrect. Even though she lived in ring four, Lois decided to have the blood test to identify her strange symptoms. While she stood in line, she described the poor and unhealthy conditions in which the blood samples were taken:

The waiting line was long. [...] I was afraid that if they found out I wasn't from 97<sup>th</sup> or 99<sup>th</sup> Streets, they wouldn't give me the blood test. [...] I wanted Harry to be tested also. I was worried that we were being affected even over there on the 101<sup>st</sup> Street<sup>22</sup>.

During those few days, in all, more than 4,300 blood samples were collected. As to the door-to-door health surveys, more than 2,700 questionnaires were dis-

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<sup>19</sup> Gibbs. 1982. *Love Canal*: 41-42.

<sup>20</sup> *Ibid*: 41.

<sup>21</sup> Levine. 1982. *Love Canal*: 81.

<sup>22</sup> Gibbs. (1982) 2011. *Love Canal*: 42-43.

tributed, but there were no instructions and no indication of the purpose and the source of the instrument. As a result, many questionnaires were thrown away<sup>23</sup>. Each questionnaire consisted of 24 numbered pages and required people to fill a long section dedicated to a brief history about the adults' families of origin. At the end of each confusing survey, barely two pages were dedicated to questions about children, and had to be answered by their mothers only. In August 1978, under public pressure to immediately communicate some answers, the blood analysis results were shown at a second meeting. The meeting was held by the NYDOH together with both Drs Vianna and Steve Kim, a Health Department chemist and the person in charge of the forthcoming environmental testing. They were relieved they didn't find what they had feared: leukemia or even very low, or fluctuating, white-blood-cell counts. The experts merely advised people *again* not to eat vegetables from their gardens, advice people did not follow. At that point of the talk the Health Department handed out the first air sample studies monitored from the first two rings of homes<sup>24</sup>. They were given raw data analysis with no interpretations: "People stood there looking at the numbers"<sup>25</sup>. One distraught woman started weeping hysterically staring at that incomprehensible piece of paper. Lois asked questions about the meanings of the data pertaining to some homes. The officials did not provide convincing answers. She was told, instead, that the Health Department was going to make an official statement about the situation and that they should be able to provide interpretation of the data along with the preliminary epidemiological studies ones.

Once again, at the end of that meeting Lois learned that the neighbourhood cannot always rely on government, but on the contrary on its own merits. The misfortune was bringing people together. More than ever, they all had something in common: "air readings, a dead plant or a dead tree"<sup>26</sup>. Gibbs describes the community's sentiments of panic, hysteria and loss of patience, when state agencies accused them of "acting out of emotions" rather than "out of logic and reality"<sup>27</sup>.

### **The Meeting in Albany. August 2, 1978**

The official statement had been prepared for the open meeting arranged for August 2, 1978, one of the most important meetings the newborn activist attended, when Health Commissioner Robert Whalen decided to break the long silence, extending his decisions and Dr. David Axelrod's studies to *all interested people*. The press conference was held at the South Mall Campus auditorium in Albany. The city was about 300 miles away from Love Canal and the fact explained the small

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<sup>23</sup> Levine. 1982. *Love Canal*: 83.

<sup>24</sup> New York State Department of Health. 1978. *Love Canal: Public Health Time Bomb*. A special report to the Governor and Legislature. State of New York: 8. [https://www.health.ny.gov/environmental/investigations/love\\_canal/lctimbmb.htm](https://www.health.ny.gov/environmental/investigations/love_canal/lctimbmb.htm)

<sup>25</sup> Levine. 1982. *Love Canal*: 44.

<sup>26</sup> Gibbs. (1982) 2011. *Love Canal*: 45.

<sup>27</sup> Wandersman, Abraham-Hess, Robert. 1985. *Beyond the Individual: Environmental Approaches and Prevention*. New York: Haworth Press: 115-116.

number of participants attending the meeting (about seven Parent volunteers including Lois, Debbie and Harry).

It was 9 a.m. when the meeting began. Undeterred, Health Commissioner Whalen declared the state of emergency communicating that “[The] Love Canal Chemical Waste Landfill ‘constituted a public nuisance and an extremely serious threat and danger to the health, safety and welfare of those using it, living near it, or exposed to the conditions emanating from it’”<sup>28</sup>.

The physician then read another seven health recommendations regarding the most affected houses located in the first two rows. Two of these (orders number 4 and 5) were addressed to the whole neighbourhood, highlighting again the need to avoid using basements as much as possible and not to eat vegetables or any kind of home-grown food. Given the fact that most people considered gardening useful to reduce food costs, they were considerably alarmed. Furthermore, women used their basement for laundry, while many other residents had built bedrooms or playrooms which were used every day. With respect to children’s safety, Whalen stated that the 99<sup>th</sup> Street School was going to be closed during the remedial work construction and that drain tiles around the poisoned area would halt and collect the migration of toxic substances before they would be removed. Whalen made two other startling recommendations (statement number 1 and 2) urging the relocation and evacuation of both pregnant women and children under the age of two (about 37 families) because the state was concerned about their severely affected health<sup>29</sup>.

The announcements only boosted the residents’ feelings of powerlessness, uncertainty and abandonment due to a government whose cynicism and apathy were without equal. Moreover, there were no traces of financial arrangements and parents did not know what to do to protect their children’s health. Outraged, Lois Gibbs wondered about the majority of residents who were not covered by the order. They did not reside at the canal’s southern end, and thus they were left behind and trapped despite their haste to leave. She did not understand why the evacuation was not extended to all of them. After the announcement, from the crowd Lois shouted loudly: “You’re murdering us!”<sup>30</sup>. She later explained:

The kid’s health [was] number one. But the number two thing that really motivated me was this idea that I grew up with a sense of government cares about the people. That’s just the culture of the blue-collar community [...] And the idea that a government made a decision, at the local and state level, and to a certain extent the federal level, that they did a cost-benefit analysis, and [decided] that it was okay to sacrifice us. That we weren’t worth twenty million dollars really pissed me off. And it goes back to the kids and the value of my children. But it’s one of those values that just made me so angry [...] because I didn’t have an income outside the household [the government believed] I was worth nothing by their calculations. [...] I just found that morally so appalling and so wrong, that [...] really bothered me<sup>31</sup>.

<sup>28</sup> *Ibidem*: 28.

<sup>29</sup> Brown, Michael. 1981. *Laying Waste: The Poisoning of America by Toxic Chemicals*. New York: Washington Square Press: 33.

<sup>30</sup> Levine, Adeline. 1982. *Love Canal: Science, Politics, and People*. Toronto: Lexington: 34.

<sup>31</sup> Quoted in Blum. 2008. *Love Canal Revisited: Race, Class and Gender*. Lawrence: University Press of Kansas: 115-116.

According to Gordon Levine, Commissioner Whalen wrote the order “without residents’ participation. [...] He sent copies of his order to fourteen offices and “interested parties”, but not one Love Canal resident was on the list”<sup>32</sup>. In fact, Lois soon realized that “the final decision had been made no later than nine o’clock of the previous evening. We were very perturbed [...] they made a recommendation [...] they had no financial backing to move these people”<sup>33</sup>. Dr. Whalen issued the order because the results of the studies showed an above-normal number of miscarriages and birth defects after the on-site inspections. As a consequence, the selected area was a matter of prime importance to him. Pregnant women and children under two were highly vulnerable. Debbie’s backyard was right above the former dumpsite. If Whalen had made his recommendation two months earlier, she and her two-and-a-half-year-old daughter would have moved. Lois said to Commissioner Whalen: “You can’t stand there and tell me there’s no problem at Love Canal!” [...] “I’m just a dumb housewife. You’re the experts”<sup>34</sup>.

### **Residents Holding a Street Meeting**

Returning from that emotional meeting Lois, Debbie and Harry learnt that the media had told the Love Canal people before they got home about the closing of the school and the order. The statement had already been announced on the radio networks as well as on television. At their arrival at Love Canal, hundreds of people (including pregnant women with their children and some senior citizens) were protesting in the street.

They all massed in the Heisneres’ front yard, where there were 200 other people seeking comfort and waiting for Gibbs. Her brother-in-law introduced her as “someone you already know who has been doing a good job going from house to house,”<sup>35</sup> and gave her the microphone. Gibbs had no choice. The leader of the 97<sup>th</sup> Street Tax-and-Mortgage-Action Group, Mr. Heisner, was telling people to burn their mortgage payment envelopes and to tear up tax bills to show their houses were useless, unmarketable and uninhabitable.<sup>36</sup> Panic and anger reigned. Despite the fact that Commissioner Whalen, supposedly a high authority, had confirmed that their health was in imminent peril, there were no provisions for any evacuation plan. Gibbs grabbed the microphone and explained the contents of the recommendations, specifying that according to Dr. Vianna more people could not be evacuated because the data from the health surveys was insufficient.

Gibbs then encouraged everyone to notify private physicians or the State Health Department for any problems. The crowd’s emotions overflowed.<sup>37</sup> Not knowing

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<sup>32</sup> Levine.1982. *Love Canal*: 40.

<sup>33</sup> *Ibidem*: 34.

<sup>34</sup> Gibbs. (1982) 2011. *Love Canal*: 49-50.

<sup>35</sup> Levine. 1982. *Love Canal* 35.

<sup>36</sup> Blum. 2008. *Love Canal Revisited*: 34.

<sup>37</sup> Gibbs. (1982) 2011. *Love Canal*: 52-53.

what to do and where to turn, a pregnant woman persistently questioned about the possibility that her child have a birth defect<sup>38</sup>.

In Lois Gibbs' life there was a shift from the typical American housewife to social activist. In her words there is the acknowledgment of the situation and at the same time excitement for her new role in society:

My house was like Grand Central Station with papers all over the place, and there were air readings, phone calls, and people coming and going. [...] The house was dirty. [...] Before Love Canal, my house was immaculate. There wasn't anything out of place. Before Love Canal, not many people came to our house, other than family and few friends. Now I had residents, neighbors, politicians, and various important people. And I couldn't keep the floor clean. All those VIPs and my house looked like hell!<sup>39</sup>

### **The Crisis of August 3, 1978**

On August 3, Commissioner of Health Whalen and Thomas Frey, State director of operations on behalf of Governor Hugh L. Carey, were waiting for nearly 500 people at the 99<sup>th</sup> Street School auditorium. The meeting also received broad press coverage. The atmosphere was loaded with tension. People demanded to know about the health surveys. They expressed their concerns, their anguish for their loved ones and themselves. Simultaneously, Thomas Frey announced that the State was only going to temporarily move the people addressed in the August 2 order (namely the most subjected to toxic effects) and added that the State might help pay apartment rent for temporary relocation<sup>40</sup>. Furthermore, he stated that engineers were developing the already proposed short-term clean-up plans.

That very situation reinforced the negative images of public officials in her mind. "Where do you get off judging everybody's future, telling people what they can and cannot do. You're not God. [...] This is the way it's going to be. Too bad about your two-and-half-year-old. Too bad about your three-year-old"<sup>41</sup>. The lists residents were distributed and were publicized in the report entitled *Love Canal: Public Health Time Bomb*. The first list provides information about air-reading values in four Love Canal homes, while the second summarizes more than 2,800 blood samples analyses. They were both provided with the most toxic ten compounds identified in the basements and with some indication of their toxicity to living beings. The lists people were given were just "slips of paper listing level of six or seven chemicals found in their basements"<sup>42</sup>.

When the meeting was over, it seemed to Lois that residents had not received accurate information. She would soon see how important the mass-media coverage was to keep the residents' plight public or just to lobby public officials to make commitments in open meetings. Furthermore, she would learn early in her leadership how to achieve a prominent voice and maintain media attention by spreading

<sup>38</sup> *Ibidem*: 54.

<sup>39</sup> *Ibidem*: 55.

<sup>40</sup> Levine. 1982. *Love Canal: Science*: 36.

<sup>41</sup> Gibbs. (1982) 2011. *Love Canal*: 56-57.

<sup>42</sup> Newman. 2016. *Love Canal: A Toxic History*:155.

their cause to others. Thanks to her numerous speeches in front of the TV cameras, she became media savvy, showing some hidden talents she never thought she had.

Mass-media involvement would gradually develop both around and throughout the Love Canal story. Several local reporters, for instance, began to inquire, sympathizing with resident's plight. Not to mention the critical role that the local, national and international television news coverage played by broadcasting the drama, like the ABC-TV, CBS-TV and the Phil Donahue television talk show *inter alia*<sup>43</sup>.

In a few short months, Lois steadily turned into a formidable activist and implicitly gained stature as the group's leader, establishing herself as the official spokesperson. In the words of Gordon Levine:

She [Lois Gibbs] was rapidly learning that, consciously willing or not, she was going to be a leader, and she was learning what would be demanded of her in that new role. She also was learning that she could rise to the challenges. The phone calls all night long, that night and for hundreds of nights and days to come, not only told her what concerned the people [...] but also showed that they accepted her and turned to her as their leader<sup>44</sup>.

### **The Birth of the Love Canal Homeowners Association**

The desire to find out more about their health conditions, as well as to demand action from the government, led ordinary people to form an alliance assembling the Love Canal Homeowners Association (LCHA). The first meeting was held on August 4, at the Frontier Fire Hall on 102<sup>nd</sup> Street<sup>45</sup>. At the local fire hall there were almost all the residents, including people living far from Love Canal, several politicians and some NYDOH members<sup>46</sup>.

They passed out a yellow sheet of paper for people who wanted to join the Association and established the price of one dollar as a token membership fee per family. They raised money through "members' dues, donations, and speaking fees, and some through raffles, rummage sales, and cake bakes"<sup>47</sup>. After the vote, Lois Gibbs was elected president, and Thomas Heisner vice-president. Karen Schroeder was elected secretary and Debby Cerrillo treasurer<sup>48</sup>. Attorney Lippes was elected as the Association's lawyer under Lois' suggestion and took the case pro bono.

The Homeowners Association presented a "Wheel Structure", a leaderless structure where decisions are made only by consensus:

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<sup>43</sup> Levine. 1982 *Love Canal*:190.

<sup>44</sup> *Ibidem*: 36.

<sup>45</sup> Gibbs. (1982) 2011. *Love Canal*: 58.

<sup>46</sup> The boundaries of the area at stake were defined from 93<sup>rd</sup> and 103<sup>rd</sup> Streets and Buffalo Avenue to Bregholtz Creek. "These were natural boundaries that made sense for everyone." According to Levine, the large area encompassed 789 single rooms, 250 rental units for low-income people, some senior-citizen housing, a few commercial properties and in the centre Love Canal itself with the 99<sup>th</sup> Street School on top of it.

<sup>47</sup> *Ibidem*: 75.

<sup>48</sup> After vice-president Heisner's departure, Mrs. Cerrillo would be elected vice-president of the Association, becoming one of the most prominent Love Canal activists even after her evacuation in 1979.

When joining the organization, each member was provided with a specific task by the Executive Committee. The method LCHA used to get and keep other people involved was “to appoint block captains who served as “spokes” on the wheel. [...] Each block captain’s responsibilities included: contact by phone or by visit every two weeks; distribution of flyers and newsletter; [...] contact about events and fundraisers”<sup>49</sup>.

Basically, the LCHA comprised working and middle-class residents, especially women, who, according to Newman, “often viewed themselves as bearers of traditional community values, patriotism and respect for political officials”<sup>50</sup>. As Gordon Levine stresses, “the core group was chiefly women, who somehow managed to take care of their homes, shop, make meals, supervise their children, and still put in long hours working on association activities”<sup>51</sup>. Things became more concrete when that very evening 550 members pledged their support, ranging from residents to courageous activists. It was the beginning of a new grassroots Association which revolved around the thorny issues of social justice and the empowerment of common people, teaching them that together they might change their circumstances.

That day they clarified some common beliefs and established some goals set forth by the LCHA. As to their beliefs, they were the following:

- Belief 1: *We are the blameless victims of a disaster.* [...]
- Belief 2: *The problems we face are too large for us. We need help.*
- Belief 3: *We are good citizens. We deserve help from the government.*
- Belief 4: *The government can and should help us now.* [...]
- Belief 5: *We are being treated unfairly.* [...]
- Belief 6: *We must stick together to take care of ourselves.* [...]
- Belief 7: *Family and community help is not enough for our needs.*
- Belief 8: *No one but the government has enough resources for our pressing needs.*
- Belief 9: *We must work together to force the government to provide us what we are entitled to.* [...]
- Belief 10: *We are the only ones who can understand each other*<sup>52</sup>.

As time passed, rather than working at it, all the people involved began to *live* their occupation at the LCHA. The narrow goals were:

- Get all residents within the Love Canal area who wanted to be evacuated, and relocated, especially during the construction and repair of the canal;
- Do something about popping up property values;
- Get the canal fixed properly;
- Have air sampling and soil and water testing done throughout the whole area, so we could tell how far the contamination had spread<sup>53</sup>.

In her book, Blum writes that in a letter to the editor of the *Buffalo Courier-Express*, Lois Gibbs emphasized that amongst the LCHA prime motivators she

<sup>49</sup> Gibbs. 1995. *Dying from Dioxin*: 175.

<sup>50</sup> Newman. 2016. *Love Canal: A Toxic History from Colonial Times to the Present*. New York: Oxford University Press: 129.

<sup>51</sup> Levine. 1982. *Love Canal: Science, Politics*: 187.

<sup>52</sup> Levine. 1982. *Love Canal*: 176-177; 184.

<sup>53</sup> Gibbs. (1982) 2011. *Love Canal*: 59-60.

consciously centred her activism, choosing to put “the health and safety of children” first, to capture mass-media attention<sup>54</sup>. This maternal tactic was crucial, as it helped consolidate her successful role as leader and to unify the female presence behind her leadership.

At the beginning of their commitment, Homeowners Association’s volunteers used to hold informal democratic meetings at one member’s home at a time. Lois Gibbs stresses the importance of these encounters: “a good house meeting should last about ninety minutes and have a three-part agenda, with each part taking half an hour. “What is the problem we are facing” in the first part. “What can we do about this problem” in the second. In the third-half hour, you figure out what exactly needs to be done before the next meeting”<sup>55</sup>.

One of those strategy meetings was the occasion for Lois to meet with Dr. Beverly Paigen, a cancer researcher, biologist and geneticist at Roswell Park. At that time, Dr. Paigen was there because of professional interests that had brought her to Love Canal. The area interested her particularly because it was seen as a possible research site for studying the presence of mutagenics in aquatic sediments possibly relating their exposure to human beings’ genetic variations<sup>56</sup>. Although she did not know her very well, Lois remembers liking her from the start. “She [Beverly Paigen] is a soft-spoken person, someone you felt you can trust. She was easygoing but not weak [...]. She offered advice about taking vitamins to counteract some of the effects of the chemicals, especially the carcinogenic ones”<sup>57</sup>.

Once home that night, she thought about her duties as mother and wife. Not only was she deeply into the situation, but she was also neglecting her family spending much of her time “on the street” and not at home. As a socially committed leader, she began to face some typical family related problems: “it seemed like weeks or months since I had seen my kids. My husband was getting upset with me. I was never home; I was always somewhere else. Dinner was never on time. [...]. I still couldn’t believe it was all happening”<sup>58</sup>.

### **U.S. President Jimmy Carter Declares the First State of Emergency at Love Canal**

The following morning, on August 5, at the behest of the Carter Administration, Congressman LaFalce urged the Federal Disaster Assistance Administration (FDAA), William Wilcox, the New York State Department of Transportation (NYDOT) and Joe McDougall, a Niagara Falls City Water Department engineer, to inspect the chemically-contaminated area and determine if it qualified for FDAA aid. That day was LCHA’s occasion to take full advantage of the press keenly in-

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<sup>54</sup> Blum. 2008. *Love Canal Revisited*: 36.

<sup>55</sup> Gibbs. 1995. *Dying from Dioxin*: 169.

<sup>56</sup> Levine. 1982. *Love Canal*: 91.

<sup>57</sup> Gibbs. (1982) 2011. *Love Canal*: 60.

<sup>58</sup> *Ibidem*: 61.

terested in the situation. Despite her narrow vocabulary and limited education, Lois' abilities to keep the media attention would grow extraordinarily.

LCHA members offered to take Wilcox on a toxic tour of the canal making sure that he visited all the chemical leachate-saturated places and that photographers captured every single image of the neighbourhood. They wanted to make them hear what they demanded: they wished themselves and their children out of the area. In Lois' words:

The Vorhees' basement had a raunchy smell that took your breath away. [...]. Then we cut across the canal to get to Debbie's house. Debbie and I made him a little paranoid, I think, because we told him to watch where he stepped. "Barrels are erupting. There are holes all over the place. Be careful you don't step in any goop." We showed him some of the holes. He got a sinus headache from the walk across the canal. He said he felt it immediately. As we went across the canal, we found one of those black holes that is so deep that you can't get a stick to the bottom of it. You pull the stick out and see black gunk its entire length. We showed him the barrel that was coming to the surface right near Debbie Cerrillo's swimming pool and the hole with black gunk in her yard. Pete Bulka lived next door to Debbie. Pete had been complaining to the City of Niagara Falls for a long time, but nothing was ever done. Pete explained how his sump pump had to be replaced every few months because it corroded<sup>59</sup>.

When Wilcox left the residents, he was quoted by the *Buffalo Courier-Express*: "My personal impression is that this is a very troublesome site from the public health standpoint" and particularly concerned he also predicted that: "I feel confident that some federal aid will be made available"<sup>60</sup>. The crucial point is that a nasty situation like Love Canal had not been taken into account in the Disaster Relief Act Amendment provisions of 1974, thus there were no guidelines to help deal with the problem. This "invisible disaster" would simply be put under the category of "other catastrophes"<sup>61</sup>. Levine reports a simple syllogism of disaster founding, namely the Love Canal reality:

Most disaster legislation covers natural disaster, or "acts of God";  
The Love Canal situation is man-made, not an act of God;  
Therefore, the Love Canal situation does not fit under most disaster legislation; therefore, it cannot be considered a disaster, and perhaps not even an emergency.  
The implication for action are three: change the rules; reinterpret existing rules so that man-made disasters are included (under a category of "other", for example); or reinterpret the current situation so that it fits the rules as they exist<sup>62</sup>.

Towards the end, the meeting urged Congressman John LaFalce to address the community and several weekly magazine journalists, to communicate that President Jimmy Carter had declared the existence of a national health emergency. In addition, the President announced he was making an amendment to the Resource Conservation and Recovery Act (RCRA) of 1979 to mobilize financial resources for the citizens' well-being and recovery. Hence, he pledged \$4 million federal

<sup>59</sup> *Ibidem*: 62.

<sup>60</sup> Newman. 2016. *Love Canal: A Toxic History*: 126.

<sup>61</sup> Seale, Geoff. 1978. *Disaster Chief Sure of Love Canal Aid: Tour Convinces Official of Need; Carter report due*. BCE: 1. June 8. Quoted in Levine. 1982. *Love Canal*: 44.

<sup>62</sup> *Ibidem*: 62.

funds for remedies to clean up the entire area and to relocate residents.<sup>63</sup> With this financial aid, the area could even rely upon the FDAA aid to coordinate efforts, “save lives, protect property, public health and safety, or avert the threat of a disaster”<sup>64</sup>.

Following the declaration by President Carter, the Governor pledged that the State would definitely move, *if they wish to*, those families living on both sides of 97<sup>th</sup> and 99<sup>th</sup> Streets and buy the first and the second rings of homes (approximately 239 buildings) at a fair market value (second goal) that is to say the value of a home not located in a hazardous area. He then told people the New York State Office of Disaster Preparedness and the Niagara County Civil Defense<sup>65</sup>, would relocate them to temporary accommodation and evacuate the area before remedial works began. Moreover, the State would promise to pay for contaminated furnishings in the basements. For instance, the Red Cross had bought some mattresses for residents who had bedrooms in basements and feared they were poisoned, while Super Duper and Tops provided food baskets for people who were about to move<sup>66</sup>. Despite the announcement, the fear persisted and many residents living a few blocks away from the old canal dumpsite wanted to leave too.

In its first meeting, the LCHA assembly had declared, in fact, that the target area, namely the outer rings, was from 93<sup>th</sup> to 103<sup>rd</sup> Streets, from west to east, and from Colvin Boulevard to Buffalo Avenue, from north to south<sup>67</sup>. As reported by Gordon Levine, the people living in the outer rings knew that toxic chemicals were in areas located well beyond the originally described perimeter of the canal<sup>68</sup>. But the Governor said they were going to erect a temporary snow fence to restrict access and delimitate the safe area<sup>69</sup>.

Many people feared there would be no future for them and for their children's health. One man whose child had a birth defect was crying. He was told the State would pay for the buyout of other homes if they showed signs of contamination, but still he was worried. Lois thought: “It was strange to see a man crying. I had never seen a man cry before then. [...] It takes a lot to make a man cry. [...] The men in our neighborhood don't cry. They are he-men, the type of men who protect their families and will let nothing hurt them”<sup>70</sup>.

For some the living nightmare was over for the moment, but for another 700 residents the calamity still existed. The Love Canal crisis would become an obsession for those who were forced to stay. Although the State told them they were not in imminent danger, officials proved to be indifferent to meet the needs of the remaining residents whose illnesses seemed to increase markedly. Anyway, for the

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<sup>63</sup> *Ibidem*: 42; Newman. 2016. *Love Canal: A Toxic History*: 127.

<sup>64</sup> McNeil, Donald G. 1978. “Carter Approves Emergency Help for Love Canal”. *New York Times*, August 8. Quoted in Levine. 1982. *Love Canal*: 44.

<sup>65</sup> New York State Department of Health. 1978. *Love Canal: Public Health Time Bomb*: 21.

<sup>66</sup> Gibbs. (1982) 2011. *Love Canal*: 75-76.

<sup>67</sup> Levine. 1972. *Love Canal*: 196.

<sup>68</sup> *Ibidem*: 53.

<sup>69</sup> Gibbs. (1982) 2011. *Love Canal*: 108.

<sup>70</sup> *Ibidem*: 66-94.

LCHA it seemed the Governor wanted to work with them and not against them. Residents' representatives were also invited to weekly Task Force meetings, something that made them feel part of that big team.

### **Lois Gibbs Leaves for Washington D.C: A Simple Homemaker at the White House**

On August 9, 1978, LCHA president Lois Gibbs was invited by State officials to attend a high-level meeting at the White House. Still having faith in the government, she caught the flight full of hope and optimism. Later she would comment: "I learned how fast politicians can say one thing and then turn right around and do another"<sup>71</sup>.

The meeting was held in the Roosevelt Room. Commissioner Whalen, William Wilcox and Congressman John LaFalce were also present along with various federal agencies and organizations. A harangued Lois pointed out that the starting date for the drain construction was scheduled to begin on August 17 (it actually began on October 12, 1978), that is to say well before any families would be evacuated. She also complained to the safety officer that precautions were only addressed to construction workers, firemen, Red Cross staff and policemen<sup>72</sup>. Coming to the point, the LCHA members pressed for the development for a more satisfactory evacuation plan. They strongly believed that ring-two inhabitants should also be evacuating from their homes, before the construction processes could affect their health too. If toxic chemical fumes, fire or explosions were released or stirred up, their lives would be jeopardized. In any case, they deplored the reliability of the level of information they received, replying that new specific safety features would be recommended by August 10. The grassroots better began to develop the deep understanding that the common problems they shared had to be faced joining together and unifying their forces, precisely at the LCHA.

### **LCHA's First Achievements**

By August, state engineers and scientists were testing the permeability of the soil to trace the flow of leachate from the canal site. The evacuation of the 239 residents officially began. After investigating miscarriages and numbers of birth defects, the State of New York, urged by Dr. Vianna, concluded both rates were drastically increased. Given the results of LCHA health surveys, the residents still living at Love Canal also felt that these diseases and illnesses were higher than expected in the outer rings too. Looking at the snow fence they felt they were in prison. If they were obliged to stay there they wanted an immediate reduction of their property taxes at least.

The State's great awakening came with the one important promise that it kept. That is to say, hiring a scientist, or a consultant of their choice, for the residents

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<sup>71</sup> Levine. 1982. *Love Canal*: 61.

<sup>72</sup> New York State Department of Health. 1978. *Love Canal: Public Health Time Bomb*: 21

whose salary was paid by the State. The consultant was Stephen Lester, a toxicologist-chemist. He helped LCHA to prepare a neighbourhood health registry known as the *Love Canal Chronological Report, April 1978 to January 1980* which provides “a glossary of chemicals definitions that allowed residents, reporters and others to understand the potential connection between human health and environmental hazards”<sup>73</sup>.

The construction work had already begun and buses were available to evacuate people in case those disturbing drums led to an explosion or release of fumes.

One day, enhancing the growing negligence of a State who respected neither honest taxpayers, nor the properties they lived in, Lois recalls a man came into the LCHA office while she was watching the news on TV which particularly shocked her.

He lived on 97<sup>th</sup> Street. The state was going to move him. The man stood there weeping. [...] He was watching the early news, showing the start of construction. As he was watching it, a bulldozer knocked down his own garage, just pushed it down. All his tools were there, as well as other things he had saved for years to buy. They tossed his pool filter to one side and bowled over his pool. [...] No one had told him it was going to happen<sup>74</sup>.

Nineteen more families were waiting for the Governor’s decision about taking care of them in case their health was affected during the construction. Three more of these families with poor health records and deep contamination were temporarily relocated in a downtown hotel as the digging might aggravate their conditions. After receiving the dubbed “diagnosis due to address” letter, the 19 families that were supposedly reevaluated felt betrayed by the State.

Gibbs was convinced that the NYDOH was to be blamed. On October 4, a street representative from north of Colvin Boulevard (located in the outer-ring zone), arrived at LCHA office to talk to Lois privately. He told her that his neighbour’s seven-year-old boy had just died, and that his death was related to Love Canal<sup>75</sup>. The young child who died of kidney failure was the son of Luella Kenny, a medical research assistant, and Norman, a chemist. The NYDOH carried out an autopsy at Dr. Paigen’s request. The results witnessed the fatality was due to nephrosis (various forms of kidney diseases). As nephrosis could be triggered by toxicants, suspicions arose that the boy’s death was related to the presence of chlorinated compounds that in some way had been spilled into the creek where the boy used to play all the time<sup>76</sup>.

After that episode, the State of New York seemed to be more cooperative in accommodating the outer-ring families’ demands, which wanted the same long-term support obtained by for the inner rings. They were also promised a control-group study, which unfortunately would be never carried out. At least, health surveys began and were addressed to the whole neighbourhood.

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<sup>73</sup> Newman. 2016. *Love Canal: A Toxic History*: 156. *The Love Canal Chronological Report*: at [http://library.buffalo.edu/specialcollections/lovecanal/documents/pdfs/lcha\\_chron.pdf](http://library.buffalo.edu/specialcollections/lovecanal/documents/pdfs/lcha_chron.pdf).

<sup>74</sup> Gibbs. (1982) 2011. *Love Canal*: 94.

<sup>75</sup> *Ibidem*: 93.

<sup>76</sup> Brown. 1981. *Laying Waste*: 46.

### Discovery of the Swale Theory

However, roughly nine weeks had passed between governmental decisions of early August and the beginning of the remedial construction work in October 1978. At the end of September, things began to move in the right direction. Dr. Vianna hired a team to collect data in the neighbourhood living east of the canal. In Gibbs's opinion, he really wanted to help Love Canalers. Moreover, he was looking out for people and not just doing mere scientific studies.

He therefore asked for the Homeowners Association's help in the NYDOH surveys. The LCHA made flyers directly asking families to report all their illnesses and to obtain physicians' records to be immediately sent to the NYDOH, in Albany. The Homeowners Association was asked to cooperate on the State's side<sup>77</sup>.

The LCHA study found greatly increased rates of: central nervous and urinary-system disorders including hyperactivity, migraines, epilepsy, but there were also indications of higher rates of birth defects, stillbirths and miscarriages. All the listed illnesses were plotted on the corresponding Love Canal maps with dots. Lois suddenly recalled that the diseases were clustered in certain areas of the neighbourhood.

Having heard about those interviews, some of the other old-time residents came to the Association headquarters and talked about old huge swales: underground streambeds that ran just behind their houses. Before the area was developed, those natural drainage ditches were covered and filled with both earth and dirt. Motivated by curiosity, Gordon Levine visited the area during the summer of 1978 making an excellent case study. She had been able to provide useful sociological insights to LCHA.<sup>78</sup> According to the sociologist, who soon became a good friend of Lois, swales are "natural drainage ways that can provide preferential routes for the movement of liquids underground"<sup>79</sup>, thus including chemical leachates conducting them well beyond the old dump. Even if there was no evidence of these wet areas, the swales apparently provided an easy pathway for toxic chemicals to migrate out of the previous covered surface. The presence of those streambeds seemed to prove they effectively could.

Then LCHA coworkers provided a city map drawing the swales relocation on it. Looking at the map, Gibbs suddenly realized that the clusters might be connected to those wet areas. Following the path of those underground water courses Lois observed that: "the birth defects were made a perfectly straight line parallel to Frontier Avenue. The birth defects were in houses that stood back to back. It looked as though every house on a corner or near one had a child with a birth defect. Houses on the north end of the canal had respiratory problems. [...] All the illnesses were there"<sup>80</sup>.

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<sup>77</sup> Gibbs. (1982) 2011. *Love Canal*: 88.

<sup>78</sup> Levine. nd. *Love Canal: Ethical and Methodological Problems on Field Work* <http://www.ijmed.org/articles/63/download/>

<sup>79</sup> Eadem. 1982. *Love Canal*: 89.

<sup>80</sup> Gibbs. (1982) 2011. *Love Canal*: 89.

The following morning Lois photocopied the map with her discovery and met with Dr. Vianna. She explained him that she had come to the conclusion there might be a connection between health problems, the swampy areas and the location of the old swales. For instance, she pointed out that the respiratory problems were to the north side “because of the way the wind blows. [...] it must pick contamination from the surface of the canal, and the central and northern portions get it”. He looked at the map curiously and told her that if she could verify where the swales were, he would put it into his laptop along with the medical data.

Gibbs felt somewhat encouraged. She showed the map to the reporter Michael Brown who published it in the *Niagara Falls Gazette* on October 4, 1978, and encouraged residents to call the office and report the location of wet places.

### **The LCHA Conducts its First Medical Survey**

Beginning to doubt the competence of the State agencies and losing any remaining faith in the NYDOH, Lois sought outside experts through her brother-in-law. The 19 outer-ring families were still requesting relocation, which was soon denied by the New York State. Nevertheless, a few of them had serious health problems, like cancer, and were terrified chemicals would spread their illnesses. For those families, leaving the neighbourhood would be the very last chance they had. People did not know what to do and there was no effective remedy.

She asked the support of Dr. Paigen and the newly-hired toxicologist expert in environmental studies, Stephen Lester. Guided by Paigen, Lois, and other LCHA volunteers, gathered information about 594 children and adults living at the south side of Colvin Boulevard and about 546 people from an area located north of Love Canal area. Given the limited scientific resources and knowledge, Lois could only use the telephone for that research project. Each respondent was asked general questions. Only a few residents refused to cooperate; moreover, the data may have underestimated the true incidences of the total health damages, because the already evacuated 239 inner-ring families (probably the most exposed families) were not included in the study. More than 75 percent of the homers cooperated in the survey<sup>81</sup>.

When they completed the health survey they had enough scientifically acceptable data to permit a careful analysis. At that point, the Swale Theory was formulated. The materials collected showed there was evident relationship between health issues and the patterns of underground waterways. These findings were awkward for the NYDOH because they suggested that there was a migration route for chemicals. A completely different assumption according to NYDOH experts who asserted that chemicals were moving equally through the soil<sup>82</sup>. Although the studies were not closely investigated, her intention was to inform them about the low rates health problems in dry locations. Comparing them to the high rates of miscarriages, central nervous system problems, kidney and bladder disorders which all clustered

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<sup>81</sup> Paigen, Beverly. 1979. *Health Hazards at Love Canal*. March, 21. Testimony presented to the House Subcommittee on Oversight and Investigation. Quoted in Levine. 1982. *Love Canal*: 92.

<sup>82</sup> *Ibidem*:118.

along the wet areas. The next day, Dr. Vianna along with other Health Department officials, publicly criticized the data belittling Paigen's scientific qualifications.

The analyses also revealed high traces of dioxin; at least some 15 young boys had signs of toxic hepatitis, liver problems or abnormal liver enzymes and bone disease, which is usually found in older people. Even though the NYDOH was aware of those discouraging results, they preferred not to speak directly with the parents of the children about the further examinations they had planned. They explained everything to the Niagara County Medical Society, instead, which then urged family pediatricians to get the children retested. Unfortunately, whether they discovered something or not, people would never know, because local doctors get their license from the State. Therefore, given its power they did not want to risk any conflict with the NYDOH.

### **Fighting Back: the LCHA Organizes a Picket Action**

The residents decided to hold a public protest, mounting a peaceful picketing action to halt the construction work. The LCHA wanted to emphasize the point that a simple eight-foot green chain-link security fence erected around the first two purchased houses, could not stop the chemicals from migrating into their streets.

On December 8, 1978, a crowd of disgruntled and embittered people decided to campaign against the New York State starting their civil disobedience. All they were demanding for was for more relocations. Armed with "baby strollers stocked only with dolls"<sup>83</sup> as a media tool, they marched around them every day, from 5.30 to 9.00 a.m. The picketers also carried slogans about dioxin, forcing the State to stop the trenching<sup>84</sup>. Several newspapers and reporters were there so that tactic garnered significant publicity and reached wider audience. Policemen were also present. The LCHA demonstration aimed to inform workers about the presence of dioxin on the site possibly endangering their health and the risk of taking it home to their families. Despite this, the workers did not care. Picketing and rallies continued for six weeks at which some residents were arrested for blocking remediation vehicles, impeding the government's proceedings<sup>85</sup>. During the second day of public demonstrations, Lois Gibbs herself was also taken to jail for stopping a school bus while pushing a baby carriage to symbolize birth defects<sup>86</sup>. Eventually, she was released the day after together with other 17 protesters.

With their consultants' support, the LCHA members conducted another brief health survey, this time, on inner-ring residents. Six months had gone by since the 239 families had been relocated and they wanted to know how they felt since the relocation. They contacted about 101 families asking them if their health had been improved after they moved from the area. And it had, indeed.

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<sup>83</sup> Blum. 2008. *Love Canal Revisited*: 99-100.

<sup>84</sup> Levine. 1982. *Love Canal*: 97.

<sup>85</sup> Newman. 2016. *Love Canal: A Toxic History*:144.

<sup>86</sup> Brown. 1981. *Laying Waste*: 56.

### The Blue-Ribbon Panel Meeting

During the first week of February, the Paigen–Homeowners Association study was released to the press. Surprisingly, the response from the NYDOH came when Dr. Axelrod called a public meeting with all the residents for February 8, 1979.

Dr. Axelrod finally confirmed the accuracy of the information provided by the LCHA, by placing great reliance on the Swale Theory. After checking the wet area theory with the results they had, he stated that “fetal wastage”, fetal malformation and babies with low birth weights were more than double among the residents living near wet areas. The high reproductive problems pressed Axelrod to recommend to the Governor a second evacuation order. He issued his newest policy merely repeating the decision of the previous August 2, 1978. Pregnant women and families with infants under the age of two (roughly 49 families of more 700 remaining in the community), living between 97<sup>th</sup> and 103<sup>rd</sup> Streets, were offered relocation, *if they wished to* until their neighbourhood was declared safe<sup>87</sup>. Certainly, the decision was a step in the right direction, but it was still not enough. The recommended evacuation threatened to divide already aggrieved families; those people ineligible for relocation, namely husbands, brother and sons, had to pay the relocation at their own expenses if they wanted to follow their families.

Lois continued to insist that all residents living between 93<sup>rd</sup> and 103<sup>rd</sup> Streets should be out of the contaminated area. It seemed as if everything was planned in advance. They wanted the State to pay for mass relocation, but it seemed not to be willing to purchase their houses too. The matter was that simple working-class people had few resources to just pick up and abandon their houses. Their entire life savings spent for their homes were at risk, and living on \$150 a week take-home pay with sick children meant more money for medical care and less for house payments, taxes and other debts.

The conflict of interest between the New York State and the NYDOH was evident. There was neither the federal commitment nor the desire to relocate everyone, because those kinds of outcomes would have cost them much money. The residents want to permanently leave the area. Moreover, the State was not practicing birth control and some women did not even know they were pregnant until it was too late for the unborn child. Not to mention the sense of distance and insensitivity of the NYDOH personnel. The Health Commissioner simply reiterated one of his recommendation to a woman who wished to become pregnant:

We have reviewed the request of the Homeowners Association to relocate women contemplating pregnancy prior to their conception, and can find no fair [...] for distinguishing between those contemplating pregnancy and other women in the canal area<sup>88</sup>.

Now women were duly warned about the risks involved in conceiving while living in the Love Canal area. It was all their responsibility not the government's. Although it was the Health Department's field, sometimes “uneducated housewives” might prove to be crucial for the community especially when strongly committed. They were understanding the importance of collective actions, which could be cru-

<sup>87</sup> Newman. 2016. *Love Canal: A Toxic History*: 160.

<sup>88</sup> Axelrod, David. *Letter to Gerald P. Murphy*. Quoted in Levine. 1982. *Love Canal*: 108-109.

cial and lead to political change. They decided to measure the birth defect index in children living in wet areas and born between 1974 and 1978. The study found that nine of the 16 children tested, 56 percent had malformations and were born with a birth defect including mental retardation, three ears, clubfeet and a double row of teeth. The troubles the babies had were the direct consequence of the remedial work construction. The LCHA also examined all the pregnancies that occurred among Love Canal women during the construction period, from January 1979 to February 1980. The survey conducted by Gibbs, assisted by Paigen, showed some of the most compelling data: out of 22 pregnancies only four healthy babies were born. The rest of the pregnancies ended in spontaneous abortions or stillbirths. In that one-year interval, miscarriages or crib deaths increased 300 percent. Deepening the study, the LCHA found that condition related to Love Canal were leading residents to nervous collapse, not to mention an upsurge of suicide attempts among men who felt they had failed to preserve their nuclear families' health.

According to Gibbs, the aim of the study was to push the Federal Department of Health to provide answers, as well as to force the State to use its trained professionals to verify the homeowners' findings. The only thing the NYDOH did was to deny the validity of the Homeowners Association claims, hence Lois voiced complaints publicly. With tables and statistical analysis in hand, Dr. Paigen moved the issue forward releasing a press statement. She said that in her opinion the entire area constituted a threat to health, and that NYDOH and LCHA findings were enough to justify the immediate removal of at least 140 and up to 500 families from the wet areas and at the State's expense<sup>89</sup>.

By the end of August 1979, the long-awaited construction work had begun at the north end of the canal. Upon the first anniversary of the Love Canal evacuation, the concerned LCHA members who were still living near the abandoned streets, began to show signs of illnesses. Their sickness was caused by the remedial trenching work, which inadvertently continued to release caustic fumes and chemical dust into the air especially during warmer days. Lois poignantly recalled that all residents were growing more irritated at the State's refusal to evacuate them despite clear evidence of their sickness. Because of the heat of the summer they could barely breathe. The distinctive odor of C-56 was hanging all around the outlying areas.

The air was humid hot and stagnant. And it reeked of chemicals. [...]. The fumes were thick. They made your eyes water, or you coughed. Someone described it as similar to trying to breath underwater<sup>90</sup>.

The situation was unsustainable, the entire neighbourhood kept on trying to stop the remedial construction, until the on-site State Task Force coordinator heeded their pleas, housing a few families at Niagara University. Those who were feeling ill from fumes, or from other causes related to construction, were given the possibility to leave the area for 48 hours, only after showing family doctors' slips proving that their well-being would be jeopardized coming back home. Not surprising-

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<sup>89</sup> Levine. 1982. *Love Canal*:126.

<sup>90</sup> Gibbs. (1982) 2011. *Love Canal*: 150; 152; 155.

ly, after a few days from that temporarily evacuation, people felt significantly better.

### **The USEPA Confirms the Presence of Dioxin: The “Motel People”**

On August 21, after Paigen’s slide presentation of the studies, Dr. Axelrod held a Task Force meeting together with the Mayor, the City Manager and other States Task Force representatives. Commissioner Hennessy opened the meeting declaring that additional soil samples taken at the southern end of the canal found the presence of dioxin in a chemical holding tank in concentrations of 176 parts per billion and of 5.3 part per billion in a soil sample<sup>91</sup>. That news meant that the chemicals had migrated towards the outer-ring homes.

That was the point of no return. One year had then passed and during that period the government breached fundamental rights of its nationals. There was no way to restore trust and confidence. Everything was chaotic: men, women and children too, had reached the point of psychological breakdown. Their hopes to be relocated after dioxin findings soon vanished. Before the meeting was closed, Dr. Axelrod refused further relocation. All they obtained was the closure of the 93<sup>rd</sup> Street School located five blocks from the northernmost part of the canal “because of radioactive slangs discovered on school grounds”<sup>92</sup>. By then, from late August through the first week of November, there were almost 125 nomadic families living in precarious situation, in temporary dwellings and waiting to know their fate.

New York State had no clue about how to cope with that situation, and on top of that, they continued to deny permanent relocation. Without a place to stay, a group of 270 hostile persons were housed for several days at the dormitories of Stella Niagara Education Center, a retirement home for nuns.<sup>93</sup> The help they received from the organized churches and from other people of faith was largely appreciated<sup>94</sup>. For instance, the Franciscan nun, Sister Margeen Hoffmann, Executive Director of the religious group known as the Ecumenical Task Force of the Niagara Frontier (ETF for short), took vigorous action in housing more than 300 residents during that Labor Day weekend at a parochial boarding school<sup>95</sup>. Unfortunately nothing came from that meeting: government agency was not willing to come to their rescue whatsoever. Nobody could do anything for her; Love Canal did not fit any category for which there was a policy. State officials seemed to minimize the problem. While Gibbs was in Washington, both her children got sicker. That episode made Lois understand their house was not a safe place for them, hence Harry, her husband, moved them into the Howard Johnson Motel on Pine Avenue to minimize exposure. For the first time, Lois felt a lack of interest for her home. Residents

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<sup>91</sup> Love Canal Homeowners Association. 1980. *Love Canal Chronological Report, April 1978 to January 1980*. s.l.: Love Canal Homeowners Association.

<sup>92</sup> Brown. 1981. *Laying Waste*: 57.

<sup>93</sup> Blum. 2008. *Love Canal Revisited*: 103; *Love Canal Chronological Report, April 1978 to January 1980*.

<sup>94</sup> Brown. 1981. *Laying Waste*: 57.

<sup>95</sup> Levine, *Love Canal*: 204.

were all becoming ill from fumes, their daily routines, their customary work and hobbies had been completely disrupted. To better draw good media coverage, Lois and her co-workers decided to call themselves the “Motel People”. That name was coined because of a certain kinship residents felt with the boat people escaping from Vietnam.<sup>96</sup> They wanted the world to know their drama.

According to Lois Gibbs, targeting the media is one of the twelve basic organizing principles if a community wants to form a coalition to stop any dioxin exposure by launching a media campaign. In her book, *Dying From Dioxin*, Gibbs lists all the necessary steps that are necessary for a successful “Stop Dioxin Exposure Campaign”:

- Talk and listen.
- Figure out who you should talk and listen to first.
- Create and distribute facts sheets.
- Recruit new members.
- Conduct meetings.
- Create an organizational structure.
- Set goals.
- Identify targets.
- Conduct research.
- Take direct action.
- Target the media.
- Use laws and science to support organizing<sup>97</sup>.

On October 4, Ken Sherman head of the New York Public Interest Research Group (NYPIRG for short) arranged a well-publicized Love Canal toxic trip for Tom Hayden and Jane Fonda, a movie star well-known for her support of environmental causes. That day, Lois went to Buffalo with Harry to join Fonda’s bus tour of the off-limits remediation area. She told her “about the plight of the people at Love Canal and some of their tragic stories.”<sup>98</sup> After that emotional visit, Jane Fonda expressed Paigen’s same opinion confirming that the entire subdivision should be evacuated<sup>99</sup>. The Homeowners Association’s pressure and stir to relocate the remained families intensified so much there followed the decision of a pilot cytogenetic study (the study of blood chromosome) conducted by some expert geneticists of the Health Research Division in January 1980. The written report arrived in Washington D.C. on May 15, 1980 and revealed that eleven individuals, among the 36 collected specimens, exhibited unusual chromosome aberrations and abnormalities possibly related to high chemical exposures<sup>100</sup>.

The following morning, May 16, *The New York Times* and the *Buffalo Courier-Express* carried front-page stories leaking the news about the study. Gordon Levine describes the day when USEPA officials arrived to inform the affected individuals

<sup>96</sup> Gibbs. (1982) 2011. *Love Canal*: 161.

<sup>97</sup> Gibbs. 1995. *Dying from Dioxin*: 159-160.

<sup>98</sup> Gibbs. (1982) 2011. *Love Canal*: 163; 164.

<sup>99</sup> Levine. 1982. *Love Canal*: 137.

<sup>100</sup> Levine. 1982. *Love Canal*: 139.

about the possible implications related to chromosome break (fetal damage, tumors, genetic damage and development of cancer among the others)<sup>101</sup>.

### **Taking Two USEPA Representatives Hostage**

By that time, nearly three days had passed after the group of 36 residents had been told the results of the chromosome test. On the morning of May 19, 1980, a small crowd gathered at the Homeowners Association headquarters waiting to hear the results of another examination which had been conducted by Dr. Stephen Barron, a neurologist from SUNY at Buffalo, some days before. The examination consisted of a pilot project to check eventually peripheral nerve damage on residents. As Levine illustrates, the nerve-conduction study showed that “a higher percentage of the 35 Love Canal subjects showed slowing in conduction of nerve impulses when compared with twenty people in a control group who did not live near Love Canal”<sup>102</sup>.

His findings were presented to residents to whom it was explained that further examination would be necessary “before anything could be *conclusively* determined about the meanings of that study.”<sup>103</sup> At that point frustration and anxiety stirred the waiting people. Furthermore, they were told that two USEPA representative, a doctor and a public relations man, had remained in Niagara Falls but they had not been present at the Association quarters for the whole morning.

In the afternoon, Lois was showed a newspaper headline that shocked her. The front-page story carried: *White House Blocked Canal Pullout*<sup>104</sup>. The situation was extremely chaotic, the White House had stalled their evacuations. As the news spread quickly, the crowd became angrier and angrier. Lois went out from her office and tried to talk with people. Women and men reacted, yelling at people in the streets, throwing gasoline on trees and tires. A woman poured gasoline on a lawn forming the letters E, P, A and set the grass on fire. The blazing letters surprised the crowd with cheers and applauses and attracted press attention, which was crucial for the Homeowners Association.

Gordon Levine was there when the health peril was made public, “I saw people moving out of their well-kept homes, met a pregnant woman convinced that she was carrying a monster, spoke to another woman afraid that her daughter would be unable to bear children [and] saw worried men and women lined up to get information [...]”<sup>105</sup> Lois knew about the two USEPA representatives who were in Niagara Falls, and she started calling every motel and hotel in the area to locate them. Her persistence was rewarded when she finally reached both Frank Nepal, the public-relations officer, and Dr. James Lucas, urging them to come to the LCHA office immediately and talk to the residents.

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<sup>101</sup> *Ibidem*:143-144.

<sup>102</sup> *Ibidem*: 147.

<sup>103</sup> *Ibidem*: 148. Italics added.

<sup>104</sup> MacClennan, Paul.1980. *EPA Recalls Two Officials Held by Crowd* (May, 29). Quoted in Levine, *Love Canal*:148.

<sup>105</sup> Newman. 2016. *Love Canal: A Toxic History*: 139-140.

They arrived at about 3:30 p.m. By that time almost 300 people were surrounding the Association headquarters. Several policemen tried to calm them down. When the two representatives walked into the Homeowners Association office, the only occasion for Lois to grab attention was breaking the law adopting a certain degree of violence. As a consequence, she told them that they were hostages of the “Love Canal People”. She informed the two men that the LCHA had decided to detain them to protect them from the crowd. Frustrated and angry with the government, the hectic crowd expressly wanted them until President Carter had promised the evacuation of those remained 700 families still trapped in the dump site area. Lois then decided to telephone the White House and put in a call to President Carter’s chief of staff, Jack Watson, who had been involved in the Love Canal story since 1978. When his secretary answered the phone, Gibbs calmly explained: “My name is Lois Gibbs, president of the LCHA, in Niagara Falls, New York. The Love Canal residents are holding two USEPA officials hostage. I would like to speak to Mr. Watson about this matter”<sup>106</sup>. The answer petrified her. She was told that she should let the USEPA officials go and that people who have cancer do not necessarily live at Love Canal<sup>107</sup>.

The USEPA representatives remained in the office until 9:30 p.m., they were fed homemade cookies and sandwiches and they were allowed to use the phone if they wished to. The crowd was close to riot and Lois felt the responsibility to protect the hostages from possible harm. After roughly five hours, despite Congressman LaFalce, Charles Warren from the USEPA regional office and Attorney Richard Lippes’ negotiations, the residents refused to release the two hostages. When the FBI was called, they gave Lois seven minutes to set the hostages free or they would rush the crowd. At that point she walked out on the porch and in front of the TV cameras she asserted: “Congressman LaFalce is meeting with the President for dinner. [...] Here is the message we should deliver to Washington. Here are your EPA people. What you have seen us do here today will be a Sesame Street picnic in comparison with what we will do if we do not get evacuated. We want an answer from Washington by noon Wednesday!”<sup>108</sup>. That hostage business was chosen as a good strategy for media attention but it could have cost Lois five years in prison. Nevertheless, the USEPA officials decided not to file any charges against any LCHA members. Instead, the risky maneuver received good press coverage and affected the relocation decision of Wednesday afternoon. In this regard, Gibbs commented: “We’ve gotten more attention [from the White House] in half a day than we’ve gotten in two years”<sup>109</sup>.

On May 20, 1980, the day after the hostage episode, the Niagara County legislators met. Their vote was whether to participate in the revitalization agency program to purchase the homes in the outer rings. According to Gibbs, “the agency had only \$10 million, about one third of the necessary money”<sup>110</sup>, hence if the legislators had

<sup>106</sup> Gibbs. (1982) 2011. *Love Canal*: 175.

<sup>107</sup> *Ibidem*: 176.

<sup>108</sup> *Ibidem*: 181.

<sup>109</sup> Levine. 1982. *Love Canal*: 149.

<sup>110</sup> Gibbs. (1982) 2011. *Love Canal*: 182.

not given their funds support, the agency would not be established. Lois was taken by surprise when the legislators voted 15 for participating and 16 against<sup>111</sup>. Apparently there seemed to be no answers to residents' queries and the situation led to a sense of anguish and disillusionment among them. The turnabout came the next day, at noon on Wednesday, May 21, when President Carter announced the eagerly-awaited decision, declaring that a special measure would be introduced to implement the promise of revitalization and to extend evacuation boundaries. Two years after the Carter administration's declaration of the existing health emergency, the rest of the Love Canal community was offered the option of moving away. They were given the possibility to move to any hotel, motel or apartment they wanted to until more permanent stabilizations could be found. Furthermore, all the costs would be paid by the Federal Disaster Assistance Administration (FDAA).

The leaders of the LCHA jumped with undisguised glee. They fought City Hall, they went up against state and federal agencies and commissions and finally they won. They "were laughing, crying, hugging each other, dancing around, and saying, "We won! We won! We're out!" in a moment caught by the cameras"<sup>112</sup>. Lois sensed that the final victory was near. She stated: "We knew that if they moved us temporarily, we would eventually be moved permanently. [...] We celebrated by taking the red carnations we had been wearing since taking the hostages and throwing them into the air, saying we were now free! Our babies would be safe from further exposure to Love Canal poisons"<sup>113</sup>. By 1982, after years of hearings, health tests chemical sampling and grassroots organizing, approximately 950 families were evacuated and their homes paid for at the cost of 24 million dollars.

On June 18, 1980, Lois Gibbs was invited to appear on the *Phil Donahue Show*: her "last media blitz" as Blum described it. In fact, that invitation was seen as a tool to exert some kind of pressure on government to go into action and relocate residents permanently. Another chance for Lois was in September when ABC's *Good Morning America* called her. The talk show aired on September 19 and was used by the LCHA to push the Carter administration to keep their word. Gibbs described "the health effects, the present hotel living arrangements, and how people were suffering. Some marriages had broken up, and children were becoming insecure". She openly accused "the EPA's Barbara Blum, the White House and the Carter Administration of washing their hands of the Love Canal"<sup>114</sup>.

On October 2, 1980, President Carter's response arrived when Lois Gibbs received a call from the White House: the Revitalization Committee had finally been established and President Carter was going to visit the Niagara Falls area. The purpose of the visit was to sign the agreement with which the State of New York would be offered a loan of additional \$15 million at 8.25 percent interest by the federal government to purchase the Love Canal homes in the outer rings and to fulfill the revitalization of the ten-block area<sup>115</sup>. With federal government support,

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<sup>111</sup> *Ibidem*: 183.

<sup>112</sup> *Ibidem*: 187.

<sup>113</sup> *Ibidem*.

<sup>114</sup> *Ibidem*: 192.

<sup>115</sup> Levine. 1982. *Love Canal*: 213.

New York officials began to take responsibility for the health and safety of its citizens. That was a crucial step forward with which Carter Administration was committing to ensuring the relocation; thus he wanted Lois to be present when he signed the authorization bill.

### **Is there a right to a healthy environment?**

Ecological emergencies raised awareness at the international level of the need to protect the environment for present and future generations. It was only in the 1990s that international environmental law developed, mainly through non-binding acts (Stockholm and Rio Declaration being two examples). In many ways, Lois Gibbs and other activists around the world paved the way for an action that had to be elaborated at the international level. Still nowadays, however, the issue of whether or not a right to a healthy environment exists is controversial. Outstanding authors have commented on the possibility of conceptualizing a right to a decent environment and locating it within the corpus of economic, social, and cultural rights. According to Boyle, “clarifying the existence of such a right would entail giving greater weight to the global public interest in protecting the environment and promoting sustainable development”<sup>116</sup>. This right is gradually consolidating at the international level and would be fundamental in overcoming the inherent limit of treaties whose focus is the transboundary element of pollution. As Love Canal has showed, States should be obliged to grant a safe environment to all their nationals and people residing in their territories.

### **Gender at Love Canal**

After Love Canal, women’s lives changed completely: “the women of Love Canal” affirmed Gibbs, “are no longer at home tending their homes and garden [...]. Women who at one time looked down at people picketing, being arrested and acting somewhat radical are now doing those very things. Now in many households dinner is not ready at 5 o’clock, laundry is not quite done, and the neighbor is taxiing the children around”<sup>117</sup>.

The main reason why men preferred to remain silent was that, working in the local industries, they were afraid of being directly involved in the tragedy against the companies that employed them; hence their reluctance to jeopardize their workplace. Women’s activism, instead, was pushed by the harmful presence of toxic chemicals that was threatening the very foundation of the traditional nuclear families. According to Newman, “most neighborhood women became activists in this first place precisely because they felt that their sphere of influence, the *home*, was under siege”<sup>118</sup>. However, we must not minimize men’s involvement in the

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<sup>116</sup> Boyle, Alan. 2012. “Human Rights and the Environment: Where Next?”, in *European Journal of International Law* (23): 642.

<sup>117</sup> Gibbs.1980. *Love Canal*, Conference on *Women and Life on Earth*. Quoted in Carolyn Merchant, *Earthcare, Women and the Environment*, New York: Routledge: 157.

<sup>118</sup> Newman. 2016. *Love Canal: A Toxic History*: 133.

situation. Strengthening the role of both, Blum maintains that “the threat at Love Canal centred on children because the women consciously chose to emphasize that concern [eschewing others]. Men played a public role as well, involving their local unions and expressing concerns over family economics”<sup>119</sup>.

Prompted by the desire to protect their children’s future, women chose to play the leading role, also revealing the link between the health of women’s bodies and the perishing nature. It was the surrounding nature, in fact, which firstly raised the alarm over the presence of hazardous substances. All the evergreens and shrubberies were turning yellow or dying during summers, tree leaves were falling off, the undisturbed vegetation, as well, was almost dead. The harmful effects on nature had strong repercussions on women’s health too. To some extent, it was thanks to nature strange behavior that initially prompted them to take action.

Ecological impacts and consequences are experienced through human bodies, in ill health, early death, congenital damage and impeded childhood development. Women disproportionately bear the consequences of those impacts within their own bodies (dioxin residues in breast milk, failed pregnancies) and in their work as nurturers and carers. Some ecofeminists have gone further and argued that women have a greater appreciation of humanity’s relationship to the natural world, its embeddedness and embodiedness, through their own embodiment as female<sup>120</sup>.

The working-class men at Love Canal rejected the goals clearly set by the female-dominated Homeowners Association and chose to remain stuck to economic language. Over the course of the crisis and in reaction to the dramatic changes, many of them were frustrated because of the women’s absence from the family, and tried to restore the traditional gender roles. Furthermore, they vividly pressed for a return to normalcy, only because they did not accept their wives’ involvement in social matters outside the household. In addition, fulfilling their role as providers, men stressed the dominance of issues involving economics and finances<sup>121</sup>. Indeed, the rooted gender stereotypes among the couples were difficult to overcome. The capitalistic society devaluated and severely denigrated women’s proper work whose primary task, before they became active, was enclosed in their homes. This exclusionist argument could be exemplified by one Love Canaler, who referring to his wife recalled that “her worth in this world was to be a good wife and a good mother”<sup>122</sup>. Although Charles Bryan, head of the LCHA Action Committee, initially backed Gibbs’s reaction to the crisis, he ended up referring to her as a “little skinny girl” who “can’t handle it.” Highlighting the fact she should have stayed in her place because her engagement was “the kind of thing for a man to do”<sup>123</sup>.

Along with the Schroeders, Thomas Heisner, an inner-ring resident, gave substance to this sexist concept about the differing issues between the sexes, organizing the 97<sup>th</sup> Street Tax-and-Mortgage-Action Group joined by 200 other residents. It was a male-dominated resident group, whose rhetoric exemplified extreme fi-

<sup>119</sup> Blum. 2008. *Love Canal Revisited*: 31.

<sup>120</sup> Mellor, Mary. 1997. *Feminism & Ecology*. Cambridge: Polity Press: 2.

<sup>121</sup> Blum. 2008. *Love Canal Revisited*: 33.

<sup>122</sup> *Ibidem*: 51, Norman Cerrillo, transcript of telephone interview by author, 7 June 200.

<sup>123</sup> *Ibidem*: 59, transcript of telephone interview by author, 7 June 2001.

nancial concerns above health ones. Without mentioning the male-dominated Love Canal Inter-Agency Task Force. This group was the one which continued to move in the opposite direction to the health- and child-centred maternal language of the Homeowners Association.

In the summer of 1978, after the local mass-media first involvement and throughout the first phase of Love Canal, this authoritarian male rationale dominated to the point that they vowed a tax strike on the evening of August 2. Blum reports that Heisner totally disagreed with Health Commissioner's recommendation, that children under the age of two could leave the area. "I don't see the day when they'll move my kids out and not me"<sup>124</sup>, he confessed to a reporter. In Blum's opinion, "Heisner's reaction indicated a stubborn determination to keep his family together and under his control, regardless of the health consequences, a direct contrast to many women's primary concern about their children health"<sup>125</sup>. After the birth of the LCHA, in 1978, Mr. Heisner was elected vice-president thanks to the stress placed on the need for community support and unity to guarantee a sense of entitlement to help for the total evacuation of the area. Nevertheless, it was all a matter of priority for him and he soon moved health motivations into the background. Selfishly, he merely focused on his own situation, concentrating on those who lived closest to the canal excluding the others, up to the point that at the end of 1978, when the State purchased his property, he did not just leave the house but he physically removed it, then he completely disappeared from Love Canal<sup>126</sup>.

Some women in the neighbourhood placed economic justifications, such as tax values, mortgages payments and insurance payments, on the same level as men did. On the contrary, some men pursued the same women's health concerns in front of babies' deformation, demonstrating they were not solely interested in economic motivations. In particular, small independent businesswomen and single working mothers put forward "male" economic considerations to justify their activism. For instance, the Greek immigrant, Maria Gogos, owner of a well-known restaurant at the south end of the canal, was especially worried about her family's economic future as her business was losing money. Because of the proximity to Love Canal, banks refused to grant loans for the purchase of the establishment. Throughout her struggle and until September 1980, she constantly fought to press the New York State Department of Transportation for the inclusion of commercial properties in the relocation program.

Despite general fear of reprisal, the male component was offered some alternatives to its activism. To gain results, they demonstrated their advocacy primarily by means of local trade unionism, which sparked in the Niagara Falls area especially during those years. Labor Union involvement was largely extended to male participation but it also encompassed health and economics linked to the workplace realm. Moreover, most of them played a major role at Love Canal. Many of the male residents in the neighbourhood were members of such unions and, by telling

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<sup>124</sup> Brydges, Jerauld. 1978. "Canal Residents Vow a Tax Strike", *Niagara Falls Gazette*. August 3. Quoted in *Ibidem*: 34.

<sup>125</sup> Blum. 2008. *Love Canal Revisited*: 34-35.

<sup>126</sup> *Ibidem*: p. 36.

their stories, they inspired interest amongst their leaders. Having a strong presence in environmental issues going from chemical exposure to various toxic compounds, they showed high solidarity by doing health studies within the workers, as well as pledging to assist them financially also participating in LCHA planned marches.

We must not forget that among the LCHA members there were many men as well. Unfortunately, their engagement was seen as a lack of masculinity; it had several repercussions for they have been fiercely denigrated up to the point they were called “Mr. Lois Gibbs”<sup>127</sup>. The myth of the wife staying at home, caring for children and the man providing for his family making money, soon shattered. Now those “good little housewives” were gaining a new social position standing up for their basic human rights honoring citizenship, the right to justice and welfare for future generations.

Using Gibbs’s words, “our community was made up of families in which the man went to work and the woman stayed home and cared for the home and the children. You rarely saw husbands doing the laundry or cooking”<sup>128</sup>. Because of the canal crisis, family roles were reversed: women spent much of their time doing the work at the Homeowners Association, while men stayed at home with children helping their wives with domestic tasks. According to some women, their activism in the movement pushed some of them to discover a new sort of independence also promoting a positive image of women living in sync with nature. Within the parameters of environmental organizations that drawn into the community drama, such as the Sierra Club or the Ecumenical Task Force, Love Canal women were given significant opportunities to improve their own lives establishing their own groups to resolve the environmental hazard.

Working closely with the Sierra Club, for instance, these women had the chance to read books, articles and essays about the topic of environmentalism. This is the case of Rachel Carson, the acclaimed author of *Silent Spring*. Her masterpiece has sowed the seeds of the modern ecology movement. Especially the opening chapter *A Fable for Tomorrow*, had profound effects on many members of the LCHA for which it was perceived as an environmental prophet, a bad omen, for Love Canal’s reality. In this chapter, she envisions an apparent non-existent town whose community and nature was mysteriously perishing because of chemical despoliation. Through the massive use of chemicals (especially pesticides) man did not take care of the Earth participating to Ecocide sealing its own fate. “No witchcraft, no enemy action had silenced the rebirth of new life in this stricken world. The people had done it themselves” she wrote<sup>129</sup>. With the unconscious overuse of toxic compounds, people were participated to a rapid transformation of their landscape.

Before the knowledge of the hazardous chemical contamination the bucolic community was compared to Eden, after the discovery of contamination the Eden, the scenic wonder of Niagara Falls turned into a chemical poisoned “garden.” Many LCHA members felt a strong connection between Love Canal tragedy and Rachel Carson’s *Silent Spring* explicitly, referring to her masterpiece as a “touch-

<sup>127</sup> Blum. 2008. *Love Canal Revisited*: 57-62.

<sup>128</sup> Gibbs. (1982) 2011. *Love Canal*: 198.

<sup>129</sup> Carson, Rachel. 2002. *Silent Spring*. Boston-New York: Mariner Books: 3.

stone of their own activism”<sup>130</sup>. All the misfortunes imagined and described by Carson’s Eden have been experienced at Love Canal: men and technology re-shaped nature for their interests now nature is a passive and silent character, humans are no longer able to listened to her languages thus they exploit it.

Although the movement established the achievement of public voice and equal political values as its cornerstones, the women of the organization did not consider themselves feminists and did not define their cause as feminist. According to Merchant, women at Love Canal consistently believed feminism was a radical label that could undermine their long-term goal<sup>131</sup>. Moreover, they felt that the feminist movements of the 1970s did not represent their activism. This vocal rejection of feminism is the main reason why they “borrowed certain elements of feminism while deliberately abandoning the parts they found objectionable”<sup>132</sup>. To them, feminism “either had negative connotations of being “antifamily” or was irrelevant to their lives because they were wives and mothers”<sup>133</sup>. As “Suzy Homemakers” they were not involved in the women’s movement since it did not regard their primary tasks. In contrast, we must notice that, when she assembled the Love Canal Homeowners Association Mrs. Gibbs was “very turned off” by the attitudes of some young feminists who consider her “pond scum” because she was “just a housewife.”<sup>134</sup> In her opinion feminists “failed to recognize that being a homemaker was “a profession in and of itself,” requiring hard work and expertise.” The very attitude imposed by the capitalistic society that “anytime a woman has a relationship with a man, she’s somehow subordinated to him [...]” was proudly denied by the women. Lois never thought herself as a feminist; her sense of entitlement, instead, emerged reinforcing the value of women’s roles as family mothers<sup>135</sup>.

Needless to say, the Association served to reshape women’s self-consciousness, also presenting them as spiritual guides for their community.

As a result of their strong commitment, most women wanted to remain activists. This is the reason why some marriages at Love Canal ended in divorce after relocation (including Gibbs’ marriage). The working-class culture wanted women to stay at home, taking care of their children, while men played the role of the keepers and protectors. When this strong pattern changed, men at Love Canal found difficult to adjust to women’s public role. After Lois’ family was offered relocation in October 1980, Harry, her husband, wanted her to return home, which meant being a full-time homemaker within the confines of the family. But the entire world had chanced for her up to the point she continued to feel serious responsibilities to share all over the world all what she had learned through their community struggle.

What is also striking is the focus on pregnant women and their children. What about women – and men also – that became sterile as a consequence of the exposure to chemicals? Men were more concerned about their job than about their own

<sup>130</sup> Newman. 2016. *Love Canal: A Toxic History*: 168.

<sup>131</sup> Merchant, Carolyn. 1995. *Earthcare*: 9-10.

<sup>132</sup> Blum. 2008. *Love Canal Revisited*: 47.

<sup>133</sup> *Ibidem*: 48.

<sup>134</sup> *Ibidem*.

<sup>135</sup> *Ibidem*.

reproductive rights, since, in patriarchal societies, it is the woman that bears the duty to have children. That might also explain why men were reluctant to accept the pivotal change in their wives' lives.

### **Lois Gibbs after the battle**

When Lois Gibbs first organized, ecological activism was still in its early days, which is why between the 1930s and the 1950s environmentalist initiatives were not taken into serious consideration. Finally, after the Love Canal events, she continued to support grassroots organizations all around the world. Years ahead, Gibbs's activism of the 1970s would have implications for the paths of the environmental movements, the women's movements and the civil rights movements which were built in the United States during those years, also inspiring a generation of activists.

What happened at Love Canal was not an isolated story. The post-Love Canal neighbourhood became a toxic monument; it riveted national attention inspiring other communities to investigate on the problem of cancer-causing chemicals in their areas, emulating the LCHA. The National and Environmental Press Coverage of Love Canal made Lois Gibbs an environmental pioneer and a well-known name up to the point that more than 3,000 people wrote her letters asking how they could solve toxic waste problems in their environments.

This is the main reason why in 1981, she established a new centre for grassroots reformers, launching the so-called Citizen's Clearinghouse for Hazardous Waste (CCHW), better known as the Center for Health, Environment and Justice (CHEJ), of which she is the Executive Director. The main goal of what became the best grassroots organization in the USA is to provide direct assistance to those worldwide communities that face local environmental problems and issues related to toxic substances and in particular to dioxin exposures. The following year she published a newsletter, *Everyone's Backyard*, networking with other neighbourhood women who feared they lived in poisoned sites.

Communities at risk believed they were targeted by corporations to be sacrificed in the name of their profits. In 1984, the California Waste Management Board paid the Los Angeles consulting firm, Cerrell Associates, to define communities that won't resist siting of toxic wastes and outline criteria for "communities less likely to resist": rural, low income and black communities.

However, as early as 1982 the mainly Afroamerican residents in Warren County, North Carolina, managed to halt the trucks that were meant to unload toxic wastes and began to get themselves organised.

Nowadays, the CHEJ is still helping other grassroots groups fight toxic troubles in their community as well as educating the American people about the deleterious power of dioxin, providing the same education the Love Canal women did not have before the crisis<sup>136</sup>. Her efforts spawned the passage of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), approved by the United States Congress by the end of the 1980s. The passage of the law made

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<sup>136</sup> Gibbs. 1995. *Dying from Dioxin*: xiii-xx.

political bodies understand that if Love Canal has taught them something it is that they need a mechanism to address abandoned hazardous waste areas. Commonly known as the SuperFund Act, the CERCLA listed the nation's most hazardous waste sites, establishing a program of a 1.6 billion-dollar fund used to clean up toxic and contaminated landscapes throughout the United States<sup>137</sup>. Even after the enactment of the SuperFund law, several novice activists learned that grassroots environmental causes were still necessary.

After all, Love Canal's story continued for it could be "a part of everyone's backyard," as she will later assert. When a journalist one day referred to her people as the little people who finally won against the big fellows of the local government, Lois replied: "We are not little people. We are the big people who vote them in. We have the power, they don't!" Using her words: "The LCHA was an incredibly democratic civic organization that grabbed the attention of not just the White House, but the world. And [it] changed the public's perspective on a particular thing, meaning chemical exposure"<sup>138</sup>.

The initially quiet and intimidated Lois Gibbs, who began at Love Canal neighbourhood knocking on doors and fearing they would be slammed on her face, is now recognized to be one of the key grassroots leaders whose obstinacy permitted her to educate herself about the toxic chemical phenomenon, heading an entire community of blue-collar, middle-class Americans. The so-called Love Canal People. Since the founding of the CHEJ, Gibbs received numerous calls for help and began countless nationwide awareness campaigns. She sadly found that although Love Canal story was one of the most frustrating events of the modern age, the issue of toxic chemicals contamination, involved thousands of communities in the American soil.

Women were the protagonists of grassroots environmentalism which flourished during the 1980s; but they were no longer labeled as the homemakers that turned activists. They are now recognized as the women movers of the second wave of feminism<sup>139</sup>. As Gibbs wrote in 1998:

For example, it was the mothers of Woburn, Massachusetts who first discovered in 1979 a cluster of leukemia cases among neighborhood children. Health authorities from the state and federal agencies did their own investigations and concluded that there was no connection between the drinking water and the clustering of disease. The Woburn parents persevered, however, making maps which showed the clustering of leukemia cases along pipelines to a contaminated drinking water well. They took these maps to health officials, politicians, and anyone they thought would help them. Years later, the Center for Disease Control confirmed the cluster and closed the well. While it was too late for many of the children who died, they did not die in vain. They helped open the eyes of the public and helped the movement grow. In San Jose, California, mothers sharing conversation at a local playground discovered that many children in their neighborhood were born with identical heart birth defects. They, too, believed it was connected to the water supply. Like the residents of Woburn, they had to push and fight with the health department for years to finally shut down the contaminated well and confirm their finding of a cluster of heart birth defects in the community. In Brownsville, Texas, it was again parents who discovered the cluster of children in their community who

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<sup>137</sup> <https://www.epa.gov/superfund>

<sup>138</sup> Blum. 2008. *Love Canal Revisited*: 114.

<sup>139</sup> Newman. 2016. *Love Canal: A Toxic History*: 214.

were being born with their brains outside their skulls. And in Tucson, Arizona, it was the citizens who uncovered a large number of young boys in the same elementary school with testicular cancers. In each of these situations, parents raised the issues to the proper authorities only to be dismissed. When this happened, they were often described as “hysterical women” or “housewives” in an attempt to belittle the women who drew the links between exposure to chemicals and adverse health effects. It was this failure to investigate the tragedies that were happening in communities that drove reasonable-abiding people to passionate public confrontation<sup>140</sup>.

Between 1987 and 1991, the CHEJ grew, emerging as a real political force and began to exercise a lot of power at the national level, also involving the McDonald’s multinational. For instance, with the McToxics Campaign, launched in 1987, Gibbs expressed herself against the use of polystyrene food packaging, the multinational used, bringing home an important victory. A simultaneous strict reduction in toxic-producing commodities is required in order to focus on the fulfillment of basic human needs.<sup>141</sup> In 1995 Mrs. Gibbs started the Stop Dioxin Exposure Campaign publishing her book entitled *Dying from Dioxin: A Citizen’s Guide to Reclaiming our Health and Rebuilding Democracy* and in 2010 she updated her biography in the third edition of her *Love Canal and the Birth of the Environmental Health Movement*, assuming the role of spokesman in the issue.

And Yet the Love Canal episode left a deep scar in the lives of residents. Their anxiety about the future of their children in particular would never diminish.

Unlike with a natural disaster such as a flood or a tornado, you can’t walk away from Love Canal with a complete understanding of your losses. Questions about future disease, such as cancer, or the ability of children to have healthy children go unanswered. [...]Love Canal’ parents feel like they are sitting on a time bomb just waiting to go off. This time bomb is ticking inside their child who they love more than anything else in the world. But they can’t disarm this bomb<sup>142</sup>.

For that reason Lois Gibbs’ fight to help others never died.

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<sup>140</sup> Gibbs. 1998. *Love Canal. The Story Continues*. Gabriola Island: New Society Publishers: 4-5.

<sup>141</sup> Merchant 1995, *Earthcare*: 165.

<sup>142</sup> Gibbs. 1998. *Love Canal. The Story Continues*: 218.