

The childhood lead poisoning epidemic in historical perspective

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Abstract

A hidden epidemic is poisoning our planet and its people. The toxins are in the air we breathe and in the water we drink, in the walls of our homes and the furniture has it within them. We cannot escape as it is so indispensable in our cars. It is ubiquitous in cities and the countryside. It afflicts rich and poor, young and old. But this testing of chemicals on human beings is not new. For most of the twentieth century lead was tested on children and it produced one of the largest and longest running epidemics in the history of United States. This article examines that history.

A hidden epidemic is poisoning our planet and its people. The toxins are in the air we breathe and the water we drink, in the walls of our homes and the furniture within them. We can't escape it in our cars. It is in cities and the countryside. It afflicts rich and poor, young and old. And there is a reason why you have never read about it in the newspaper or seen a report on the nightly news: it has no name — and no antidote.

The culprit behind this silent killer is vinyl. And formaldehyde. And asbestos. And Bisphenol A. And polychlorinated biphenyls (PCBs). And thousands more innovations brought to us by the industries that once promised “better living through chemistry,” but instead produced a toxic stew that has made all human beings guinea pigs and has turned the world into one grand unnatural experiment.

A toxic dump used to be a superfund site or a nuclear waste disposal site. Increasingly, however, *we* — each and every one of us — are toxic dumps and for us there is no superfund around, no disposal plan in sight. In the meantime, we are walking, talking biohazards and we do not even know it.

Without our knowledge or consent, we are, in essence, testing thousands of suspected toxic chemicals and compounds, as well as new substances whose safety is largely unproven and whose effects on human beings are all but unknown. In the United States the government's Centers for Disease Control and Prevention (CDC) has begun monitoring our bodies for over 200 potentially dangerous chemicals, detailing the variety of pollutants Americans store in their bones, muscle, blood, and fat. But for many of

these chemicals it will be decades before we know if they present a threat to our health or not.

But this testing of chemicals on human beings is not new. For most of the twentieth century lead was “tested” on children and it produced one of the largest and longest running epidemics in United States' history. But unlike many of the new chemicals that are potential threats, the lead epidemic disproportionately affects the poor and people of color. While it is true that lead poisoning affects children from every race and ethnicity and all income groups, it does not affect them equally. Thus, because this epidemic affects particular groups of politically and economically vulnerable people, it remains invisible to middle and upper class white Americans, except when scandal hits, as it did in Flint in 2015. It is perhaps the classic, and longest lasting, case of environmental racism and environmental justice.

For much of the twentieth century the lead industry, instead of taking responsibility for putting this toxin on the walls of millions of home throughout the United States, has blamed the children and their parents. They have said, for instance, that the children who became lead poisoned were “defective” to begin with, suffering from a condition called pica that led them to consume non-food items. For the past decade lawsuits by representatives of children poisoned by lead against the lead industry have highlighted the terrible impact of this history of victim blaming. In general, lawyers for these children have argued that the long history of knowledge and neglect on the part of the lead industry demands that finally the lead industry contribute to solving this problem. As John McConnell, one of the leading attorneys in these lawsuits, put it at a 2007 trial:

“This case is about companies that sold, marketed and promoted white lead carbonate for use in paint for decades. And during that entire time, they knew that it could poison children. Let me repeat that. These defendants, each one of them, knew when they sold white lead carbonate that it would hurt, and they sold it, and they marketed it, and they promoted it anyway. And now they'll claim no responsibility for the injuries that have been caused.”¹

At this same trial, the position of the industry replicated the historical arguments outlined in this paper: children,

* Paper for the volume “Living in a Toxic World (1800–2000) edited by Ximo Guillem-Llobat and José Ramón Bertomeu-Sánchez”.
Available online 18 April 2016

¹ Opening Argument for the Plaintiff, John McConnell, in Steven Thomas, Plaintiff, vs. Clinton L. Mallett, et al., Defendants. Case No. 99CV006411, Jury Trial Transcript, November 1, 2007, Volume 24, p. 1097–1098.

parents, landlords, even the government and public health departments were to blame for lead poisoning. But above all, it was the child who needed to “change his attitude” and stop looking to society or the industry for any help. For example, despite having been diagnosed with an extraordinarily high blood-lead level,² the defense attorney for NL Industries (formerly National Lead Company) argued that it was unfair to blame lead for the child’s problems. In his closing statement in one case he told the jury that, despite the fact that the child had very high bloodlead levels, it was probably not lead that was responsible for all his intellectual, emotional and behavioral problems. Rather, it was the child’s negative attitude that had caused him to fail at school, act out in various social situations, and get in trouble with the law. If the young man was in the courtroom, Michael Jones, the attorney for NL Industries told the jury, “I’d say to him, you can, and God dog it, you must change your attitude. Your attitude is the principal thing holding you down in life. That is what I would say to [him].”³ In another case in Mississippi the same lawyer represented NL Industries in a suit brought by African-American parents on behalf of their children by arguing that “the problems found in the children are genetic and not due to exposure to lead-based paint.”⁴ Victim-blaming plays well with juries who are often unwilling to award an African-American child who has dropped out of school or who has had trouble with the law or who is, in general, assumed to have no future anyway, large sums of money.⁵ Until recently (more about this below) courts and juries have been unwilling to overcome these arguments in cases involving lead pigment manufacturers, but when landlords are being sued, children and their parents have been much more successful in surmounting these contentions.

In the 1950s the industry blamed parents of lead poisoned children. According to Manfred Bowditch, the Director of Health and Safety of the Lead Industries Association, “Childhood lead poisoning is essentially a problem of slum dwellings and relatively ignorant parents.” Further it was “almost wholly confined to the older cities of the eastern third of the country” and that “until we can find means to (a) get rid of our slums and (b) educate the relatively ineducable parent, the problem will continue to plague us.”⁶ The President of the National Paint, Varnish and Lacquer Association, General Joseph F. Battley, elaborated on this theme, using contemporary psychological explanations for rationalizing away corporate responsibility for the pollution of children’s environments. In a press release by the NPVLA, they cited Battley’s explanation for why children eat flaking paint. There may be dietary deficiencies, but even “a well-fed child may still be emotionally hungry because he does not receive as much loving attention as he needs. Another may



Fig. 1. A Dutch Boy White Lead paint can. Source: Wikimedia Commons.

suffer from a sense of insecurity. To gain the comfort and reassurance they crave, they often place inedible objects in their mouths.”⁷ This strategy of “blaming the victim” was also used by other industries. For example, the tobacco industry argued that smokers made an individual choice to smoke and that to deprive them of that choice was an attack on individual freedom.⁸

For much of the century, the lead industry produced, marketed and profited from the sale of lead paint for use in housing around the country (Fig. 1). From the 1920s on there is strong historical evidence that they understood that lead paint was poisoning children. Yet, for much of the century the industry was able to deflect attention from its own role in perpetrating a problem by focusing the nation’s attention on a host of other forces that fed the problem. Children with pica, “ignorant” parents, children who were not supervised, and, in the 1960s, slum landlords who profited from dilapidated housing were identified as the culprits. Obviously, parents who were denied information about the dangers of lead, children who were told through advertisements and booklets that lead protected health and improved the quality of life, caretakers who were too overwhelmed to watch children’s every movement, and landlords whose own profits depended on little or no maintenance can be seen as part of the larger constellation of actors who might have held differing roles in the tragedy. And certainly the children who have and will be lead poisoned because of paint that covers the nation’s walls are the big losers. But only one actor in this historical drama has remained immune from the tragedy: the lead industry that knowingly sold and profited from, and which actively promoted, the use of this dangerous product.

In the early 20th centuries, the literature on childhood lead poisoning continued to accumulate in Australia,

² The child’s blood-lead level was 49 µg/dL (micrograms of lead per deciliter of blood, nearly five times the level the Centers for Disease Control defines as “elevated” and which has been identified as a level at which various behavioral, neurological and intellectual deficits can occur).

³ Closing Argument for the Defense, Michael Jones, Steven Thomas, Plaintiff, vs. Clinton L. Mallett, et al., Defendants. Case No. 99CV006411, Jury Trial Transcript, November 1, 2007, Volume 24, p. 6247–6248.

⁴ See: “Mississippi Residents Allege Lead Poisoning from Apartments,” <http://injury.findlaw.com/lead/lead-news.html> (accessed: September 11, 2008).

⁵ Juries were also told by defense attorneys that companies should not be held accountable for selling lead products decades before.

⁶ Bowditch to Kehoe, December 26, 1957, LIA Papers.

⁷ National Paint, Varnish and Lacquer Association, “Watch Your Child’s ‘Eating Habits!’” NCA 000053.

⁸ See Robert Proctor, *Golden Holocaust: The Origins of the Cigarette Catastrophe and the Case for Abolition*. Berkeley: University of California Press, 2011.

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