

NORTH AMERICAN DIALOGUE

NEWSLETTER OF THE SOCIETY FOR THE ANTHROPOLOGY OF NORTH AMERICA



Volume 14, No. 1
April 2011
ISSN 1539-2546

Thoughts on the U.S. as a settler society (Plenary Remarks, 2010 SANA Conference)

By Jessica R. Cattelino

Abstract: Analyzing the United States as a settler society has the potential to bring together insights from the anthropology of Native North America and the anthropology of the United States. This article suggests several justifications for and implications of doing so, with focus on citizenship, sovereignty, economy, and nature. [settler colonialism, indigenous peoples, state of the field]

While considering the conference theme of power in contemporary America, I have been reflecting on the ways that Americans come to understand what kind of society we share and struggle over. Anthropology, with its comparative scope, has the opportunity and indeed responsibility to undertake "location work" in the United States. By "location work," Gupta and Ferguson (1997:39) refer to the "idea that anthropology's distinctive trademark might be found not in its commitment to 'the local' but in its attentiveness to epistemological and

political issues of location." As I discuss in an essay in the *Annual Review of Anthropology* (Cattelino 2010a), anthropologists of the United States have been concerned to locate the anthropological field (as discipline, ethnographic site, and theoretical domain) in three ways: in space, epistemology, and, more recently, in settler colonialism. In these comments, I focus on settler colonialism, suggesting that to think of the United States as a settler society illuminates forms of power that organize American and American Indian lives in perhaps unexpected ways. These sometimes reach the surface of public debate around tribal gaming, a phenomenon that has unsettled the economic position of some (but by no means all!) American Indians relative to other groups and has provoked heated debates on and off reservations about the social meanings of wealth, indigenous sovereignty, and the connections between the two.

Of all "location work" undertaken by anthropologists, perhaps none has been so vexed as the relationship to Indian Country. The anthropology of the United States and the anthropology of Native North America have

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been maintained to a large extent as separate anthropological traditions. For example, Michael Moffat reflected the state of the field when he defined the scope of his 1992 review of ethnographic writing about American culture as follows: "American in this article means 'of the continental United States [excluding native American peoples]'" (Moffatt 1992:205 n. 1, brackets in original). To be sure, some have included American Indians within U.S. courses, anthologies, and the like. But I want to point to the need for a somewhat different project, one not of inclusion but rather of redefinition: to

think of the United States as a settler society. Native America's relatively marginal status in the theory-building projects of the anthropology of the United States and its ongoing legitimacy as a distinct site of anthropological study seemingly outside of the study of American cultural life (e.g., as a separate area of specialization for the purpose of job searches) reflect and reinforce the positioning of indigenous peoples as outside the time and space of modern American life. This is despite the work of a number of anthropologists (see, e.g., Biolsi 2005; Blu 2001; Sider 1993; Simpson 2008), including SANA members, who have worked to incorporate American Indian with more broadly American questions that go beyond the important but also constraining framework of Indian-white or Indian-black race relations.

By settler society, I refer especially (if not only) to the liberal democratic settler states of the former British empire with indigenous minorities: Australia, Canada, Aotearoa/New Zealand, the United States. The historian Patrick Wolfe (1999) differentiates settler colonialism's target of land dispossession from the expropriation of labor in dependent colonies. Thinking in terms of settler society integrates indigenous and non-indigenous lives, while sustaining attention to power, by attending to the ways in which all of our conditions are structured by the legal, historical, cultural, and economic formations that are characteristic of settler societies.

What might some of these formations be, and what can we learn from analyzing them? In the spirit of a collective project, I do not offer answers but rather some suggestions—admittedly, ones clustered around areas of inquiry connected to my own research—for where we might look and what we might learn by thinking in terms of settler colonialism.

Civic tensions

Indigenous peoples' claims to multiple and uneven citizenships—often to tribal nation and

settler state—create dilemmas for the settler national aspirational project of equal, undifferentiated civic spaces (Blackburn 2009). As Jeremy Beckett (1988) has written of Australia, Aboriginal peoples have been incorporated into welfare states for the purposes of bureaucratic administration and formal equality, but they gain access to basic entitlements of citizenship by virtue of a special, collective relationship to the state. Some scholars have referred to indigenous people as “citizens-plus” because they are nation-state citizens and also claim a distinct civic status as native (see Peterson and Sanders 1998; see also Maaka and Fleras 2005), and political theorists in Canada have been especially concerned with whether differentiated citizenship for First Nations peoples can be accommodated by liberal theory (see, e.g., Kymlicka 1995). In the United States, tribal nations largely manage their own citizenship criteria and regulations, albeit subject to federal review, but American Indians also became U.S. citizens by a unilateral act of Congress in 1924 (also a year of alien exclusion acts). Indigenous claims to differentiated forms of citizenship—often as citizens both of the United States and also of indigenous nations—have been fraught, especially in the wake of Civil Rights litigation that reinforced principles of equal, horizontal citizenship (Aleinikoff 2002; cf., Anderson 1991). For Florida Seminoles, with whom I have conducted research, U.S. citizenship sometimes seems irrelevant (e.g., when explaining low voter participation rates in U.S. elections by comparison with tribal elections), sometimes in conflict with Seminole citizenship (e.g., when Seminoles were asked to choose between them during 1950s debates over whether the Seminoles should be “terminated” as a polity under federal termination policy; see Cattelino [2010b]), and sometimes expressive of it (e.g., in military service).

The question of whether indigenous people can fully exercise citizenship to tribal and settler nations simultaneously has been repeatedly deferred by settler states when it mattered most.

Nonetheless, the dilemmas of indigenous citizenship reside in the heart, and can be traced to the origin, of the settler state. As such, they have much to teach us about the contours and limits of U.S. citizenship.

Unsettled sovereignty

Indigenous sovereignty claims cannot be explained by most anthropological theories of sovereignty and reveal the fragile foundations of settler state sovereignty. American Indian sovereignty is based on indigenous claims to ongoing collective political distinctiveness, treaties and constitutional recognition by the United States and colonial powers, and other forms of recognition (including recognition by other tribal nations) (for an overview, see Wilkins and Lomawaima 2001). The various settler states have distinct histories, but, as recently recognized by the United Nations, in each indigenous sovereignty has been curtailed but not extinguished. Taking indigenous sovereignty seriously can teach us much about sovereignty in general and about settler sovereignty in particular.

In research on Florida Seminole casino gaming and tribal sovereignty (Cattelino 2008) I became aware that even while tribal sovereignty was an important legal status, most Seminoles instead understood and enacted sovereignty in everyday ways of being and in a sense of political distinctiveness and continuity with pre-settler nationhood. Casinos are just the most recent chapter in a long history of Seminole sovereignty claims, assertions that sometimes are based in autonomy and at other times are forged through relations of interdependency with other peoples and polities. In the last decade, sovereignty has become a keyword in anthropological theory, yet surprisingly little anthropological theorization of the term pays attention to the long history of indigenous sovereignty claims or to the everyday lived experience of sovereignty for American Indian and other Native peoples.

So, how might we think about indigenous sovereignty in relation to the United States and the anthropology thereof? No doubt, indigenous nations are compromised sovereigns, but they are not failed sovereigns. We have much to learn if we take indigenous sovereignty seriously rather than evaluating it based on theories of sovereignty that were developed to describe the modern nation-state. Indeed, even many nation-states do not much resemble how they are supposed to look: think, for example, of George W. Bush giving Iraq back its sovereignty or of massively indebted states under the forces of structural adjustment. If we recognize that common understandings of sovereignty as autonomy over citizens and territory describe only certain moments and aspirations rather than continuous ways of being or commonly met criteria for recognized nationhood, then indigenous sovereignties begin to look somewhat less strange and more like resources for thinking through the complexities of a range of sovereign formations.

By thinking about settler states as such, moreover, it becomes necessary to consider not only indigenous sovereignty on its own terms but also how it reveals the unstable formations of settler state sovereignty. This is so because indigenous sovereignty claims put pressure on the settler state and call into question its control over territory and people, because in tribal nations we can see forms of differentiated governance that too often are erased from national narratives, because claims by indigenous peoples to exercise border-crossing rights based on pre-settler political boundaries blur the territorial borders of nation-states, and because the sovereignty of the settler state depends on indigenous sovereignty (e.g., for nuclear waste disposal on reservation lands or states' revenues from tribal gaming). It is no coincidence that the four major nation-states to vote against the United Nations Declaration on the Rights of Indigenous Peoples were Australia, Canada, New Zealand, and the United States.

(All have since supported the Declaration, with the United States bringing up the rear in 2010.)

The cultural politics of economy

Tribal gaming has altered the fortunes of some but not all indigenous nations, and it has allowed but also forced American Indians to ask big questions about the role of government, the organization of a just society, the proper distribution of wealth, the relationship between intergenerational transmission of wealth and of culture, and more. At a time when the role of the U.S. government and big finance are under scrutiny and the language of socialism is bandied about, some tribal governments, like the Seminole Tribe of Florida, speak the language of capitalism while also operating what one might think of as nationalized industries (gaming fits this description because it can be operated only by tribal governments, not individuals or businesses, and gaming revenues are redistributed among tribal citizenries).

Tribal gaming has pushed non-Indians to consider what counts as legitimate wealth and to grapple with how and whether this can be configured by collective status (i.e., Indianness). A new kind of "rich Indian racism" (Spilde 2004; see also Cattelino 2008; Darian-Smith 2002) has emerged. But it would be a mistake to analyze the cultural politics of contemporary American Indian economic life simply as if it were characterized by stereotypes, selling out, or the non-Indian expropriation of wealth. Rather, the problem runs deeper: the settler cultural politics of economy for indigenous peoples positions capitalist and acquisitive action as whitening, individualizing, and a sign of assimilative citizenship (and severance from collective tribal belonging). Why is wealth in the hands of Indian people so threatening? What does casino wealth help us to see about settler society, and what does it mask (e.g., ongoing American Indian poverty)?

American Indians encounter a double bind of need-based sovereignty. In the most general

terms, as I have discussed at greater length (Cattelino 2010b), this double bind works as follows: American Indian tribal nations (like other polities) require economic resources in order to exercise sovereignty, and their revenues often derive from their governmental rights; however, once they exercise economic power, the legitimacy of tribal sovereignty and citizenship is challenged in law, public culture, and everyday life. This is a double bind for indigenous peoples in the classic sense that competing possible paths to overcoming the dilemma negate one another, posing a contradiction and leading to no possible resolution. Need-based sovereignty for indigenous peoples tellingly diverges from U.S. expectations that other sovereigns (e.g., European nations) will display—and be measured by—economic power. Interestingly, similar dynamics describe the economic and cultural double binds faced by indigenous peoples in other settler states (see Gelder and Jacobs 1998; Povinelli 2002).

I can only mention briefly that consideration of settler colonialism locates the cultural politics of economic life at the core of settler society, not only in the particularity of indigenous poverty and wealth. For example, I am working on a paper that traces the figure of the New World indigene in the development of modern European social theories of money. U.S. regimes of property and money may be closely tied—in theory, history, and contemporary life—to the settler colonial project.

The production of nature

Finally, and even more briefly, thinking about settler colonialism can illuminate the co-production of nature and indigeneity in settler states like the United States. The representation, domination, and protection of nature in settler societies often are closely associated with settler reckonings of indigenous peoples. Indeed, settler conceptions of wilderness are haunted by the

spectre of indigenous peoples, whether representing American Indians as natural environmentalists, expropriating and “reclaiming” land without regard for indigenous owners because their use of it was deemed “unproductive,” or protecting nature by expelling indigenous peoples in order to create national parks and preserves. Cultural geographer Bruce Braun (2002) has argued that for land to be rendered natural in settler states, indigenous peoples must either be collapsed into it or erased from it. In my new research on political belonging and relations to land and water in the Florida Everglades, I am investigating how all residents of the region, whether Seminole or non-Seminole, value water and land in ways that are structured by living in a settler society.

Toward an anthropology of settler colonialism

Critical ethnographic engagement with the conditions of indigeneity has the potential to illuminate aspects of life in this settler society that too often go unexplored, not only in scholarship but also in public culture. I have selected several examples—citizenship, sovereignty, economy, and nature—that are salient in my own research, but the list is by no means exhaustive (e.g., one could explore the dilemmas of rendering a national history that are shared by settler states). My aim here is not to identify an American national culture by thinking in terms of settler society, nor is it to reduce all American and American Indian experience to the logics of settler colonialism. Instead, the goal is simpler: to join recent trends in Native American Studies by exploring what one might learn by thinking of and analyzing the United States as (in part) a settler society. If anthropology in the United States has been developed partly through the study of American Indians, then it is time to critically reclaim the discipline’s foundations as built in, on, and with Indian Country.

References Cited

- Aleinikoff, T. Alexander. 2002. *Semblances of Sovereignty: The Constitution, the State, and American Citizenship*. Cambridge: Harvard University Press.
- Anderson, Benedict. 1991. *Imagined Communities: Reflections on the Origin and Spread of Nationalism*. London: Verso.
- Beckett, Jeremy. 1988. "Aboriginality, Citizenship, and the Nation State." *Social Analysis*, 24:3-18.
- Biolsi, Thomas. 2005. "Imagined Geographies: Sovereignty, Indigenous Space, and American Indian Struggle." *American Ethnologist*, 32(2):239-59.
- Blackburn, Carole. 2009. Differentiating Indigenous Citizenship: Seeking Multiplicity in Rights, Identity, and Sovereignty in Canada. *American Ethnologist* 36(1):66-78.
- Blu, Karen I. 2001[1980]. *The Lumbee Problem: The Making of an American Indian People. With a New Afterword by the Author*. Lincoln: University of Nebraska Press.
- Braun, Bruce. 2002. *The Intemperate Rainforest: Nature, Culture, and Power on Canada's West Coast*. Minneapolis: University of Minnesota Press.
- Cattelino, Jessica R. 2008. *High Stakes: Florida Seminole Gaming and Sovereignty*. Durham, NC: Duke University Press.
- Cattelino, Jessica R. 2010a. "Anthropologies of the United States." *Annual Review of Anthropology*, 39(1):275-92.
- Cattelino, Jessica R. 2010b. "The Double Bind of American Indian Need-Based Sovereignty." *Cultural Anthropology*, 25(2):235-62.
- Darian-Smith, Eve. 2002. "Savage Capitalists: Law and Politics Surrounding Indian Casino Operations in California" in *Studies in Law, Politics, and Society*, A. Sarat and P. Ewick, eds. Pp. 109-40. Amsterdam: JAI.
- Gelder, Ken and Jane M. Jacobs. 1998. *Uncanny Australia: Sacredness and Identity in a Postcolonial Nation*. Victoria: Melbourne University Press.
- Gupta, Akhil and James Ferguson. 1997. "Discipline and Practice: 'The Field' as Site, Method, and Location in Anthropology" in *Anthropological Locations: Boundaries and Grounds of a Field Science*, A. Gupta and J. Ferguson, eds. Pp. 1-46. Berkeley: University of California Press.
- Kymlicka, Will. 1995. *Multicultural Citizenship*. Oxford: Oxford University Press.
- Maaka, Roger and Augie Fleras. 2005. *The Politics of Indigeneity: Challenging the State in Canada and Aotearoa New Zealand*. Dunedin, New Zealand: University of Otago Press.
- Moffatt, Michael. 1992. "Ethnographic Writing About American Culture." *Annual Review of Anthropology*, 21:205-29.
- Peterson, Nicolas and Will Sanders, eds. 1998. *Citizenship and Indigenous Australians: Changing Conceptions and Possibilities*. Cambridge: Cambridge University Press.
- Povinelli, Elizabeth A. 2002. *The Cunning of Recognition: Indigenous Alterities and the Making of Australian Multiculturalism*. Durham: Duke University Press.
- Sider, Gerald M. 2003. *Living Indian Histories: Lumbee and Tuscarora People in North Carolina*. Chapel Hill: University of North Carolina Press.
- Simpson, Audra. 2008. "Subjects of Sovereignty: Indigeneity, the Revenue Rule, and Juridics of Failed Consent." *Law and Contemporary Problems*, 71:191-215.
- Spilde, Katherine A. 2004. "Creating a Political Space for American Indian Economic Development: Indian Gaming and American Indian Activism" in *Local Actions: Cultural Activism, Power, and Public Life in America*, M. Checker and M. Fishman, eds. Pp. 71-88. New York: Columbia University Press.
- Wilkins, David E. and Tsianina K. Lomawaima. 2001. *Uneven Ground: American Indian Sovereignty and Federal Law*. Norman: University of Oklahoma Press.
- Wolfe, Patrick. 1999. *Settler Colonialism and the Transformation of Anthropology: The Politics and Poetics of an Ethnographic Event*. London: Cassell.

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North American Dialogue 14.1, pp. 1-6, ISSN 1539-2546. © 2011 by the American Anthropological Association. All rights reserved. DOI: 10.1111/j.1539-2546.2011.01035.x

Report from the Field
The Neoliberalization of Community Centers in Tampa, FL: Devastating Effects Temporarily Reversed by Local Activism and Community-Based Research

By Lance Arney, with Mabel Sabogal, Wendy Hathaway, and Moses House Youth

Abstract: As the fiscal crisis worsens, local governments are cutting basic services or converting to fee-based and privatized approaches that penalize the poor. Even city parks and community centers, the heart of recreational social activity for children and families of the inner city, are being drained of community life by neoliberal policies and budgetary austerity. This article reports on a community-based participatory action research project that investigated a fee increase policy enacted by the City of Tampa Parks and Recreation Department and the negative impacts this policy had on children living in Sulphur Springs, one of Tampa's poorest neighborhoods. [public policy, participatory action research, children and youth]

As the fiscal crisis worsens, neoliberal ideology is driving the federal government to disinvest even further from the public sphere, while simultaneously providing historically unprecedented forms and amounts of welfare to private corporations, banks and financial investment firms, and the military. As tax revenues dwindle at the local level, municipal and county governments are choosing to cut basic public services and convert to market-based approaches. This penalizes the poor and working class by barraging them with an array of unaffordable usage fees, increasing the likelihood that residents will make even less use of already diminishing public services. Even city parks and community centers, the heart of recreational social activity for children and families of the inner city, are being drained of community life by neoliberal policies and budgetary austerity. Community centers in

Tampa, FL were especially devastated by a fee increase policy enacted on October 1, 2009 for fiscal year 2010 (October 1, 2009 through September 30, 2010).

Anthropologists at the University of South Florida (USF) studied the harm this policy did to children and families in Sulphur Springs, one of Tampa's poorest neighborhoods. Community engaged research by USF faculty and students has a long history in Tampa neighborhoods (e.g., Bird and Stamps 2001; Briscoe et al. 2009; Ersing et al. 2007; Greenbaum and Rodriguez 1998), including the study of the impact of the neoliberalization of public housing policy (Feldman and Hathaway 2002; Greenbaum 2002, 2008; Greenbaum et al. 2008; Spalding 2007). The USF Department of Anthropology in particular has a more than decade-long relationship with the Sulphur Springs neighborhood; this partnership encompasses community activism, service-learning (community service integrated with course curriculum), engaged research, scholarship, consultation, and public service (e.g., Greenbaum 2008-09; Hathaway 2005; Hathaway and Kuzin 2007; Jackson 2009, 2010; Jones et al. 2002).

Sulphur Springs is a historic neighborhood of Tampa,¹ and it has witnessed many dramatic changes over the years. In the early 20th century it was a national tourist destination; it now has some of the highest rates of poverty and housing foreclosures in Tampa. Lingering segregation and white supremacy as well as class-based conflicts of interest between homeowners and renters make cohesive neighborhood organizing difficult. Research into neighborhood history and social problems has the potential to either exacerbate or alleviate these tensions (Jackson 2009, 2010), depending on the approach taken by university-based researchers and the kinds of alliances formed with their community partners.

In the summer of 2007, a partnership was created with Moses House,² a grassroots youth

¹ Cf. the Sulphur Springs Museum and Heritage Center at <http://www.sulphurspringsmuseum.org/>

² See <http://www.themoseshouse.org>

arts non-profit organization co-founded in the mid-1980s by bone sculptor Taft Richardson³ and his brother Harold Richardson. The Richardsons and Moses House had been encountered in the early 2000s by USF anthropologists studying the effects of HOPE VI relocations in Sulphur Springs; but an interest in helping to maintain and revive Moses House, especially after the passing of Taft Richardson in 2008, gave new impetus to the efforts of the USF Anthropology Department to build an institutional relationship with the organization (Arney et al. 2009), as the Department had done with the Sulphur Springs Museum and Heritage Center (Jackson 2009) and the George A. Bartholomew North Tampa Community Center (Hathaway and Kuzin 2007; Jones et al. 2002). One of the latest examples of university–community engagement between the Anthropology Department and Moses House was a study of the negative effects caused by the City of Tampa Parks and Recreation fee increase policy.

The widely unpopular fees policy had drastically increased the cost for after-school and summer camp programs, as well as other public services offered at the City’s Parks and Recreation Centers. City officials said that the fee increase was intended to help make up for a shortfall in Tampa’s operating budget (Wade 2010d). The cost of after-school programs increased from US\$12 a year to US\$25 a week (a more than 10,000 percent increase), and summer camp programs increased from US\$70 for ten weeks to US\$55 a week (a 785 percent increase).⁴

The fee increase policy went into effect on October 1, 2009, with little public discussion. Attendance soon dropped at recreation centers across the city (Steele and Wilkens 2010), and some recreational programs faced consolidation or elimination (Wade and Steele 2010). A fee reduction program was implemented for people living on low-incomes (Wade 2010d), but the

³ See <http://www.folkvine.ucf.edu//richardson/>

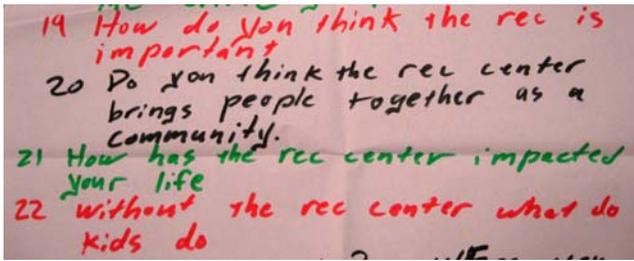
application process was cumbersome and the program failed to significantly recover lost enrollment.

During the summer of 2010, a group of Moses House youth learned some of the basics of conducting participatory action research from USF anthropology graduate students in an intensive six-week Collaborative Community Research seminar held at the Moses House building in its new location in the Mann-Wagnon Memorial Park in Sulphur Springs. The results: youths ranging from 10 to 19 years old learned how to conduct interviews, record observations, create a survey, film a documentary video, and plan how to make their research findings known to policy makers and the general public. Their main research question was, “How has the parks and recreation fee increase policy enacted by the City of Tampa impacted the community safety and well-being of children and families in our neighborhood?”

Moses House learned about the fee increase policy in October 2009 while it was offering a free hip hop music education workshop⁵ at the North Tampa Community Center. Owing to dwindling attendance as a result of the fee increase policy, Moses House had to suspend the workshop. The youths’ research on the social impact of the fee increase is part of a larger study on public policy and low income neighborhoods in Tampa being conducted by Dr. Susan Greenbaum and her graduate students. Dr. Greenbaum is also the Director of the USF Office of Community Engagement, which supports university–community collaboration and service-learning courses.

⁴ Florida law prohibits municipalities from raising fees above the cost of providing the service. Otherwise, fee increases are hidden taxes which distribute revenue more generally for public benefit. The magnitude of these changes suggests a violation of that principle, and possibly the law. Poor and working families were being forced to pay for overall gaps in City revenue.

⁵ See <http://moses-house-street-music.blogspot.com/>



Ethnographic survey questions developed by Moses House youth.

However, before the research could be completed or turned into an action plan, in early July 2010 the Mayor of Tampa pledged to roll back some of the fees (Zink 2010b) in her recommended city budget for fiscal year 2011, following up on a promise she made in April 2010 to consider a rollback (Wade 2010c). The Citizen's Budget Report, released by the Mayor's Office on August 12, 2010, contained the following acknowledgment and recommendation: "For fiscal year 2010, we increased parks and recreation fees. Many concerns were raised regarding the impact on youth and senior participants. Therefore, for fiscal year 2011, fees for participants in the summer, after school, open swimming, and senior programs will be set at the same level as fiscal year 2009" (City of Tampa 2010:14).

Moses House youth and their research colleagues from USF were part of a sustained public outcry (Zink 2010c) regarding the negative social impacts of the fee increase policy, especially on children and families living on low incomes (Wade 2010b). This chorus of disapproval included parents, seniors in South Tampa (Zink 2010a) and West Tampa (Steele 2010), community activists in West Tampa and South Tampa (Florida Sentinel-Bulletin 2010), and concerned citizens in East Tampa (Wade 2010a) and elsewhere, all of whom voiced their complaints about the fees to City Council, the City Parks and Recreation Department, or reporters from local newspapers. The Parks and Recreation Department also received criticism for firing lower-level staff but hiring top-level supervisors after going through reorganization in 2009 (Zink 2010a).

While it is not known what finally persuaded the City Council and Mayor to seriously reconsider the policy, the announcement to roll back the fees (Zink 2010b) came shortly after the June 24th City Council meeting (Tampa City Council 2010), at which Moses House youth and their USF colleagues were present, along with angry seniors and others. At the request of Council Chairman Thomas Scott, Dr. Greenbaum presented a prepared statement to Council that summarized some of the preliminary research findings of her students and Moses House youth (Greenbaum 2010). Her presentation was video-recorded by one of the youths, who also appeared on television alongside Dr. Greenbaum when they were both interviewed afterward by Bay News 9 (Johnson 2010).

What the Moses House youths and USF researchers found was that public recreation centers serve many vital purposes in urban neighborhoods, especially in neighborhoods debilitated by poverty and lacking in resources. Recreation centers provide safe spaces in which neighborhood residents, in particular children and youth, can have fun participating in sports and other leisure activities as well as receive mentoring and academic tutoring from recreation center coaches and volunteers. Affordability is crucial for those children and families living on low incomes.

In the Sulphur Springs neighborhood of Tampa, there is a high concentration of children, but few spaces outside of home for kids to socialize and have fun while under positive adult supervision. Without access to the recreation center, many children and youth were spending more time in the streets, where they attract police and are vulnerable to sexual predators and other dangers. One Moses House youth was hit by a car while biking around the neighborhood looking for another place to swim after the Sulphur Springs Pool began charging entrance fees; he was hospitalized and received stitches and staples on his head.

While the fee increases have been rolled back for fiscal year 2011, it is uncertain for how long



Moses House youth and Susan Greenbaum on Bay News 9.

the fees will remain at pre-fiscal year 2010 levels. A Tampa mayoral election will be held in March 2011, and a change in administration could mean another change in Parks and Recreation fees policy. In the meantime, Moses House youth will continue to work on aspects of this research project, and Moses House has invited other service-learning classes from USF to work with neighborhood children and families on a variety of issues and research topics identified by the children and families themselves. Additionally, amid the national political climate of budget cuts and public service reduction, Sulphur Springs residents have asked Moses House and their USF colleagues to sponsor community forums on these issues.

Moses House youth and USF researchers will present to the community some of the findings from the summer research project, including a youth-made documentary video, which was co-produced by doctoral candidates Mabel Sabogal and Lance Arney. Because the neighborhood children and youth were the ones most directly affected by the fee increase policy, the general public and especially local policy makers need to hear directly from the kids what they have to say about it. The video will be made available on the Moses House YouTube Channel,⁶ and more details of the fee increase study, including theoretical discussion and policy analysis, will appear in future publications.

⁶ See <http://www.youtube.com/user/TheMosesHouse>



Moses House youth at the door of Tampa City Council Chambers.

References Cited

- Arney, Lance, Susan Greenbaum, and Antoinette Jackson. 2009. "Moses House: Engaged Heritage Research." *Anthroscope: Newsletter of USF Anthropology* 9/10:6.
- Bird, S. Elizabeth, and S. David Stamps. 2001. Engagement in the Metropolitan Research University: The University of South Florida Creates Its Identity. *Metropolitan Universities* 12(3):51-62.
- Briscoe, Richard, Harold R. Keller, Gwen McClain, Evangeline R. Best, and Jessica Mazza. 2009. "A Culturally Competent Community-Based Research Approach with African American Neighborhoods: Critical Components and Examples" in *African Americans and Community Engagement in Higher Education: Community Service, Service-Learning, and Community-Based Research*, S.Y. Evans, C.M. Taylor, M.R. Dunlap, and D.S. Miller, eds. Pp. 205-24. Albany: SUNY Press.

- City of Tampa. 2010. *Sensible Solutions in Tough Economic Times: Citizen's Budget Report, Fiscal Year 2011*. Tampa, FL: Office of the Mayor, City of Tampa. http://www.tampagov.net/dept_Mayor/Presentations/files/Budget_Report_FY2011.pdf (accessed August 26, 2010).
- Ersing, Robin L., Judi Jetson, Robin Jones, and Harold Keller. 2007. "Community Engagement's Role in Creating Institutional Change Within the Academy: A Case Study of East Tampa and the University of South Florida" in *From Passion to Objectivity: International and Cross-Disciplinary Perspectives on Service-Learning Research*, S.B. Gelmon and S.H. Billig, eds. Pp. 177-95. Charlotte, NC: IAP-Information Age Publishing.
- Feldman, Shari and Wendy Hathaway. 2002. "Research Report: HOPE VI." *North American Dialogue*, 5(1): 13-7.
- Florida Sentinel-Bulletin. 2010. "Black Community Hard Hit by High Park Fees." *Florida Sentinel-Bulletin*, June 3, 2010. Online edition. <http://flsentinel.com/?s=park+fees&x=0&y=0&=Go> (accessed June 4, 2010).
- Greenbaum, Susan. 2002. "Report from the Field: Social Capital and Deconcentration: Theoretical and Policy Paradoxes of the HOPE VI Program." *North American Dialogue*, 5(1):9-13.
- . 2008. "Poverty and the Willful Destruction of Social Capital: Displacement and Dispossession in African American Communities." *Rethinking Marxism*, 20(1):42-54.
- . 2008-09. Using Youth Arts Programs to Increase Academic Achievement and Decrease Delinquent Behavior in Sulphur Springs: A Needs Analysis and Program Evaluation for Building the Organizational Capacity of Three Community-Based Non-Profit Organizations. Tampa, FL: Faculty Grant for Engaged Scholarship 2008-2009 awarded by the University of South Florida Collaborative for Children, Families, and Communities and the Children's Board of Hillsborough County.
- . 2010. "Parks and Recreation Fee Increase Impact Study: Preliminary Findings." Unpublished manuscript, Department of Anthropology, University of South Florida, Tampa.
- Greenbaum, Susan and Cheryl R. Rodriguez, eds. 1998. "Central Avenue Legacies." *Practicing Anthropology*, 20(1), special issue.
- Greenbaum, Susan, Wendy Hathaway, Cheryl Rodriguez, Ashley Spalding, and Beverly Ward. 2008. "Deconcentration and Social Capital: Contradictions of a Poverty Alleviation Policy." *Journal of Poverty*, 12(2):201-28.
- Hathaway, Wendy. 2005. "'Ethnographizing' Service-Learning: Creating a Politically Engaged Anthropology." Master's thesis, Department of Anthropology, University of South Florida, Tampa, FL.
- Hathaway, Wendy, and James Kuzin. 2007. "Engaging Ethnography: Student Engagement as a Means for Creating Change" in *Applied Research and Practice from the Next Generation: The NAPA Student Achievement Award-Winning Papers, 2001-2005*. *NAPA Bulletin* 27, T. Wallace, E. Liebow, S. Kedia, and A. Unterberger, eds. Pp. 40-63. Arlington, VA: National Association for the Practice of Anthropology.
- Jackson, Antoinette. 2009. "Conducting Heritage Research and Practicing Heritage Resource Management on a Community Level—Negotiating Contested Historicity." *Practicing Anthropology*, 31(3):5-10.
- . 2010. "Changing Ideas About Heritage and Heritage Resource Management in Historically Segregated Communities." *Transforming Anthropology*, 18(1):80-92.
- Johnson, Chuck. 2010. "Tampa City Council Issues: Recreation Programs." Bay News 9, Bright House Networks. <http://www.baynews9.com/article/news/2010/june/112660/Tampa-city-council:-No-to-Davis-Islands-golf-carts> (accessed June 24, 2010).
- Jones, Janna, Wendy Hathaway, George A. Bartholomew, and North Tampa Community Center. 2002. *Sulphur Springs Community Folio: A Compilation of Community Perspectives*. Tampa, FL: University of South Florida.
- Spalding, Ashley. 2007. "Report from the Field: Negotiating Multiple Roles in the Field: Dilemmas of Being an Employee/Researcher." *North American Dialogue*, 10(2): 6-10.
- Steele, Kathy. 2010. "Seniors Protest Hike in Tampa Rec Center Fees." Online Edition. *Tampa Tribune*, June 24, 2010. <http://www2.tbo.com/content/2010/jun/24/seniors-protest-hike-rec-center-fees/news-breaking/> (accessed June 25, 2010).
- Steele, Kathy and George Wilkens. 2010. "Higher Fees Sap Attendance from Afterschool Programs." Online Edition. *Tampa Tribune*, March 12, 2010. http://www2.tbo.com/content/2010/mar/12/participation-after-school-programs-drops-50-perce/c_1/ (accessed March 15, 2010).
- Tampa City Council. 2010. "Tampa City Council Meeting, June 24, 2010. City Council Meeting Transcriptions." http://www.tampagov.net/appl_Cable_Communications_closed_captioning/frmAgenda.asp?pkey=1553&txtValidPage=1&txtPrevPage=index.asp&txtNextPage=frmAgenda.asp (accessed July 27, 2010).

Wade, Christian M. 2010a. "New Recreation Fees in Tampa Pricing Out Some Residents." Online Edition. *Tampa Tribune*, February 18, 2010. <http://www2.tbo.com/content/2010/feb/18/181418/new-tampa-recreation-fees-pricing-out-some-residen/> (accessed March 13, 2010).

----. 2010b. "Recreation Fees Hitting Low-Income Families Hard." Online Edition. *Tampa Tribune*, February 19, 2010. <http://www2.tbo.com/content/2010/feb/19/na-recreation-fees-hitting-low-income-families-har/> (accessed March 15, 2010).

----. 2010c. "Tampa May Roll Back Some Parks and Recreation Fees." Online Edition. *Tampa Tribune*, April 8, 2010. <http://www2.tbo.com/content/2010/apr/08/tampa-may-roll-back-some-parks-and-recreation-fees/> (accessed August 26, 2010).

——. 2010d. "Tampa to Expand Financial Help for Parks' After-School, Camp Programs." Online Edition. *Tampa Tribune*, May 14, 2010. <http://www2.tbo.com/content/2010/may/14/tampa-expand-financial-help-parks-after-school-and/> (accessed May 14, 2010).

Wade, Christian M. and Kathy Steele. 2010. "Some After-School Programs in Tampa Face Consolidation." Online Edition. *Tampa Tribune*, March 4, 2010. <http://www2.tbo.com/content/2010/mar/04/041659/tampa-councilman-proposes-special-tax-pay-recreati/> (accessed March 5, 2010).

Zink, Janet. 2010a. "Amid Cutbacks at Tampa Parks, Fees Rise and Management Ranks Grow." Online Edition. *St. Petersburg Times*, February 14, 2010. <http://www.tampabay.com/news/localgovernment/a-mid-cutbacks-at-tampa-parks-fees-rise-and-management-ranks-grow/1073250> (accessed March 11, 2010).

----. 2010b. "Tampa Mayor Agrees to Roll Back Controversial Recreation Fees." Online Edition. *St. Petersburg Times*, July 10, 2010. <http://www.tampabay.com/news/localgovernment/article1107955.ece> (accessed July 11, 2010).

----. 2010c. "Tampa Seeks Solution to Uproar Over Increased Park Fees." Online Edition. *St. Petersburg Times*, March 5, 2010. <http://www.tampabay.com/news/localgovernment/tampa-seeks-solution-to-uproar-over-increased-park-fees/1077600> (accessed April 3, 2010).

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North American Dialogue 14.1, pp. 7-12, ISSN 1539-2546. © 2011 by the American Anthropological Association. All rights reserved. DOI: 10.1111/j.1539-2546.2011.01036.x

Coal Miners' Slaughter: Corporate Power, Questionable Laws, and Impunity

By Emily S. Channell¹

This paper is written in the memory of the 29 miners killed in Montcoal, West Virginia on April 5, 2010, and is dedicated to their families, friends, and fellow miners.

Abstract: The April 5, 2010 Upper Big Branch explosion in West Virginia was the worst coal mine disaster in the United States in 40 years. Given the importance of the coal industry to the United States, coal mine safety regulations do not effectively prevent such disasters from occurring, and a culture of impunity protects both coal companies and government agencies from being held accountable for contributing to disasters. The United Mine Workers of America's diminished strength in West Virginia leaves most miners with little recourse against growing corporations. An examination of the history of disasters in West Virginia coal mines provides insight into how the factors leading to the Upper Big Branch explosion developed and can potentially be prevented. [West Virginia, coal mining, mine disasters, labor unions, corporate impunity, Massey Energy, legislation and enforcement]

¹Special thanks to Avram Bornstein of John Jay College and the Graduate Center, City University of New York, for the initial support for this paper.

Introduction

Millions of gallons of oil streaming into the Gulf of Mexico since April 22, 2010, quickly swept aside news of the deaths of 29 miners in the April 5 mine explosion in the Upper Big Branch Mine at Montcoal. Reporting on the details of the explosion and its causes has been minimal outside of the state, despite the fact that several investigations into the disaster's causes as well as a criminal inquiry into the practices of the mine's owner company, Massey Energy Corporation, began in May and continue to produce new evidence. The Mine Safety and Health Administration's (MSHA) preliminary report suggests that this explosion, the worst coal mining disaster in the United States in 40 years, was likely caused by "the combustion of methane, combined with combustible coal dust mixed with air" (MSHA 2010a:2); in the days that followed the disaster, information surfaced that this and other mines owned by Richmond-based Massey, the largest coal company in West Virginia, had repeated violations of safety regulations established in 1977 as well as of more recent additions made in 2006. In addition to the frequency of disasters in which five or more miners die (which are required to be reported and investigated), individual miners are frequently killed by roof collapses, fires, and mechanical injuries. In light of this consistent violence, one must wonder how such an enormous industry can continue to allow blatant violations of its established laws.

Industry executives present coal to energy consumers as a cheap, clean, domestic power source that is less controversial than drilling for natural gas,² and their promotion of coal is aided by an ignorance of the prevalence of underground mining that leads energy consumers to forget that coal mining is still a lucrative industry in several states, including West Virginia, where it is *the* most lucrative industry. The enormous demand for coal in the United States—the National Mining Association's statistics show that half of U.S. electricity is coal-generated and that 90 percent

of coal mined in the United States is used domestically (National Mining Association 2009)—means that the energy economy benefits as much as do coal companies from lax regulations and enforcement. Safety laws remain a barrier to coal companies' operations, and this lack of consideration for safety means that coal miners remain the disposable resource.

How can a coal mine, particularly one owned by the largest, richest coal mining company in West Virginia, allow such a disaster as the April 5 explosion to happen? Corporate leaders and MSHA, the government agency responsible for mine laws and safety, together benefit from a culture of impunity established because of the importance of coal for the United States. The people who control the coal industry, such as Massey Energy's former CEO Don Blankenship, are above the law and not held accountable for their actions; furthermore, the law itself is not working in part because of the erosion of the enforcement capacity of MSHA as well as of groups such as the United Mine Workers of America (UMWA). Neither MSHA nor the UMWA has the power to force a company such as Massey to abide by existing laws, making both groups passively complicit in the culture of impunity. Miners have little power against such huge corporations and little union representation—the UMWA is largely absent from underground mines in West Virginia because of company-led anti-union practices. This culture of impunity is directly responsible for mining disasters and disregard for miners' lives throughout Appalachia.

In what follows I explore this culture of impunity. Following a brief history of major mining disasters in the United States and the legislation that followed, I discuss how mining

²That the April 22, 2010 Deepwater Horizon oil leak in the Gulf of Mexico remained in the international news for months after the spill while news of the unfolding investigations into the Upper Big Branch explosion have been covered mainly by local journalists suggests that there may be a certain acceptance of human deaths in order to obtain coal. A Newsweek article about the oil leak actually *misreported* that 25 miners had died at Upper Big Branch, the magazine coming to press more than a month after 29 deaths were confirmed (Begley, Sharon. 2010 "How Quickly We Forget" in *Newsweek* May 17: 39–41).

corporations are not held accountable for safety laws because the government agency that establishes the laws has little control over large mining companies and is not insisting on challenging the existing system. The examples of the Sago Mine disaster of 2006 and the most recent Upper Big Branch explosion—and the ensuing controversy over legislation and enforcement—show that corporations work around the laws in whatever ways they can and that MSHA is powerless to close the many loopholes that exist in safety legislation. In considering the participation of the UMWA president Cecil Roberts as the miners' representative in the investigations of Upper Big Branch, I also question the role of the miners' union in protecting underground miners who work for major corporations. Finally, I discuss the ongoing investigations into the Upper Big Branch explosion to explore the potential benefits of legal action against such an immense power as Massey Energy and Don Blankenship.

Anthropology and Appalachia

An anthropological approach which focuses on analyzing how local examples reflect broader, systemic trends provides a useful frame for gaining insight into the events in Montcoal. Rather than pointing the blame solely at corporate coal and Massey Energy, it is important to attend to the problems of the industry's structure, which implicates such groups as MSHA and the UMWA. The Upper Big Branch disaster provides an entry point into an analysis of the coal industry as integral to the U.S. economy; it is necessary to view this industry as it relates to corporate powers, federal and state governments, and individual miners who depend on it for their livelihood. By examining the larger connections among these groups and the process of writing legislation to respond to disasters and demands, it becomes clear that the laws have continually been systematically eroded to the detriment of miners' lives. West Virginia's particularity as a state

reliant on a coal industry dominated by one corporation connects the erosion of laws with a set of actors, in this case Don Blankenship and the Massey Energy Corporation. How Blankenship, Massey, and government officials have responded to the events at Upper Big Branch further provides an opportunity to visualize the extent of the government's weakness in the enforcement of its own laws. It is around these groups that a culture of impunity develops, supported by the union and a single-industry state. A perspective which examines both the coal industry at large and the specific case of West Virginia helps expose this culture of impunity as integral to the continuing exploitation of coal miners and the regions in which they live.

In recent decades, anthropologists have provided numerous studies of white working-class groups that challenge assumptions about white people as a bounded, homogeneous group (e.g., Susser 1982 or Anglin 2002; see also Buck 2001). West Virginia's mostly white, rural population (U.S. Census Bureau 2008) has been constructed as backward, making its concerns easy to ignore. Considering common stereotypes of West Virginians as poor, uneducated rednecks—largely developed after Lyndon Johnson declared the War on Poverty in 1964 and long perpetuated in social science literature (see Batteau 1990)—an anthropology of Appalachia must include an examination of socioeconomic developments and the significance of the coal industry to people's livelihoods rather than accepting poverty as endemic to coal field residents.

"That place was a ticking time bomb"

Upper Big Branch miner Stanley Stewart, May 24, 2010

The culture of impunity that prevents Massey from being held accountable by MSHA's safety laws and that renders those laws ineffectual in the face of such enormous corporate power exists because the United States—and West Virginia—

is so reliant on coal. Understanding the immense power Massey Energy holds in West Virginia requires a brief examination of the development of the coal industry in the state. The rapid expansion of mining in the early-20th century provided an ideal setting for the consolidation of power into one main corporation.³ West Virginia seceded from Virginia in 1863 in large part to provide coal for the Union, and the state's leaders elected for that agenda to continue even after the U.S. Civil War (see Burns 2007). As Allen Batteau suggests, capitalist power transformed an agricultural region into an industrial empire in the space of 20 years, and the state moved from producing 4.88 million tons of coal in 1887 to almost 70 million in 1912 (Batteau 1990:103). Batteau suggests that "coal barons aimed at nothing less ambitious than the total domination of the state government as an assurance of the continued profitability and freedom from regulation of their industry" (1990:104). Because of the money that mining brought, and continues to bring, to the state, the coal industry is given almost free rein to mine how and where it wishes. It is frequently able to choose who will lead the state politically according to its own interests,⁴ though efforts of West Virginia legislators in the months following the Upper Big Branch disaster, which will be described below, may indicate a shift in coal companies' control over politicians.

West Virginia's per capita income is 24 percent below the national average, making it one of the most impoverished states in the country (Brisbin et al. 2008:1; U.S. Census Bureau

2008), and the state with the lowest number of college graduates (Brisbin et al. 2008:2). In light of these statistics, one should ask, what are the circumstances under which producing coal for the rest of the United States to consume is the best job option for many West Virginians? Even if the number of employed miners has dwindled since the first half of the 19th century, mining is still the best-paid job for non-professional workers in West Virginia (Brisbin et al. 2008:25), making it highly desirable employment. Groups such as Massey take full advantage of this fact, knowing that, even if miners have other options, they will frequently choose to mine coal simply because they make more money and receive more benefits, despite the dangers. Coal corporations have a vested interest in keeping mining a competitive field because it ensures that coal miners continue to come to work, even if they know that mines are potentially unsafe. The culture of impunity that allows Massey to hire miners to work in unsafe mines is upheld by the West Virginian economy, in which the state relies largely on a single industry and workers have few means by which to challenge Massey's policies.

Coal mine safety laws are written with the blood of miners

(Curran 1993; Ward 2007)

The process of erosion of mine safety laws by powerful corporations is reflected in West Virginia's continued economic dependence on coal. Sociologist Daniel J. Curran (1993) asserts that coal mining laws are dependent on social and economic conditions surrounding disasters, in particular increasing demands for coal in the United States: "there are, in varying degrees, certain natural, social, economic, and political forces that appear to be critical in the explanation of such laws" (104). Coal legislation began in the late 1800s, particularly in response to the explosion at Avondale Colliery in Pennsylvania in which 179 miners died; in 1891, the first piece of federal legislation, the Act for the Protection

³Massey Energy is the largest coal company in West Virginia as well as in the larger Appalachian region, but Arch Coal Inc. also operates four coal mining complexes in Appalachia.

⁴One recent, striking example of this continued domination was the 2004 West Virginia Supreme Court race. Massey donated nearly US\$2 million to pro-coal Brent Benjamin's campaign against Warren McGraw, who had ruled against the coal industry in numerous cases, largely through the widely publicized "And for the Sake of the Kids." McGraw was accused of allowing convicted sexual molesters to walk free based on a complicated decision, and McGraw lost his seat to Benjamin based on a campaign funded by Massey that had absolutely nothing to do with coal (Burns 2007:82-3; Shnayerson 2008:261-2).

of the Lives of Miners in the Territories, established minimum ventilation requirements at underground mines and prohibited the employment of children under the age of 12 (MSHA 1998). The worst mining disaster in U.S. history happened in 1907 at the Monongah Mines numbers six and eight in Fairmont, West Virginia, in which 361 miners died in an explosion (Curran 1993:61). This tragedy led to the creation of the Bureau of Mines in the Department of the Interior in 1910; the bureau was “limited to investigation, education, training, and research intended to assist and advise the mining industry” (Curran 1993:67) and had no enforcement power to ensure mines protected their workers.

Thus, mines continued to operate as before the Monongah explosion, focusing on production rather than safety, until the 1940s, when a series of major disasters, including three in West Virginia in 1940 and 1941 (MSHA 1998:3), led to the passing of the Federal Coal Mine Safety Act of 1941, which granted the Bureau of Mines the authority to conduct annual inspections in mines but still did not give inspectors any enforcement power (Curran 1993:92-3), or create any safety and health regulations (MSHA 1998:3). Ten years later, an explosion at the Orient Mine Number 2 at West Frankfort, IL, killed 119 miners and brought the question of legislation to debate once again. In 1952, a new Federal Coal Mine Safety Act was passed, with an emphasis on preventing major disasters (Curran 1993; MSHA 1998). Not only did this act mandate annual inspections of underground mines (MSHA 1998:4), it also gave inspectors the right to give operators citations for hazardous conditions, and even “to stop operations and withdraw workers if conditions presented an imminent danger” (Curran 1993:100).

This increased policing and enforcement power still did not prevent mine disasters, however, and on November 20, 1968, the Consol Number 9 mine at Farmington, West Virginia exploded and trapped 75 of the 99 miners

working in the mine at the time. After the deaths of three inspectors attempting to rescue the trapped miners, the mine was sealed and the miners’ bodies never recovered (Curran 1993:109; MSHA 1998:4). This explosion followed a similar one in the same mine in 1954 that took the lives of 16 miners, and it came at a time in which the mine was in violation of federally established standards (Curran 1993:109). This disaster was the first to lead to regulations that explicitly recognized the safety of miners as a priority. The 1969 Federal Coal Mine Health and Safety Act required four annual inspections of underground mines, increased the Bureau of Mines’ enforcement powers (later through the establishment of the Mining Enforcement and Safety Administration [MESA]), and “required monetary penalties for all violations and established criminal penalties for knowing and willful violations” (MSHA 1998:4). This law was also the first to consider pneumoconiosis, or black lung disease, and to give disabled miners compensation for it (MSHA 1998:4).⁵

The Act was amended in the 1970s in response to both increased demands on coal during the energy crisis and the 1976 disaster at Scotia Mine in Kentucky, in which 15 miners were killed in an initial explosion and 11 were killed following a second explosion two days later (MSHA 1998:4). The 1977 Mine Safety and Health Act Amendments moved MESA into the Department of Labor and renamed it MSHA (1998), serving to “consolidate ... enforcement efforts and extended the power of the legislation to virtually all coal mining operations in the United States” (Curran 1993:141). This legislation also provided a provision in which mines receiving citations for recurring problems could be placed on “pattern of violation” status, requiring them to participate in a more stringent enforcement regime (Curran 1993:142). In the

⁵According to Curran, these tougher measures in underground mining legislation led to a closure of a large number of underground mines in Kentucky and West Virginia and an increase in the number of surface mines, which only require two annual inspections and face less dangers in terms of explosions and roof falls, for example (Curran 1993:120).

following discussion of recent major disasters in West Virginia, I question the effectiveness of this part of the 1977 law as well as the fact that coal mines still function under this Mine Safety and Health Act over 30 years after it was written.

“Only 1 Survives”

Headline in the Charleston Gazette, January 4, 2006

With the upsurge in legislation throughout the 20th century, mine disasters declined significantly in numeric terms. However, as journalist Ken Ward Jr. suggests, this can be attributed in large part to the shift to surface mining, which is significantly safer than underground mining.⁶ In places such as West Virginia, where underground mining is still quite prevalent, the death rate per ten thousand miners actually increased between 1997 and 2004; from 1999 to 2004, West Virginia and Kentucky produced 25 percent of the U.S. coal but were responsible for more than half of the country’s mining deaths (Ward 2007).

A combination of a reliance on legislation from 1977 and a complacency about the way those laws function led to prime conditions for another tragedy when the Sago Mine was struck by lightning on January 2, 2006. The mine contained a worked-out section in which methane gas had accumulated, sealed off with foam blocks to protect workers from an explosion. Because of the accumulated methane and the seals, which were not made of concrete blocks, as required by law, the lightning strike caused an explosion that killed one miner instantly and trapped 12 others underground with no means of communication (Kowalski-Trakofler et al. 2009; Ward 2007). The miners did not all have access to the one-hour personal oxygen tanks (self-contained self-rescuers, or SCSRs) that may have allowed them to find the exit that was seven hundred feet away (Kowalski-Trakofler et al. 2009:1380; Ward 2007). As a result of delays in reporting the explosion and an inadequate number of rescue teams

(Ward 2007), it took 41 hours to reach the trapped miners (Mine Safety Technology and Training Commission 2006:24). In this time, a miscommunication led the press to report that the 12 trapped miners had been found alive, only to confirm later on January 4 that all but one of them had died from carbon monoxide poisoning (Kowalski-Trakofler et al. 2009:1380; Schimmoeller 2008:39).

Sago Mine had received 276 citations from MSHA in the two years preceding the explosion (Ward 2007), and the disaster should have prompted a re-examination of the citation system itself. However, rather than remedy the law that had clearly been violated—each miner should have had access to and been trained in using the SCSRs, they should have had an adequate communication system that would not be affected by such an explosion, and the seal closing the worked-out mine should have been strong enough to protect miners from such an explosion—amendments were made to better prepare miners and rescuers for another similar disaster. The root of the problem, disregard for the already established regulations, was left unaddressed. Although the 2006 Mine Improvement and New Emergency Response Act (MINER) requires mines to have emergency plans, better access to and knowledge of SCSRs, and more reliable communication systems (Kowalski-Trakofler et al. 2009; MSHA 2006; Ward 2007), the same lack of enforcement that plagues the 1977 Mine Safety and Health Act affects the MINER amendments, as became apparent in April 2010.

“None of them did it for themselves alone”

President Barack Obama, April 25, 2010

In his eulogy for the miners lost at Upper Big Branch, President Barack Obama wondered, “How can a nation that relies on its miners not

⁶This definition of safety is based on the likelihood of miners losing their lives and does not take into consideration other questions brought up by surface mining operations, such as the potential health hazards to nearby communities and detrimental environmental effects.

do everything in its power to protect them?" (April 25, 2010). Along with West Virginia Senators Robert Byrd, Jay Rockefeller, and Joe Manchin, Obama has questioned Massey's safety record in light of the April 5 explosion. MSHA's preliminary report insists that "explosions in coal mines are preventable" (2010a:2), highlighting the importance of methane drainage, appropriate ventilation, rock dusting to quell the potential dangers of coal dust, and proper barriers to protect from explosions. The report describes how seven miners were killed in the initial blast and their bodies removed from the mine by fellow miners; after the explosion was reported, over 20 rescue teams responded to recover 18 more bodies. However, the rescue operation was suspended, although four miners remained unaccounted for, because of excessive amounts of smoke, methane, and carbon monoxide. Upper Big Branch was equipped with rescue chambers that could potentially be deployed in the event of an explosion and which held food, water, and oxygen for trapped miners. It took until Friday, April 9 before rescue teams were able to reenter the mine, at which point they found the four trapped miners had died (MSHA 2010a:3), unable to access the rescue chambers.

The MSHA report and other subsequent investigations show that this mine had been cited by MSHA 124 times already in 2010 for violations of safety laws, on top of 515 citations in 2009 (MSHA 2010a:4). Not only were 39 percent of those 515 violations considered "significant and substantial" by MSHA (2010a:4), Upper Big Branch was given 48 withdrawal orders—in which miners are removed from a segment of the mine until the problem is fixed—for repeated significant and substantial violations (2010a:5). Furthermore, Upper Big Branch had been placed on MSHA's "potential pattern of violation" status, the first step toward being placed on "pattern of violation" status, 13 times since 2007 (2010a:5). While MSHA officials claim that they "used the tools we have available" (Ward 2010c), Massey was clearly able

to circumvent their most stringent regulations, leading to the explosion at Upper Big Branch and the deaths of 29 miners.

"...a clear record of blatant disregard for the welfare and safety of Massey miners. Shame."

Senator Robert Byrd, May 20, 2010

At a May 20, 2010 Senate Appropriations subcommittee hearing, the late Senator Robert Byrd alleged that both MSHA and Massey Energy were to blame for the April 5 explosion, calling MSHA's resources "useless if the enforcement agency is not vigorous about demanding safety in the mines" and naming Massey's health and safety practices "disgraceful" (cited in Ward 2010j). This recognition helps shed light on the systemic abuses of mine safety regulations that led to the disaster at Upper Big Branch by both Massey and MSHA in the name of producing as much coal as possible. First, it is important to highlight the limitations of the Mine Safety and Health Act itself and therefore of MSHA's power to challenge companies such as Massey; in addition, Massey's and other corporations' actions abuse those limitations to protect their own interests and to avoid accountability for their violations of the law.

It is significant to note that, no matter what a mine's safety record may look like, MSHA does not have the right to permanently close a mine. MSHA can close portions of mines temporarily, but only until the mine operators have proven that they have remedied whatever hazard provoked a violation (MSHA 2010a:6). If MSHA finds a mine to be a significant danger to miners, agents can take a mine to court and request that a federal judge close it, but MSHA enacted this right for the first time only in November 2010 (Martinsburg Journal).⁷ While MSHA has the "pattern of violation" status it can use to increase enforcement in mines with consistent safety

⁷MSHA's lawsuit is against Massey subsidiary Freedom Energy's Mine No. 1 in Pike County, Kentucky; the mine has received over two thousand citations since July 2008.

violations, this provision also gives mines 90 days to reduce violations by 30 percent upon being issued “potential pattern of violation” status (MSHA 2010a:5). In the case of Upper Big Branch, the mine was supposed to have been issued “potential pattern of violation status” as recently as October 2009 for consistent significant and substantial violations, but a claimed computer error on MSHA’s part meant that the mine did not get a warning letter (Ward 2010c).

Even if a mine commits continual and repeated violations, mine owners have the right to—and frequently do—appeal those citations: Massey challenges 74 percent of its violations (Ward 2010a), contributing to the current 16 thousand-case backlog and to MSHA’s inability to hold Massey accountable for its significant and substantial violations (MSHA 2010a:7). While Senator Byrd took action before his death on June 28, 2010 to allocate funds to help clear the backlog of appeals (Ward 2010h), no challenges have been made to the frequency with which owners appeal recurrent violations. In addition, when mines are successfully cited and fined, it is frequently less expensive for them to pay fines than to fix what caused a problem in the first place (Prah 2006:246). This was particularly a problem before the Sago Mine disaster, and the MINER Act subsequently increased the maximum fine that could be demanded from a company (MSHA 2006), but the US\$1.1 million in fines that MSHA gave Massey since January 2009 (MSHA 2010a:8) means little to a corporation whose CEO makes US\$17.8 million in a year (Forbes 2010), and whose “cash and cash equivalents” totaled US\$1,162,900,000 as of March 31, 2010 (Massey Energy memo, April 26, 2010).

Recent testimony from Massey workers also alleges that workers are warned when MSHA inspectors are coming on site so they can fix whatever violations are most immediate in order to avoid citation. In his testimony before the House Committee on Education and Labor, during the Hearing on the Upper Big Branch Mine Disaster on May 24, miner Gary Quarles,

father of one of the miners killed on April 5, stated that the words “we’ve got a man on the property” are “radioed from the guard gates and relayed to all working operations in the mines” (Quarles 2010) to warn foremen of inspections. Quarles also describes how Massey men are the only people who accompany inspectors and that “no coal miner at the mine can point out areas of concern to the MSHA inspector” (2010). This suggests that, even if MSHA and Massey do adhere to inspection laws, both work around miners’ concerns to make sure mines continue to operate, placing the government and the corporation in the same category of blame for uncorrected safety violations that led to the miners’ deaths.

“No amount of money is worth your rights”

Stanley Stewart, May 24, 2010

West Virginia miners fought long, bloody battles throughout the early 20th century to win their right to unionize in 1933. However, with the increase of surface mines and the consolidation of the coal industry into two major corporations—Massey Energy and Arch Coal—the UMWA membership in District 17 (southern West Virginia and southwestern Kentucky) is around four thousand miners—down from 30 thousand in 1979 (Burns 2007:26). Both Massey’s underground and surface mines are largely non-union: only 4 percent of its workers are union miners (Burns 2007:27), generating another set of questions about miners’ rights in clearly dangerous mines such as Upper Big Branch. Testimony from miners and lawyers following the April 5 explosion indicates that miners legitimately feared that they would be fired if they complained about safety violations, and that they were not informed about options available to them to have safety representatives even as a non-union mine. While there can be no guarantee that Upper Big Branch would be a safer mine if it were unionized, miners would certainly have had more recourse to protect themselves from blatant safety violations and

from losing their jobs if the UMWA were behind them.

Upper Big Branch was a union mine before Massey Energy bought it in 1993. However, once Massey took over, the union was disbanded based on an agreement between the UMWA and Massey that two-thirds of the formerly unionized miners would be rehired at the mine (Shnayerson 2008:23). In May 1997, the potential to re-unionize was put to a vote at Upper Big Branch, but, as Stanley Stewart, a miner, claims that, “Massey and Mr. Blankenship in particular ran a hands-on anti-union campaign and threatened to shut the mine down if the union was voted in” (Stewart 2010, see also Shnayerson 2008). Stewart, who has worked at Upper Big Branch for 15 years as well as in other unionized mines, claims that with the union, “if you had safety concerns you had the right to refuse to work in unsafe conditions without fear of your job” (Stewart 2010); now, however, Massey has gradually forced out many formerly unionized miners in favor of hiring less experienced contract miners who will not challenge their safety practices (Shnayerson 2008:29). Although even non-union mines have the right to a miners’ representative, a miner who goes into the mine with MSHA inspection teams and helps ensure safety enforcement as per standards defined by MSHA, most miners do not take advantage of this program either because they are not aware of its existence or because, when they show interest in becoming representatives, they are discouraged or even threatened with retaliation (Addington 2010, testimony before the U.S. Committee on Health, Education, Labor, and Pensions, April 27).

The UMWA has gone from one of the most powerful and effective unions in the United States to being largely impotent in meeting the needs of those who depend on such an organization most. Even though union president Cecil Roberts was named to represent the Upper Big Branch miners in the current investigations, the union’s insistence on being involved only after workers have died can do little to placate

miners and their families. In addition, because of the fact that the UMWA cannot challenge that surface mines do provide jobs—and safer ones at that—the union has been forced to come to agreements with large corporations such as Massey to have any presence whatsoever at coal mines. With its dwindling numbers across the country because of jobs lost to surface mines, and because of Massey’s and others’ efforts to phase unionized miners out of their work force, the UMWA has lost not only its power in protecting laborers but also its reputation as a group that demands and receives change.

Concluding remarks

Investigations into the causes of the Upper Big Branch explosion are ongoing; federal and state inquiries are concurrent with Massey’s own probe attempting to explain the disaster. As the investigations play out, the potential not only for new mine safety legislation—MSHA has already issued “stop-gap” measures to enhance their enforcement capabilities in issuing “pattern of violation” statuses to mines with recurrent safety violations until they can push new legislation through Congress (MSHA 2010b)—but also for a real questioning of corporate impunity in West Virginia presents itself. It would be far too hopeful to suggest that Massey risks going out of business based on a few criminal trials, but the company’s safety record is currently under serious scrutiny by West Virginia lawmakers as well as by the federal government. If the UMWA continues to support miners’ families in their cases against MSHA and Massey, the organization could possibly rejuvenate some interest in the benefits of union mines for the miners who continue to work underground. With an increased recognition of the country’s reliance on coal caused by this disaster, perhaps the current administration will consider rewriting the 1977 mine safety laws to better protect coal miners.

Anthropological commentary on the Upper Big Branch disaster, as shown in this paper,

provides a perspective that allows one to see the necessity of challenging the current system of coal mine safety legislation as a whole rather than simply blaming Massey Energy and Don Blankenship for causing miners' deaths. While coal corporations are indeed guilty of circumventing mine safety laws, MSHA's lack of enforcement ability renders their government complicit in such disasters. An engagement with the history of the coal industry in states such as West Virginia is necessary to understand the depth of the culture of impunity that allows energy corporations and the government counterparts to function as they do, and only an Appalachian anthropology that engages with such deeply ingrained problems will be able to contribute to a better future for working-class West Virginians.

How quickly we forget, however. It is easy to rely on coal. It is easy to demand that West Virginia continue to produce coal because Appalachian coal is understood to be a domestic, cheaply mined, and efficient energy source. It is easy to forget that many in West Virginia may have no other option than to work in the mines and to encourage their family members to work in the mines. It is easy to forget that miners gave their lives in West Virginia to win their right to form a union in the 1920s when the U.S. government sent its own troops to quell the march at Blair Mountain, and it is easy to forget that miners give their lives today because they do not have the right to challenge the safety practices of a gargantuan corporation that is their best source of livelihood. It is easy to ignore the structures of corporate power that make men such as Don Blankenship immune to justice. And when we erase these memories, we contribute to the culture of impunity that caused 29 men to die at Montcoal.

References Cited

Anglin, Mary K. 2002. *Women, Power, and Dissent in the Hills of Carolina*. Chicago: University of Illinois Press.

Batteau, Allen W. 1990. *The Invention of Appalachia*. Tuscon: University of Arizona Press.

Braithwaite, John. 1985. *To Punish or Persuade: Enforcement of Coal Mine Safety*. Albany: State University of New York Press.

Brisbin, Richard A., Jr., Robert Jay Dilger, Allan S. Hammock, and L. Christopher Plein. 2008. *West Virginia Politics and Government*. Lincoln: University of Nebraska Press.

Bucks, Pem Davidson. 2001. *Worked to the Bone: Race, Class, Power, and Privilege in Kentucky*. New York: Monthly Review Press.

Burns, Shirley Stewart. 2007. *Bringing Down the Mountains: The Impact of Mountaintop Removal on Southern West Virginia Communities*. Morgantown: West Virginia University Press.

Curran, Daniel J. 1993. *Dead Laws for Dead Men: The Politics of Federal Coal Mine Health and Safety Legislation*. Pittsburgh: University of Pittsburgh Press.

DeMarchi, Jane. 1997. *Historical Mining Disasters*. National Mine Health and Safety Academy. (booklet).

Dix, Keith. 1988. *What's a Coal Miner to Do? The Mechanization of Coal Mining*. Pittsburgh: University of Pittsburgh Press.

Federal Mine Safety and Health Review Commission. 2008. *Federal Mine Safety & Health Review Commission; amended Mine Act, Procedural Rules, EAJA Rules*. Washington, DC.

Forbes.com. 2010. "Don L. Blankenship Profile." <http://people.forbes.com/profile/don-l-blankenship/51488> (accessed May 24, 2010).

Kowalski-Trakofler, K.M., D.W. Alexander, M.J. Brnich, Jr., L.J. McWilliams, and D.B. Reissman. 2009. "Underground Coal Mining Disasters and Fatalities—United States, 1900-2006." *Morbidity and Mortality Weekly Report*, 57(51-52):1379-83.

Lauriski, Dave D. 2004. "Protecting the Worker: Improving Mine Safety." *Vital Speeches of the Day*, 70(12):367-9.

Lewis, Helen Matthews, Linda Johnson, and Donald Askins, eds. 1978. *Colonialism in Modern America: The Appalachian Case*. Boone, NC: The Appalachian Consortium Press.

Martinsburg Journal. 2010. "Feds Sue to Close Massey Mine in Kentucky." *Martinsburg Journal*, November 4:B2.

Mine Safety and Health Administration (MSHA). 1998. *Historical Summary of Mine Disasters in the United States, vol. I – Coal Mines 1810-1958*. Washington, DC: MSHA.

----.2006. "Mine Improvement and New Emergency Response Act of 2006 (MINER ACT)." <http://www.msha.gov/MinerAct/MinerActSingleSource.asp> (accessed May 2, 2010).

----.2010a. Briefing by Department of Labor, Mine Safety and Health Administration on Disaster at Massey Energy's Upper Big Branch Mine-South.

----.2010b. "MSHA Takes Steps to Overhaul 'Broken' Pattern of Violations Program. New Criteria Developed for Screening Mines." <http://www.msha.gov/MEDIA/PRESS/2010/NR100928.asp> (accessed September 29, 2010).

Mine Safety Technology and Training Commission. 2006. "Improving Mine Safety Technology and Training: Establishing U.S. Global Leadership." <http://www.coalminingsafety.org/> (accessed May 2, 2010).

Moore, Greg 2010. "U.S. Sen. Robert C. Byrd dies at 92." *The Charleston Gazette*, June 28.

National Mining Association. 2009. "Fast Facts About Coal." http://www.nma.org/statistics/fast_facts.asp (accessed September 29, 2010).

Prah, Pamela. 2006. "Coal Mining Safety." *CQ Researcher*, 16(11):241-64.

Schimmoeller, Matthew. 2008. "The Sago Mine Disaster: Can Lightning Strike Twice?" *Public Relations Quarterly*, 52(2):38-42.

Shnayerson, Michael. 2008. *Coal River*. New York: Farrar, Straus, and Giroux.

Smith, Vicki. 2010. "MSHA Seeks Dismissal of Upper Big Branch Lawsuit." *The Charleston Gazette*, May 17.

"The Wrath of God: Fire in the Hole!: Mining Disasters." Color and B&W, 50 min., DVD Documentary. A&E Television Networks.

Ward, Jr., Ken. 2007. "Shafted: How the Bush Administration Reversed Decades of Progress." *Washington Monthly*, March 1.

----.2010a. "Appeals Kept Montcoal Mine Operating." *The Charleston Gazette*, April 11.

----.2010b. "Memo Could be Key in Aracoma Case." *The Charleston Gazette*, April 17.

----.2010c. "Broader Mine Safety Reforms Needed, Experts Say." *The Charleston Gazette*, April 24.

----.2010d. "Aracoma Miners' Widows Sue MSHA Over 2006 Fire." *The Charleston Gazette*, April 28.

----.2010e. "Massey Under Criminal Inquiry." *The Charleston Gazette*, April 30.

----.2010f. "Byrd Calls for Reexamination of State's Relationship with Coal." *The Charleston Gazette*, May 5.

----.2010g. "MSHA Mine Disaster Interviews to be Closed to Public." *The Charleston Gazette*, May 6.

----.2010h. "Byrd Obtains Funds to Clear Up MSHA Appeal Backlog." *The Charleston Gazette*, May 13.

----.2010i. "Feds: Was Upper Big Branch 'Willful Criminal Activity'?" *The Charleston Gazette*, May 14.

----.2010j. "Blankenship Spars with Byrd, Roberts Over Safety Record." *The Charleston Gazette*, May 20.

Ward, Jr., Ken and Gary Harki. 2010. "Two Probes of Montcoal Mine Started Last Year." *The Charleston Gazette*, April 8.

U.S. Census Bureau. 2009. "West Virginia QuickFacts." <http://quickfacts.census.gov/qfd/states/54000.html> (accessed May 27, 2010).

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North American Dialogue 14.1, pp. 12-22, ISSN 1539-2546. © 2011 by the American Anthropological Association. All rights reserved. DOI: 10.1111/j.1539-2546.2011.01037.x



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North American Dialogue (1556-4819) is published in April and October on behalf of the American Anthropological Association by Wiley Subscription Services, Inc., a Wiley Company, 111 River St., Hoboken, NJ 07030-5774.

Publisher: North American Dialogue is published by Wiley Periodicals, Inc., Commerce Place, 350 Main Street, Malden, MA 02148; Telephone: 781 388 8200; Fax: 781 388 8210. Wiley Periodicals, Inc. is now part of John Wiley & Sons.

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ISSN 1556-4819 (Online)