

Who Speaks for Creation?

by Fr. John S. Rausch

Judy Bonds had her eyes opened the day her 6-year old grandson scooped up dead fish floating in the creek by her house. Something terribly wrong happened to the water due to the mine runoff originating from the coal preparation plant above Marfork Hollow where her family had lived for seven generations. The water tested positive for polyacrylamide, a cancer-causing agent used to prepare coal for burning. Within six years all the residents in the hollow near West Virginia's Coal River had to abandon their homes for their own safety.

In 1998 Judy volunteered with the citizens' group, Coal River Mountain Watch, and eventually was hired as the outreach director, then became co-director with Vernon Haltom in 2007. Her job included organizing protest rallies, testifying at regulatory hearings, lobbying the West Virginia statehouse and picketing stockholders' meetings of mining companies. Her humor and passion made her an engaging speaker.

"She became the voice for communities around the country fighting mountaintop removal (MTR)," Haltom said. MTR is the aggressive mining practice of shearing off the tops of mountains, sometimes by 600 feet, to extract coal, which in the process destroys the entire ecosystem.

Her message underscored that the health and safety of Appalachia's poor were being sacrificed for energy company profits. She cast the indifference of the mining companies and MTR in terms of a human rights story, and one of her applause lines harkened back to her young grandson standing in polluted water: "Stop poisoning our babies!"

Only months after first being diagnosed with cancer, Judy Bonds died on January 3, 2011 at age 58. The passing of this strong advocate for environmental justice raises a basic question when decisions are made almost exclusively from economic concerns: who speaks for the ecosystem, i.e. who speaks for creation?

Federal and state regulators, charged with enforcing the provisions of the National Environmental Protection Act and the Clean Water Act frequently follow the politics of the current administration. Enforcement becomes extremely lenient when an administration promotes industry friendly practices.

Supreme Court Justice William O. Douglas, an avid conservationist, once wrote a dissenting opinion in a case involving a scenic valley by proposing society expand the notion of community capable of seeking legal protection to include soils, waters, plants, animals and in general "the land." The law already allows spokespersons for the inarticulate, such as corporations, small children and those who are comatose. Why not have people speak for a river, a valley or a mountain before it's despoiled, defaced or destroyed? He argued that people who have frequented a place would know its value and wonders, and could "speak for the entire ecological community."

While American jurisprudence has not progressed to the vision of Justice Douglas, papal statements have begun emphasizing the integrity of creation. In 1990 Pope John Paul II linked together respect for the environment and world peace, then wrote that the right to a safe environment "must be included in an updated Charter of Human Rights." Pope Benedict XVI in his 2008 World Day of Peace Message also pleaded for the care of creation "with the good of all as a constant guiding criterion."

Until the courts grant civil rights to the earth with all its features, the “good of all” must be upheld by community people like Judy Bonds. In 2003 she won the prestigious Goldman Environmental Prize. After settling some family debts and paying off the mortgage, Judy contributed nearly \$50,000 of the prize money to Coal River Mountain Watch.