

# Getting to the core of Human Rights: Demanding greater environmental protection in China today

**By Leah Strauss for Human Rights Without Frontiers In'tl**

HRWF (04.08.2015) -"I had never felt afraid of pollution before. I had never worn a mask anywhere." Chai Jing stands on the stage, images blinking on the backdrop behind her, recounting the point where her way of looking at the world changed. Like any first time parent, the birth of Chai's daughter completely altered her universe. Yet universals of parenthood are not so universal outside of China, when it comes to extreme pollution. It is not so relatable for instance, to harbor acute, daily anxiety over the quality of the air entering your child's lungs--so much so that for half of her first year of life you keep her indoors, "like a prisoner."

Chai's own personal story is documented in the film "Under the Dome."[1] Stories from the former TV anchor's life are woven with interviews of figures of authority across China, in the most high profile environmental investigation in the country to date. The film went viral in China in February 2015, with over 200 million views over a matter of days. In the film, Chai takes her camera everywhere: from inside operating rooms of lung cancer patients, to the blackened bellows of their lungs, to inside the bellies of pollution-belching factories. She presents a picture of the scale and extent of pollution in China, highlighting problems with corruption, mismanagement and the laxity of regulations.

The film, which stayed online for less than one week before it was banned by government censors, closes with a call from Chai for bottom-up, individual action from "millions and millions of ordinary citizens." She envisions them one day standing up and shouting: "No! I'm not satisfied! I will stand up and do something!"

However, doing something, as Chai says, "Right now! Right here!" is not without risk. While city-dwellers in China increasingly demand greater environmental protection, the current trend suggests increasing vulnerability. In June, in the heart of Shanghai's financial hub, at least three busloads of environmental protesters were taken away in an effort to forcibly prevent an impending rally.[2] Affluent Chinese are increasingly forming such protests, but authorities are matching their rise with wariness. In northern China two activists were in March arrested for holding signs reading: "the government has a duty to control smog," a move apparently inspired by Chai's film.[3]

One month after the protesters were quelled in Shanghai, in an ominous sign for human rights defenders across China, environmental and otherwise, at least 146 lawyers, activists and their relatives were taken into custody in 24 Chinese cities and provinces according to Hong Kong-based China Human Rights Lawyers Concern Group, and 22 remain in custody. State media reported that in the mass round-up, Chinese police were targeting a "criminal gang." Lawyers were accused of "trying to create social conflict by using paid protesters, trying to influence public sentiment and spreading rumors."[4]

Those questioned say the real goal of recent moves by the government, is to "discredit and dismantle the 'rights defense' movement" in China. Zhang Lei, a lawyer questioned by the police, called the crackdown, "the biggest attack we've ever experienced."[5]

In her call to action, Chai correctly insists that the government, “must rely on ordinary citizens like you and me. On our choices. On our Determination.” Considering the hard line being taken by the current government against environmentalists and human rights defenders alike, Chai’s words are equal parts emboldening and potentially perilous.

On a daily basis, Chai’s concerns prompt her to check the Air Quality Index of Beijing, which she then uses to plan her day. While the extremes she contends with remain virtually unimaginable for those who have not experienced them in China or elsewhere, there remains an underlying current that *is* familiar to her story: the instinct to protect oneself and one’s family from environmental harm.

Indeed, on the other side of the planet, a celebrated Canadian journalist published her much anticipated environmental treatise on climate change a half year prior to the release of “Under the Dome.” Like Chai, Naomi Klein’s call to take action and end our reliance on fossil fuels is also a deeply personal one. In Klein’s book, “This Changes Everything,” she reveals how her own struggle with fertility and the eventual birth of her son influenced her perception of the threat of runaway climate change.[6]

In fact, Klein intended to withhold reference to her pregnancy and new motherhood which directly coincided with her writing. She was skeptical of calls to action based on our responsibilities to “our children,” as such invocations felt to her exclusionary while she herself struggled with issues of infertility. Her sentiments, however, changed: “It’s not that I got in touch with my inner Earth Mother; it’s that I started to notice that if the Earth is indeed our mother, then she is a mother facing a great many fertility challenges of her own.”[7]

Underlying the work of Chai and Klein, is a common revelation about threats to the environment being inextricably tied to threats to one’s own body and that of loved ones. For these journalists, there is courage in painting their arguments with a personal brush. And why not frame it this way? What is more personal after all, than living on a planet that is so polluted one’s own very genetic integrity is at risk?

Indeed, promotion of human rights, being about the human, the person, the body and the environment of the body, must form an essential part of any demand for greater environmental protection. In highlighting the body, these women get to the “core” of what it means to defend one’s human rights.

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In Chai’s investigation, she points the camera towards microscopic particulate matter invisible to the naked eye, but visualized en masse in the refracted light of smog. Klein, in speaking about her own personal story, returns to spring and the spawning season. To tell this story, Klein directs her lense towards what the naked eye will never see, no matter the precision of our instruments. She is intent on illuminating absences.

She explains that during spawning season for aquatic life, the marsh acts as an “incubator.” The wetlands are thus a place of birth, but it is also a fragile place, as fish in their egg and larval phases lack defensive tools and are unable to avoid poisons that

enter the landscape. Encounters with toxins, even in negligible amounts can lead to their death or mutation.

Klein travelled to Louisiana after the BP Horizon oil spill to see the marshlands herself. She notes that, unlike oil-coated sea birds and turtles, the likenesses of which are familiar from international media covering disastrous spills, the deaths of eggs and larvae do not make headlines and go uncounted. Instead of a "camera-ready mass die-off," what is left is "...nothing. An absence. A hole in the life cycle."

Klein had been struggling with fertility issues for some time before her trip to the marsh. Yet, while there in the waters and grass, she felt less of an, "exile from nature" and instead "what I can only describe as a kinship of the infertile." She felt like part of a, "vast biotic community," that, due to the environmental damage already being suffered across the planet, was, "engaged in an uphill battle to create new living beings," deprived of that "most essential tool: the ability to create new life and carry on their genetic lines."

Similar invocations to train our eyes on what we are not used to seeing come from a professor of English, Rob Nixon, who in his book "Slow Violence" also highlights the absences and uncounted. He asks: "Who is counting the victims of genetic deterioration—the stillborn, malformed infants conceived by parents whose DNA has been scrambled?"[8]

These activists ask us to count losses in a way more reflective of reality—losses that are too often irreversible. The violations we are seeing today, which *already* pose irrevocable damage, are unacceptable human rights violations. Human rights can capture the gravity and unacceptable nature of *one* life being irreparably damaged or worse, lost. Human rights are uniquely posed as a defense we must call upon when the most basic, microscopic materials that construct us, our most basic building blocks, are threatened.

Ensuring the protection of human rights must go hand-in-hand with ensuring the protection of the environment of the human body. Nowhere is this made more clear than in China, where we see the devastating effects of combined absences: the absence of well-being wrought by pollution and the absence of full respect for human rights.

The casualties in China, official and unofficial, are unequivocally increasing as a result of pollution, especially for those most vulnerable. Coal and car emissions are raising the risks of premature babies, low birth weights, and neural tube defects, and the dangers begin in the womb. Birth defect rates have increased in China by 70% over the past two decades. Neural tube defects have climbed to a rate 13 times higher than in the US.[9]

It is no coincidence that the superlatives swirling around China are interrelated. China is the world's largest economy, the biggest emitter of carbon in the world, with the world's largest car market. Corresponding graphs that creep upwards in tandem to these developments, can be found related to serious health impacts and threats to one's biology. The Chinese Ministry of Health reports that pollution has made cancer China's leading cause of death.[10]

Slowly, the science is identifying and naming the dangers, some of which are compiled and highlighted in a recent, also very personal account. Gardiner Harris, a NYTimes

correspondent based in India, became deeply concerned about his son's declining ability to breathe in New Delhi, a city twice as polluted as Beijing. Spurred by his own experience, Harris found in his research numerous studies involving pollution and increased risk for disease including epilepsy, diabetes, autism, and multiple sclerosis.[11]

In a particularly memorable scene from Chai's film, she asks a 6-year old girl from Shanxi province, "Have you ever seen the stars?" The girl stares back, giving a direct, unblinking answer: "No." "Have you ever seen the blue sky?" "A little bit." "How about white clouds?" "No." Human rights ensure dignity and well-being, and what is a more basic requirement to ensuring one's full well-being than seeing the sky?

Experiencing the sky, knowing that the air you breathe is not a death sentence, and that the pores of the vegetables you eat are not seeping with heavy metals—in other words, being able to exist in a safe and decent environment—is a basic human right necessary to ensuring all other human rights. Knowing this makes one human.

The writer, Jonathan Safran Foer, poetically described this elemental knowing when speaking on one of his own areas of research: factory farming (the narrative of which revolves around feeding his sons).[12] The example he chose was a pregnant animal, put in a cage so small she couldn't turn around—an apt metaphor for those most vulnerable, and unable to escape extreme pollution. He explained that the idea of treating an animal in this way was "just not right." Moreover, he didn't need to be convinced by the authorities to reach such a conclusion: "I don't need a philosopher to explain that to me. I don't need a veterinary scientist to explain it to me. My humanity is enough—the humanity that I was born with." [13]

One's own humanity is enough to understand that a safe and decent environment is an essential, universal human right. This knowing is perhaps most fully at the front of one's consciousness when it is felt from within one's own viscera, that is, when this right is denied.

In Foer's writing, a common element he addresses is that of intergenerational trauma and the idea that memory of trauma can be inherited and passed down across generations. In his own life, Foer's grandmother, a Holocaust survivor, was a central influence both in his work and his interest in trauma. It can be said that the 6-year old girl Chai interviewed, along with other children across China born into an environment which, while not a war zone, does inflict counted and uncounted casualties, are experiencing a certain kind of trauma. What sort of intergenerational trauma is being passed down today as a result of growing up and existing in a harmful, toxic environment? Certainly the hard science is beginning to make such suggestions, e.g. there is evidence that certain forms of pesticide exposure can be felt three generations out, in the *absence* of continued exposure.[14]

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"You are part of this world." These words came in response to a question I posed to my own midwife at a routine check-up. I had asked her if she had any advice about achieving as toxin-free a pregnancy as possible for my developing daughter. Her words

were meant to allay my fears and leave me feeling more grounded in the knowledge that there was only so much I could do, especially at this point.

Indeed, I did find her words reassuring. She succeeded in imparting some comfort, but only based on the timing of the situation. In essence, these are after-the-fact words of complacency—words necessary when the window for radical change is closed. However, they are immobilizing when what's done is not *yet* done.

In sweet paradox, you can take the same words, "you are part of this world," and put them in a completely different context where they have the opposite effect. Instead of inspiring a sort of anesthetizing acceptance, they hold a powerful spark, capable of inciting an inner recognition and bold call to action.

The window of opportunity for radical change in many ways has not yet closed. Klein and Chai both outline ways forward, and as Klein puts it, many of the changes "are distinctly un-catastrophic. Many are downright exciting." In considering what we can do *now*, in order to avoid scenarios where we have to throw our hands up in the air and accept defeat, human rights defenders must evoke the precautionary principle when calling on greater environmental protection.

The precautionary principle holds that if there is a reasonable indication that an action or policy may be unsafe, then we should simply refrain from using it, even when there is not yet scientific evidence conclusive to that effect. Essentially, the level of risk to which we are exposed today is unacceptable, especially in the extreme scenario happening in China. With the precautionary principle, perfect scientific certainty is not necessary to take action to protect human health and the environment. Here the burden of proof is not placed on the people who could be harmed. As Klein puts it, the movement has found what is *non-negotiable*.

We know that reducing factory emissions in China can have immediate and measurable, positive effects. In 2008 during the Beijing Olympics, the city closed factories and power plants and restricted traffic, resulting in a reduction of air pollutants by between 18% and 59%. Babies carried by pregnant women during that time were born heavier than babies born a year earlier or later.[15] In a similar study, after a coal-fired plant closed in Chongqing, China, children had fewer signs of exposure and DNA damage, and they also performed better on developmental tests.[16]

The wire cutters of pollution, poised at the neck of the double helix curls we carry within and that carry us, are ready to sever our connections—sacred connections to future generations and within ourselves. To prevent this damage, we must in addition vigorously demand that a new intertwining is ensured: that of language. The language of human rights must be interwoven into the text of all international environmental treaties, in an integral and meaningful way.

We must also ensure greater synergies are formed across traditionally distinct sectors. The borders between the activist worlds of human rights and that of environmental protection must continue to dissolve so that they become interwoven and fully united.

Human rights reflect our universal human values. It is vital that the circle enclosing our "shared environment" includes all of humanity. Pollution is also universal in that its

effects are borderless, particularly when you withhold limits on time. As part of this global picture, China's increasing reach and influence must also be considered, as China continues to invest and become more powerful in countries with risky political regimes and weak protection of human rights, making it more difficult to demand environmental standards in these countries.[17]

In this way, we are all part of the story of what is happening in China: there is nothing happening in China today related to pollution that will not affect us all eventually. While it is not necessary to be part of the story to be moved to action, now more than ever, given the scale and extent of the destruction and threats to human health, well-being and dignity, we, as Klein puts out, must not look away.

In promoting greater environmental protection, Chai calls us to shout: "No! I'm not satisfied!" One can hear in her plea, the echo of another journalist and environmental activist, Dai Qing. Some 25 years earlier, in protest against the construction of the Three Gorges Dam Project, Qing similarly and defiantly proclaimed: "The highest expression of dignity can be summed up in a single word: No!"

### **Citations**

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