

Actually Existing Democracy and Energy Justice: The Case of the Coalfields Delegation  
to the United Nations Commission for Sustainable Development.

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**ABSTRACT**

This dissertation explores the concept of Actually Existing Democracy in the transnational public sphere through the experiences of the Coalfields Delegation to the United Nations Commission for Sustainable Development (UNCSD). In particular, this research examines the differential impacts of energy extraction on local communities, and what the term justice might usefully mean in the context of transnational energy politics. I provide an account of justice that engages with the theories of Nancy Fraser and Pierre Bourdieu and mines their insights to provide a novel intervention in debates about justice and the public sphere. I start by defining justice as a transnational construct using theories of the nation-state and then discuss the nature and roles of counterpublics, specifically the Coalfields Delegation, in transnational justice. I then explore Fraser's constructs of redistribution, recognition, and representation, viewing each through Bourdieu's theories of habitus and field. I show that the process through which counterpublics seek justice is mediated through the operations of power in the economic, cultural, and political fields (adopting Fraser's definition of culture over Bourdieu's). To achieve justice, it is insufficient to suggest that movement in a field proceeds directionally; rather, Fraser and Bourdieu are in accord in suggesting that these fields need to be deconstructed (Fraser's term) by counterpublics adopting heterodox practices to challenge the established ordering of the field. Energy injustice,

in the particular form of mountaintop removal coal mining, occurs locally, yet is inherently global in its implications through the processes of international trade and consumption. Therefore, the appropriate level at which to examine these seemingly “local” concerns is that of the transnational. In the case of the Coalfields Delegation, appeals have been made at the local, state, and national levels, to no avail. The group pursued several interlinked strategies at the UN. To the extent that their plight is one of economic disparity, the Coalfields Delegation has sought to redefine economic power in a manner different from global capitalism. Where cultural marginalization has been used as a basis for justifying disparate impacts on mining communities, the Delegation decidedly used its own formulation of “culture” as a strategic publicity mechanism. In pursuing representation at the UNCSD, the Delegation began defining its concerns in global terms, suggesting human rights violations, and placing coal mining within the context of global sustainability and climate change. However, in so doing, members of the Delegation started to reconceive themselves in solidarity with other similarly affected groups represented at the UNCSD. Their quest for global redress has not been one of straightforward acts of agency, but rather should be viewed as an oscillation between agency and structure. Fields exert counter-pressure, however, as the Delegation members grew in experience and sophistication, their habitus changed accordingly. My research explores the dynamic play of these social forces by linking the ideas of public sphere and field, counterpublic and habitus, to develop a new way in which researchers might both describe and trace advocacy group efforts to secure justice in the transnational public sphere.

**Dedicated to:**

Dea Gay  
Mary Elizabeth Frey  
Helen and William Frey

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**October 10, 2010**

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## Introduction

*That was you know, that was my first time in New York. I've never been ... and it seems like so long ago that we went. But I mean it was an experience I'll never forget and it just ... the experience of trying to get the people's voice across to the delegates there and tryin' to tell them the situations and conditions that was goin' on here, and also we was addressin' the global warming you know, to other countries. Tryin' to say you know, this is what's coal's doin'. We have to change our ways and come up with green alternatives. (Randall, 2008)*

In 2006 the Coalfields Delegation, a group of Appalachian citizens and activists, journeyed to the United Nations Commission on Sustainable Development (UNCSD) to protest the impact of mountaintop removal on their communities and livelihoods. They sought to bring their issues—including coal dust contamination of their homes, toxic mine drainage into their wells and thus into their household water supply, disruption of ancestral lands, communities, and burial sites, erosion and destabilization leading to torrential flooding—to a global forum. This, they accomplished, and in the process, they made connections with groups outside the United States facing similar environmental degradation due to mining and fossil fuel extraction. In interacting with representatives of those entities, the Delegation linked its cause with human rights and sustainability issues at the local and global levels, while advocating for a sufficiently broad definition of sustainability to encompass both environmental and economic well being. Based upon their initial experiences they sought to engage a wider range of participants in a return trip to the UN in 2007 to deliver a position paper, voice their concerns and make their claims at various sessions, and to deepen connections with other delegations.

Issues of economic and environmental exploitation in the Central Appalachian region are

not new; such struggles have occurred for decades. Throughout this history, however, economic and environmental concerns have been intimately intertwined. Several comprehensive histories have been written that describe the economic, environmental, and political exploitation of the region (Dunaway, 1996; Gaventa, 1980; Gaventa, Smith, & Willingham, 1990). Appalachian residents have long borne the brunt of the costs of resource extraction, without receiving commensurate benefits. This is particularly the case with the advent of a relatively new extractive technology, mountaintop removal (MTR). By using machinery to destroy large sections of mountains to remove thin seams of coal located within them, MTR has displaced a high percentage of the Appalachian workforce and literally reshaped the region's terrain. Still, citizens feel beholden to the coal industry for employment, and those who do protest often experience ugly consequences, including threats and violence from other citizens—often the employees of mining companies (Barr, 2005).

Given this long-standing situation, an outside observer might question what the members of the Coalfields Delegation hoped to achieve by petitioning the United Nations. Indeed, the group attracted members from several states, all united around the common issue of the external costs of coal mining. Nevertheless the Delegation's decision to appeal to an international body was not necessarily intuitive. While groups have been known to engage in "venue shopping" when they expect to achieve greater success in one policy forum versus another (Baumgartner & Jones, 1991), it is not clear that such was the case in this instance. Instead, this group's choice arose as a result of rapidly deteriorating community environmental conditions; frustration at policy-maker inaction at state and local scales to address those circumstances, and the emergence of an opportunity to secure an international audience for its concerns.

This research examines the Coalfields Delegation and its experiences at the United

Nations, from idea to outcomes, as a determined pursuit of justice through claimed participation. To understand this journey, questions of both political agency and structure are paramount. A primary concern is grasping how the delegation went about making its case at the United Nations. A second and related critical interest must be to understand how receptive or conducive that forum proved to be to grassroots advocacy. Overall, this study examines the early stages of a community group's entry into the transnational public sphere; the perceptions, experiences, and challenges that Delegation members addressed in claiming a place in the global public sphere. Ultimately, I examine how this local citizen group framed and pursued justice beyond the bounds of the state and whether current theorization is adequate to address such a case.

### **Mountaintop Removal**

Coal has been a dominant force in the history of Central Appalachia. It has been at once a major source of Appalachian community livelihood, an impediment to economic diversification, and a vehicle for economic deprivation and exploitation. Mountaintop removal is a particular technology for extracting once inaccessible thin seams of coal. The practice has been on the increase since the 1980s, and according to recent updates, over 470 mountains in the Appalachian region have now been destroyed ("National Memorial for the Mountains," n.d.). A form of surface mining, MTR requires far fewer workers than traditional methods of coal extraction. The pace of industry adoption of this technique quickened in the 1990s with increasing national energy consumption driving demand for greater industry efficiency ("EPA-MAIA – Mountaintop Removal/Valley Fill," 2003).

## **MTR as environmental injustice.**

To set the background for the Delegation trips, it is necessary to provide an overview of the process of mountaintop removal, and the several dangers it poses to humans in areas surrounding its use. The Alliance for Appalachia (2010) has outlined the following steps involved in MTR:

**CLEARING**—Before mining can begin, all topsoil and vegetation must be removed. Activists find this process illogical and offensive, as it also clears plant and animal life and protected species ("They're blowing up our mountains. There ought to be a law ...", 2010).

In our interview, Luke Garvin provided me with an example:

(speaking with a friend) OK for the lady's records here ... If you can, Name off some of the ... herbs and plants that's been destroyed by this type of mining, starting with ginseng at (\$700) a pound ... ok, ok Right here, right in this area right here, cousin of mine last year come walking up out of the hills, out of the hollow with three berries in his pocket and they caught him. When they caught him D&R fined him \$100 a berry (Garvin, 2008).

**BLASTING**—Every day in West Virginia alone, 3 million pounds of toxic explosives are used to blast up to 1000 feet off of a mountain's elevation ("They're blowing up our mountains. There ought to be a law ...", 2010).

Blasting disrupts the water table, in many cases allowing toxics to contaminate nearby residents' well water. Donetta Blankenship, for example, brought some of her well water along on the UN trip (Schwartz, 2006). Lisa Atkins (2008) described the jar of water: "it had like rust stuff particles and stuff floating in it. She brought it with her to show them what she, you know, lived with."

**DIGGING**—Coal and debris is removed by using a huge piece of machinery called a dragline, which stands 22 stories high and displaces the need for hundreds of workers. ("They're blowing up our mountains. There ought to be a law ...", 2010).



**DUMPING WASTE**—The waste from the mining operation is dumped directly into nearby valleys, burying and polluting streams ("They're blowing up our mountains. There ought to be a law ...", 2010).

This process creates “valley fill”, which has been the subject of many lawsuits. Not only is the content of “fill” not analyzed, but the biodiversity of the streams is also a casualty of the MTR process. Fresh water mussels are among the endangered species whose habitat is mountain streams. Richard Neves of Virginia Tech’s Fisheries and Wildlife Department has explained the mussels’ importance: "Conservation really starts at the headwaters. You need to protect those so that water quality all the way down the river system is protected. (Mussels) are the natural filtration system of our rivers. Each mussel filters several gallons of water a day" (Thornton, 2008).

**PROCESSING**—The coal is washed before it is loaded on trains. The excess water from this process is stored in ponds called sludge or slurry impoundments ("They're blowing up our mountains. There ought to be a law ...", 2010).

As a Mingo County West Virginia resident has explained:

The slurry ponds—they’re talking about injecting them into the ground. They’re going to do a study on people’s wells and see if its contaminated them. A slurry pond holds thousands of different chemicals. And it’s gettin’ into our drinking water. Sometimes these dams will leak and break or the slurry line will rupture and it will spill into the rivers. That’s where we’re gettin’ contamination of toxins in our drinking water (Warren, n.d., pp. 12-13).

Worse, slurry ponds themselves can rupture, spilling their contents into nearby communities. Two such catastrophic events have already occurred. In 1972, a Pittston Coal slurry pond broke and flooded homes downstream of Buffalo Creek, West Virginia (Mitchell, 2006). “The final count was 125 dead, 1,000 injured, 4,000 made homeless.” In 2000, a coal waste pond collapsed and released its contents into nearby Inez,

Kentucky. The result was “250 million gallons (946 million liters) of slurry—25 times the amount of oil spilled in the Exxon *Valdez* disaster—into ... the Tug Fork of the Big Sandy and the Ohio River and beyond. Miraculously, there was no loss of human life, although 20 miles (32.2 kilometers) of stream valley would (later) be declared an aquatic dead zone, (and) water systems in ten counties would have to be shut down ...”

(Mitchell, 2006).

**RECLAMATION**—Though companies are required to stabilize or replant mountaintop removal sites, most sites locations receive little more than a spraying of ecologically worthless exotic grass seed, which cannot begin to replace the ancient ecosystem it destroyed (“They’re blowing up our mountains. There ought to be a law ...”, 2010).

Companies receiving MTR permits can request a variance from the requirement to restore the land to its “approximate original contour” (AOC), *if* they have a planned use for the land, post-mining. Approved usage varies: “Federal law allows mountaintop removal AOC variances only when coal companies plan one of five post-mining land uses. They are industrial, commercial, agricultural, residential and public facilities, including ‘recreational facilities’” (Ward, 1998).

### **The Coalfields Delegation**

MTR has had a contentious policy history, involving a complex array of actors. Participants in this long-running policy controversy include numerous regional nonprofits, coal companies, private landowners, state regulatory agency personnel and elected officials, the Environmental Protection Agency, the Office of Surface Mining Reclamation and Enforcement (OSM), the Army Corps of Engineers, and the George W. Bush administration, which sought to redefine MTR debris in a way that would exclude it from the provisions of the Clean Water Act (“Bush to Allow Mining Industry to Fill Streams,” 2002; Moyers, 2002). Many regional

advocacy and nonprofit organizations have mobilized around the local consequences of MTR, including the Ohio Valley Environmental Coalition (OVEC), Kentuckians for the Commonwealth, Save our Cumberland Mountains (SOCM), the Clearfork Community Institute (CCI), Appalachian Voices, and Coal River Mountain Watch (CRMW). In addition, individuals and local communities have launched protests, such as that of Luke Garvin and his neighbors of Kayford Mountain, West Virginia. Groups such as these served as the seedbed for the Coalfields Delegation. Together, these Appalachian resistance organizations comprised sites of action at the local and regional level. As a group they have developed state, regional, and national strategies aimed at raising public awareness of MTR at the national level. Given these trends, the international actions pursued by the Coalfields Delegation represented a logical next step in how they framed and advocated for their concerns.

The experience of the Coalfields Delegation is significant from a number of standpoints. The Appalachian region and its people have been marginalized within the United States for two centuries and during that period have been characterized as a “national sacrifice zone”(“Appalachia: National sacrifice zone,” 2006; T. Butler & Wuerthner, 2009; Shogren, 2003) or a “third world within the first world”(Easley, 2009; Morgan & Mutalik, 1992). Yet social struggle within this region is unfolding in the midst of a significant challenge, that of the global distribution of environmental costs and benefits in the face of increasing fossil fuel scarcity. It appears likely that as the effects of climate change become increasingly clear, low-power actors in mineral and fuel rich geographic regions around the world will continue to bear a disproportionate share of the externalities of extraction processes. The Appalachian region has been a site of social movements aimed at labor and environmental exploitation for decades. These have generally sought to address the social, geographic and environmental by-products of

resource extraction, including unfair labor conditions, unaccountable absentee landlords, boom and bust economies, water and air pollution, loss of biodiversity, unequal distribution of economic and energy costs and benefits, and sometimes, raw violence. In addition to these deleterious effects of mining, the people of the region have too often suffered from inadequate political representation due to corrupt politics (Gaventa, 1980) and more frequently, market organization capture or domination of policy-making processes at local, state and national scales.

Unfortunately, similar circumstances can be found throughout the world, wherein indigenous and low-power groups bear a disproportionate share of the costs of resource extraction, while developed countries (and/or more developed portions of the nations in which the regions are located) reap the benefits of the raw materials produced within them. Indeed, the UN Declaration on the Rights of Indigenous Peoples, adopted on September 13, 2007, specifically addressed this concern in its Article 32: “Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources,” with the proviso that the state will cooperate and enforce such rights (“United Nations Declaration on the Rights of Indigenous Peoples,” 2007). According to Keynesian and Smithian economic theory, the state *should* serve as the major check against persistent market failures. But what happens when the implications or costs of specific extraction-related actions exceed the boundaries of a state? Absent a legitimate mechanism for international governance, researchers have increasingly focused on the promise and peril of the global public sphere for the airing and potential redress of such concerns (Buck-Morss, 2002; Fraser, 2007; Habermas, 2001; Keck & Sikkink, 1999; Nanz & Steffek, 2004). I focus here on only part of this larger discussion, that of democratic participation in such an expanded sphere. I explore how the story of the Coalfields Delegation can inform our knowledge of participation

and resistance within an increasingly global “public sphere.”

This story might be told as a case of citizens’ striving against improbable odds to claim their human rights. While I find that frame highly attractive, it would be an oversimplification and a misrepresentation of the motives, process, and outcomes of the delegation. It also implicitly requires an unproblematic view of progress and freedom, echoed in both positivist and (most) critical theories, that consciousness and striving are instrumental to greater freedom; that there is an ideal state of equality that will one day be the result of all politics. This version of the story might prescribe the outcome of the delegation’s trip as anti-climactic; a tree falling in the forest, a tale of too few activists, struggling in rational self-interest, but ultimately failing against the utilitarian “greater good.” This is not the story I discovered; further, I would suggest that far too few theorists do the necessary work to establish a clear connection between struggle and freedom. It is here where theory meets desire and it often ill fits the view from the office of the classical intellectual who frequently experiences freedom unproblematically, and becomes shocked and indignant when “the system” does not function as expected.

But if this age-old story of struggle cannot form the backdrop for this particular case, if David cannot battle Goliath and win, what can this narrative do but confirm the relentless nature of globalization as a story of winners and losers? In fact, it is just this assumption of inevitability that traps us into thinking there can be no other outcome, realpolitik as self-fulfilling prophecy. It leaves unquestioned the institution of the Westphalian state and the ideas of democracy, freedom, justice, and governance as constitutive of a win-lose power regime. To get out of this box, we need to unpack the given nature of these ideas, particularly of the state, democracy, and justice; rather than constantly awaiting an ideal that has never existed and criticizing all that falls short of it.

How might we theorize differently if we instead viewed the world from the perspective of people for whom “the system” does not work; perhaps has never worked? What if we viewed “the system” as a series of ostensible failures, punctuated by the occasional victory? In short, what if “democracy” was something experienced only as a poor representation of an ideal? What portent does this have for widely held conceptions of “democracy”, “justice”, “governance” and “the state” if, following Aristotle, we can only know a phenomenon as we experience it? And how might we reconsider our critical “emancipatory” project of “empowering” the masses?

What I want to do, then, is to tell the story of a group of people who challenged the legitimacy of the state by placing their claims in a global context and targeting their appeals accordingly. Far from being “cultural dupes”, this group experienced, learned from, and ultimately adapted to seemingly insurmountable power structures, even as those dominant participants bent in response to their challenges. This is not a story of agency versus structure. It is, rather, a story of agency *and* structure in a complex, endless dance in which change happens, but not always (indeed not ever) in foreseeable ways and in a predictable direction.

To understand the nature of struggle, I need to characterize what the Delegation was struggling *for*. Defining that target suggests a great deal about how analysts might theorize such transnational strivings. One might, for example, argue that the group sought *justice*, a broad, lofty aspiration that says little about what is just and how it is determined to be just. Or one might instead suggest that the Delegation sought a cessation of mining as a business, which would be inaccurate, both in the sense that the members specifically have not adopted that goal, but also because simply stopping extraction efforts would not fully address the group’s concerns. To understand these matters a researcher should look first to the goals specifically

articulated by the Delegation:

We had several goals around building ties between the states, because even though organizationally ... staff are well connected you know, and know what's going, on any time we can have projects where residents work together you know, it's it's powerful! Another goal was to you know, get media attention to the issue both internally in the UN, because there are a couple of newsletters that circulate internally, and then externally, and then to get language specifically mentioning mountaintop removal in the official statement / recommendation of the CSD since it really is a one-shot deal for people to really say, "Hey, you know US energy policy isn't exactly the best thing to follow, and this is why ...". So it's sort of a two-pronged -- both boosting the organizing that's going on here and then also you know, followin' thru with a sense of responsibility that we don't want to see this happen to other communities in other countries (D. Jones, 2008).

In short, the delegation sought to build a counterpublic (Fraser, 1990). The group sought to become visible and recognized in the transnational public sphere and to call attention to the disproportionate economic and environmental burdens imposed by MTR. These three goals can be considered as follows. First, the organizers and members of the Delegation wanted to identify alliances across state and national borders, forming regional, national, and transnational ties with other organizations with allied interests, based upon common struggle. Second, the Delegation sought recognition within the transnational public sphere, through media publications and via stating their case in various UN commission meetings. This strategy stops short of claiming rights or remuneration, but rather seeks instead an acknowledgment and understanding of the magnitude of the multiple effects of mining on the environment, as well as its devastating impacts on nearby residents. Third, they sought to challenge the status quo regarding the means employed to obtain energy.

Several points are important here. The Delegation asserts that mountaintop removal, as a permissible practice under US energy policy, is not sustainable environmentally. They further argue that this mining practice is not sustainable economically and that dependence on extraction of a finite resource precludes consideration of other economic alternatives. And finally, they

dispute the benefits of the practice for their region, noting that substantial environmental harms are visited upon residents by such extraction while those individuals do not realize commensurate benefits. This last argument self-consciously challenges the distribution of economic, social and environmental benefits and harms among corporations, directly affected residents and the broader population (whether within or beyond the United States) resulting from MTR.

### **Justice in the Public Sphere**

The issues addressed above--cultural recognition, economic (re)distribution, and transnational reframing--are central components of Nancy Fraser's theorization of the transnational public sphere. In her early "dual systems theory" she argued that counterpublics form to effect redistribution and recognition, as elements of strivings for participatory parity. Later, she argued that re-framing, from the national to the transnational, formed a third integral element of participatory parity (Nancy Fraser, 2005). Ultimately, her argument is not that counterpublics, in dialogue with more hegemonic publics, can achieve participatory parity. Rather, she has contended participatory parity is a pre-condition for dialogue to begin to approach a concept of justice. This is an important qualification, which suggests a richer field of strategies than offered by "ideal speech acts" (Habermas, 1991). The Delegation recognized the importance of a variety of outwardly directed communications, such as media, news, and newsletter publicity, formal statements, and contacts with various UNCSD delegations in amplifying its case. These efforts took on increased importance as the Delegation's visits to New York unfolded. The means by which they identified media and the strategies they adopted for communicating their claims could be termed "counterpublicity."



Fraser's dual systems theory, now extended along a third, transnational dimension, has developed through collegial dialogue and debate (for example J. Butler, 1997; Fraser & Honneth, 2003; Rorty, 2000). In the course of developing these arguments, Fraser has addressed the nature of the "public sphere," questions of justice, and ultimately, the problem of the state itself. Drawing upon Fraser's theories, and my own experiences as an activist, I will explore what the case of the Coalfields Delegation can teach concerning how examining "on the ground" dynamics of relevant phenomena may challenge and deepen existing theory of the public sphere and of justice.

Fraser's theory is noteworthy in that she avoids the beaten path that one might label, with only slight irony, struggle + "magic" = democracy. Although a skillful follower of Habermas, she also steers clear of what Deborah Cook (2001) has termed the "talking cure" argument; a system of deliberative democracy constituted by ideal speech as a means by which citizens collectively address conflicts and challenges. And Fraser has also been sensitive to the powerful tendency of movements to conform unwittingly and unreflectively to neoliberal ends (Fraser, 2009). Like Sheldon Wolin (1994), Fraser well knows that democratic moments are fleeting and fugitive. Activists also understand this phenomenon all too well. What Fraser has left undone is the characterization of counterpublics in relation to other counterpublics, as well as more hegemonic groups, and what might be the result of interactions among such groupings in a policy sphere. In this regard, it is important to recognize an unfortunate tendency among many social theorists to dismiss Habermas' arguments out of hand in favor of a sort of ineluctable tendency of power to squash all other voices. In so doing, these thinkers miss something I consider truly political, the nature of struggle as a complex interplay between parties of differing positions, backgrounds, and power. They also miss the bases upon which power is assigned and arrayed,

and the tacit buy-in, in which as scholars we are all complicit in some measure, to these structures of power. To get closer to these concerns, I call upon Pierre Bourdieu's field theory as I examine the Delegation's journey.

### **The Problematic of Power**

Fraser has been criticized for being insufficiently attentive to the workings of power (Feldman, 2002; Olson, 2002; Young, 1997; Zurn, 2003). Indeed, it is not clear in Fraser's work just how economic redistribution, cultural recognition, and transnational reframing might be achieved and who might be involved in their attainment. Implicit in Fraser's thinking is that the modern public sphere is inherently imbalanced and can only be righted by changing the power position of the actors within it. Others have suggested, however, that participation in the face of power must precede redistribution and recognition in order to shift the scales towards participatory parity (Benhabib, 1996; Hauser, 1998a, 1998b; C. Taylor, 1995). One question critical to this exchange is whether it is possible to neutralize completely the effects of power within a public sphere? More broadly, perhaps the relevant concern is to explore how would-be change agents behave in relation to power.

Fraser argues that an adequate theory of a historically situated 21<sup>st</sup> century public sphere must account for status and power differentials among participants, the configuration of multiple public spheres, competing and frequently irreconcilable notions of the public good, and the nebulous relation between civil society and state in a globalizing world. Consequently, multiple spheres need not solely be constituted on the basis of common economic or social position, but could be formed otherwise. Does the basis of the public sphere, or more broadly, the nature of the sphere as a system, matter? Perhaps the constitutive features of a public sphere also

condition the freedom to participate within it?

To make sense of these questions, which Fraser does not address, this study proceeds on the argument that political forums within the public sphere are best perceived as imbalanced. Happily, field theory provides a serviceable approach to address such a sphere. Kurt Lewin originally defined fields as “a totality of coexisting facts which are conceived of as mutually dependent” (Lewin, 1951, p. 240). Lewin’s early work on field theory posited three critical claims:

- The life world (of a person) is ... intrinsically affective ... phenomena are perceived immediately as desirable or undesirable.
- (The person) is free to move about in the field ... Movement thus needs to be analyzed not in terms of locomotion through physical space but as directed action in the field—an “aim path” of striving.
- (The person) has conceptions of likely changes in the field at any time. These changes are produced both by the (person’s) own motion through the field and by internal developments of the field itself, which may or may not involve actions taken by (others) in the field (Martin, 2003, pp. 17-18).

Together these claims suggest that an actor within a field influences and is influenced by, the context in which she functions.

Field theory has evolved little in social psychology since Lewin’s work, yet has been developed in other disciplines. Recently, social theorists have suggested that a marriage between new institutionalist theory (DiMaggio & Powell, 1983) and the field theory of Pierre Bourdieu (Bourdieu, 1985, 1986; Wacquant, 1989) might serve as a useful conceptual underpinning for the study of social fields. This pairing has informed scholarship in organizational/ institutional theory, communications, and social theory (Benson, 2006; Martin, 2003; Rohlinger, 2007).

The application of field theory to studies of the public sphere requires further elaboration. New institutionalist theorists have offered a definition of fields that is specifically organization-

based. Much like a market supply chain analysis, the neo-institutional field constitutes “a recognized area of organizational life: key suppliers, resource and product consumers, regulatory agencies, and other organizations that produce similar services or products” (DiMaggio & Powell, 1983, p. 148). These actors are oriented to similar pursuits and form a network of association around market exchange. Bourdieu suggested the application of field theory to specific social arenas, such as art and sport. However, Bourdieu viewed fields as sites of struggle, in which actors are arrayed on the basis of power relationships. Everything is contested within the field, including its very boundaries (Wacquant, 1989, p. 6). In my research, I found that few scholars have noted the applicability of Bourdieu’s thinking to the Habermasian public sphere (Crossley, 2004), and none has linked that connection specifically to field theory. I contend that the analytical and methodological characteristics of Bourdieu’s field theory are useful to a study of the public sphere. Other scholars seem to concur:

Rather than concentrating primarily on the goals of these struggles (specific forms of distribution or recognition) and the theories of justice which could adjudicate their claims fairly, as has been the dominant orientation among political theorists, one should look on the struggles themselves as the primary thing. . . .The aim of such an aspectual (sic) political philosophy and corresponding political practice would not be to discover and constitutionalize the just and definitive form of recognition and distribution, but to ensure that ineliminable, agonistic democratic games over recognition and distribution, with their rival theories of distribution and recognition can be played freely (Tully, 2000, p. 469).

Public forums are conditioned by power. Bourdieu saw fields as explicitly constituted by power comprised of various forms of capital. A fuller discussion of Bourdieu’s forms of capital appears in subsequent chapters. It is sufficient here to note that he acknowledged the operation of several forms of capital, including: economic, cultural, social, and symbolic. The relative degree to which actors possess these forms of power assigns each to a position within a field. Conceiving the public sphere as field places the operation of power front and center in the analysis.

Field theory can also allow researchers to elaborate the counterpublics dynamics of the public sphere. Field theory suggests counterpublics must consider their actions in light of their perceived and potential relative level of power. History and personal experience may have conditioned them to think that their efforts will make little, if any, difference. Why, then, would actors persist in participating in political venues? To borrow terminology from behavioral psychologist B.F. Skinner, if they consistently failed to have their needs recognized, one might expect their political attempts would likely be extinguished (Skinner's term). And yet many groups remain actively engaged. This suggests what Skinner might call a "variable ratio reinforcement schedule", consistent with a type of "fugitive democracy" (Wolin, 1994), in which counterpublics occasionally win. Conceived of as "games" (Martin, 2003), fields also afford consideration of multiple interacting publics that influence each other in their struggles for power. Bourdieu's field theory also supports a less demeaning characterization of the phenomenon of "false consciousness" or why actors may choose to support dominant configurations of power that operate against their best interest. Rather than being mystified by ideology, this analytic stance assumes actors are capable of assessing their chances for success in social struggle, based both on their historical experiences and their level of alternate forms of capital, and may choose their battles accordingly.

Thus, far from asserting the primacy of either structure or agency in the public sphere, field theory implies that each is mutually implicated and interdependent and agents and fields reciprocally influence each other (Lewin, 1951). Field theory suggests that power positions agents within a field, but is not ultimately determinative of their success or failure in achieving their goals. Field theory thus implies a dual level of analysis, that of the field itself (meso level) and of counterpublics moving within it.

## **The Researcher as Instrument**

My research background comes from a strong practitioner base, which gives me a strong critical perspective on academic research, even though I am a researcher. For 15 years of my life, I worked with and in communities. For part of that time, I worked to connect researchers, faculty, and students with community issues, in a university engagement capacity. Invariably, I found that researchers know far less than they think they do, and community members far more. Further, I often found communication between the two parties was inhibited by power. Community members are hesitant to comment critically on any outside help, no matter how misguided and, at worst, imperious it may be. Research is therefore an act of translation in which much can be lost or distorted, and my work is no exception. I struggle with the tensions between practitioner and researcher and I am certain this effort is manifested in this document.

Because of my personal history, my paradigmatic perspective is both critical and postmodern. Critical theory *assumes* injustice is endemic to the human condition and seeks to expose/redress it. From a personal perspective, I have no choice but to be critical. My experiences working with community groups have convinced me that ‘the lives of others’ are something that the dominant race/class/gender could not even begin to understand. I believe that injustice exists, and we can observe it, indeed if there is anything ‘real’ that is it. In the field my interactions with community members come more from instinct than from research training. I would not assert that these instincts result in a more accurate research product; only one that holds an axiology of trust and relationship building.

For the above reasons, I think that critical theory has limitations, in that it has been influenced from a white Western standpoint. Despite their assumptions of inequity, critical

theorists frequently fail to examine their own power. I find too often that the ‘critical gaze’ valorizes the scholar, misses more than it reveals, and often adopts a pitying tone. As a consequence, it tends to valorize the means while leaving the ends under-examined. By this I do not mean that all research should be tied up neatly with a bow. My post-modern perspective suggests that research conclusions are all too neat, following a familiar formula that has not changed a great deal since Marx’s time: Injustice (bad) + Struggle + (magic fairy dust) = Freedom (good) This inspiring equation leaves its principal elements un-nuanced and over-simplified. I focus on context-dependent struggles aimed at the attainment of elusive ends by relentless means. My goal is to complicate our collective notions of inequality and freedom, primarily through the testimony of the people I interviewed.

I am also influenced by post-colonial theory. I adopt this approach cautiously and advisedly, for it is contestable whether this body of thought should apply to dominated groups within western societies. However, the insights of post-colonial theory go significantly further than critical thought in addressing the construction of the state and identity, struggle and ‘progress’ in a dominant western image. Post-colonial theory is invaluable in emphasizing the flawed nature of the researcher’s gaze into a world that s/he is wholly unequipped to understand and ‘master’; let alone offer ready diagnoses and prescriptions about. This body of thought understands research as an act of translation across lines of power. There is inevitably a gulf between experiences that eludes translation. Post-colonialists go further in questioning the possibility of communication between a researcher and “native informant”, a critique I take seriously. Nevertheless, I believe that *something* results from this transfer of knowledge.

Lastly, I confess an affinity to theories of deconstruction. Most scholars, including Derrideans, would attest to the folly of ‘applying’ Derrida to anything one might assert as ‘the

real'. I would instead suggest that no theorist has a better purchase on it, for 'the real' is much more of a gray area (aporia) than many researchers would often wish or admit. I view struggle and resistance ultimately as acts of deconstruction. Activists engage politically in the face of great uncertainty, frequently experiencing failure and frustration, and often not knowing whether "victories" will lead to a cascading series of perverse consequences. A measure of linear progress does not apply to such efforts. Activists can neither predict nor envision the revolutionary moment, when, how, and with what combination of forces it will occur. The deconstructive moment is far from the logical culmination of a series of tried and true steps, but rather represents a radical break. As activists and scholars, we cannot think our way out of a system whose contours are over-determined by what has already been. "Justice" and "Democracy" are phenomena we have never experienced, and cannot know until after a revolutionary break occurs.

I rely primarily on two theorists, Nancy Fraser and Pierre Bourdieu. Both are informed by their backgrounds in activism, an approach that I find provides more nuance to their theorizing of justice and power. Fraser conceives justice from a feminist standpoint that I find applicable to grassroots struggle (although I do not hold this view of feminist theorists across the board). Bourdieu adds the element of power that Fraser lacks. Admittedly, he does constitute a strange bedfellow for several of my other preferred theorists. A resolute child of the Enlightenment, he was a critic of Heidegger and Derrida (both of whom contribute to my theorization of the state). Fraser has critiqued Bourdieu's work for being reductive (Fraser, 2000b). Inconsistent with post-modernism, he nevertheless falls in the critical tradition, and does not require an epistemological shift. I do not find his central theoretical concepts too rigid to be used in the context of this research. Indeed, in many respects he reaches the same central



conclusions as other post-modern theorists, notably Foucault. I shall make note of this confluence in later chapters.

### **The Coalfields Delegation as Organic Intellectuals**

The people who spent time with me, discussing their insights from the UN trips, served as key informants. They provided a local perspective from which to view systems of justice that *may* characterize a transnational public sphere. However, far from simply serving as research subjects, they are grounded theorists, whose insights stand alongside, complement, and frequently go further than authors who have attained distinction through intellectual capital (in Bourdieu's terms). For these and many other reasons, I want to raise concerns about how they are addressed, discussed, and *represented* in this research.

To begin, I have always been uncomfortable with the possessive pronoun *my*. At the risk of sounding over-indulgent, I want to qualify the necessary, yet precarious use of *my* with respect to the members of the Coalfields Delegation. If I say *my* interviewees, or *my* research subjects, it is important to emphasize that they are in no way mine. Nowhere in the confidentiality agreement did they agree to transfer ownership of their perspectives to me, nor give me their proxy of representation. I write at their will, and with their permission. In this sense, I believe firmly they are the experts, and I serve as their microphone or radio transmitter. Even so, scholarly inquiry dictates that I compare their observations with those of theorists, and intertwine the two; this involves selecting from among their comments and making informed judgments about how their statements "fit" within the narrative of this research (which I also control). For these reasons, it is inevitable that some of what I write may be unrecognizable to those delegation members that I interviewed, both in terms of lacking the context and the meanings

they intended, and in terms of the translation that must occur between on-the-ground discussions and research language. They are not one and the same language, not seamlessly put together, and certainly open to different interpretations. This point is abundantly clear to me from my background as a former working professional, having to learn how to re-express my ideas in the lingua franca of the academy. And from a practitioner background, I have had to make sense of the idea of theory, which often feels like trying to contain unruly elements in one container.

Likewise, there is always a risk of categorizing individuals and their commentaries in idiosyncratic ways. In fact, any individual researcher can *only* organize thoughts and statements in her or his particular way. Categories help us make sense of what we hear and read, but they should never be considered adequate or exhaustive of what we learn--what we are taught--in the process of conducting research. And what strikes me as significant and appropriate in this particular moment likely will not be the same thoughts that strike me at other stages in my life.

A final observation about my community-based experiences: I will of necessity find significance in certain things that activists say which may be very different from the observations of a 'traditional' academic (i.e. a person who has not changed careers more than once). I tend to view this as a strength as some of my most profound realizations have come from my community work. But I cannot underestimate the task of balancing the academic and the non-academic; even as they both inform my writing. It is difficult to do justice to both, and as I am presently immersed in focusing all my energies on an academic rite of passage. I am certain the scales tilt unduly in that direction. Achieving a more balanced approach will hopefully come as I continue working on community-based scholarship.

## **Outline of this Research**

In examining the Coalfields Delegation's actions within the transnational public sphere, I first explore the role of the nation-state in serving as a key arbiter of justice. Although the delegation has, and continues to engage in state and national politics, going to the UN acknowledged that the practice of mountaintop removal is embedded in a larger global energy economy that drives and perpetuates catastrophic extractive practices. I explore the nature and role of the nation-state within the international realm, and its capacity to enact justice in Chapter 1.

The history of Appalachian activism illustrates Fraser's theory of counterpublics within the public sphere. Addressing the interplay of case and theory is complex, and I therefore address the question of counterpublics in two chapters. Chapter 3 outlines the theory and debate about counterpublics within the public sphere, their efficacy, and the role of individual habitus (history, family, culture, etc.) in political activism. Chapter 4, meanwhile, addresses Appalachian resistance movements as the precursor and root of the Coalfields Delegation, and the roles economic, cultural, and transnational struggles for representation played in prompting the Delegation's UN trip.

Chapters 5 through 7 concern economy, culture, and representation, both theoretically and on the ground in Appalachia. Chapter 5 addresses the region's current economic struggle and action in protest of MTR, and the difficulties, some explicit and some implicit, that accompany challenging large, financially and politically powerful energy corporations. Chapter 6 examines the role of culture in the delegation's actions, both as a means of activism and as a transformative result of their engagement at the global level. Chapter 7 explores the character of

political representation and reframing at the transnational level, the experiences of local activists, and their portent for the development of efficacious transnational action.

## **Conclusion**

My research examines one group's quest for justice at the transnational level. Injustice is manifest through a form of environmental assault, mountaintop removal. In protesting the implications of this form of strip-mining for their health and homes, and in taking its case to the transnational level, the Coalfields Delegation to the United Nations Commission on Sustainable Development provides a unique vantage point from which to investigate the formation of one group's transnational consciousness. Exemplary of the many groups across the globe who find themselves displaced by energy extraction, this sort of organizing is the seedbed of transnational social movements. To analyze the actions of the Delegation, I utilize Nancy Fraser's theorizing of justice in the transnational public sphere, supplemented by field theory as a lens into the operations of power. But as a researcher, I am aware I can offer only one viewpoint into the actions of the Delegation and its constant struggle. The group's actions are part of a strategy that spans both time and geography that neatly exemplifies the frequently unnoticed efforts of everyday activists in striving to place their concerns on the public agenda.

## **Interlude: Formation of the Coalfields Delegation**

**Danielle Jones**, a key organizer of the Coalfields Delegation, was a Berea college student before coming to work in Appalachia. She describes how she became involved with the Coalfields Delegation:

... I got a grant when I graduated from Berea College called the Compton Mentor Fellowship, and that was centered around building a delegation of affected coalfield residents to actually testify and bring their voices to the UN. 'Cuz until then it hadn't been people directly affected by ... I mean coal mining or energy extraction hadn't ,in Appalachia hadn't been present at that forum. And the purpose of CSD is to is all about civil society having a voice in the UN, but it hasn't really been tapped as well as it could be.

Among her motivations for working with the Delegation was her experience attending the Johannesburg Climate Summit in 2002.

Yeah and my connection with it (began with the) second Earth Summit in ... so that was in 2002 in Johannesburg, you know? I ended up going. I was in college and went on a US youth delegation that Greenpeace sponsored. And it was just ... I think like 60,000 people came to this meeting, and then the 2<sup>nd</sup> day into it there's this announcement that all the people can't ... that they're going to limit who gets in to the meeting. And it was it was awful! I mean you know you had all these people! And there was this huge rally of civil society people, and I remember this one woman saying ... her community had fundraised for 10 years so that they could have a voice at this meeting that happens once every 10 years. 'Cuz the first earth summit was in '92 and this is 2002. And so they let all the government delegates in, especially the US and China have a lot of corporations on their government delegations ...

So you have the government and the Corporations going in, and then tens of thousands of civil society people having to get raffle tickets in the morning and see if your number is called in the afternoon to get in to the meeting the next day. ... And it's like people came from all over the world, ... they had paid their registration fees, which was a lot of money to say the least! (D. Jones, 2008)

## **PART I**

## Chapter 1: Deconstructing the State

### Introduction

Since the fall of the Berlin Wall and with the continued rise of global capitalism, the world has witnessed the birth of numerous transnational formations outside of the traditional nation-state. Groups such as the *World Social Forum* and *Another World is Possible* constitute an imminent critique, the basis of which often arises from an inability to pursue justice inside one's own country. In this context, the Coalfields Delegation may be likened to the many transnational groups that came together under the aegis of global civil society to protest at the Copenhagen Summit on Climate Change in 2009. While this phenomenon is empirically observable it is unclear what it portends for a coherent theory of the nation state. And absent a stable view of the nation-state under global capitalism, it remains unclear how one may theorize the transnational as a counterforce to global corporations, which in terms of international trade, annual budgets, and capacity to mobilize para-military forces often constitute parallel, state-like entities. This chapter lays the theoretical groundwork for understanding the transnational public sphere, which constitutes the field in which the Coalfields Delegation pursued justice.

In the context of global decision-making, the transnational public sphere resides between the market forces of global capitalism and the existing global governance structure. Publics and counterpublics vie to gain attention for their concerns within this constellation. Environmental concerns represent a particularly salient set of issues within the global arena because ecosystems are "unruly", flowing freely across national boundaries. In a sense, the environment signifies a form of capital in that larger capitalist countries consume a larger share of environmental goods, thus visiting harm on less powerful nations and regions in the form of pollution externalities,

indirect costs such as global climate change and predicted food and water shortages. Thus, global flows of nature including air, water and climate exist along side global flows of capital exchange and therefore constitute significant concerns in the transnational public sphere.

Externalities arising from energy flows are no exception.

Controlling or regulating these currents is a difficult matter. The transnational public sphere is increasingly being studied for its role and potential in global governance (Calhoun, 2002; Nancy Fraser, 2005; N. Fraser, 2005b; Fraser, 2007; Habermas, 2001; Keck & Sikkink, 1999). But how such a vast conceptual entity can secure democratic representation for smaller, subnational groups is not clear. This chapter explores the concept of the transnational public sphere in three parts. First, I examine the role of nation-states in redressing issues that exceed their boundaries. Stated differently, I consider the question of what the nation state is and how it functions in a structure of other nation states to address transnational issues. Second, I describe concepts of the public sphere and civil society in relation to more “legitimate” forms of national and global governance. Third, I explore current debates concerning the transnational public sphere and its role in securing justice.

## **The State**

I see the actions of the Coalfields Delegation and therefore the purpose of this research, as a fundamental critique of the state. Viewed from one angle, the Delegation can be thought of as seeking justice through a procedural system that relies upon and acknowledges various juridical boundaries, from the local to the state, and the national to the global. One could interpret the group’s actions as a fundamental acknowledgment and acceptance of a clear and attainable idea of justice as administered through a governing body (see Fraser, 2007). This



stance could certainly be construed from their strategies of petitioning lawmakers directly, seeking structural change through the law, and supporting others in developing skill sets targeted towards advocacy before local, state, and national governing bodies.

Yet in going beyond the nation-state, the Delegation's actions suggest inadequate resolution to their protest within a national legal framework. In approaching the UNCSD, the group's goals were to: develop capacity among local coalfields residents, testify to the failings of the United States, and make connections with delegations from other nations. Two of the three goals at least implicitly critique the state, first by suggesting a normative framework for its role in protecting its own citizens and enforcing laws and second by seeking a different level of identification based upon common experiences of injustice.

The critique expressed by many of the interviewees was striking. Their experiences from bottom to top have been a clear rejection of their appeals for "justice".

... you know I just felt like ... that at every level of my government I've been lied to, cheated, and stole from! You know, I mean literally my government has stole from me and my children - and allowed the coal corporation to steal from me and my kids! And I just don't ... I was at my wits end! I had no idea what, what to do! I mean, nothin' worked (Paterson, 2008).

I learned from another little guy ... He bought ... this was my first big meeting that was like outside just my community for KFTC, and he brought in like a garbage bag you know like a shopping bag and he had kept notes and stuff. People would literally tell him, "No you didn't write us, we haven't heard from you" (Atkins, 2008).

Beyond a simple rejection of their claims their experiences testify to their treatment as illegitimate within the procedural state. This history clearly informed and motivated the Delegation.

I am not suggesting that any group within the state should automatically expect a resolution of its claims through appealing to the government. Nor am I arguing that any of the Delegation members see themselves as anything other than US citizens. But the experiences of group members testify to clear flaws and contradictions within the US version of democracy, analogous, through its imbrication with capitalism, to what Marx referred to as the contradictions of capital. I suggest the selective application by lawmakers of the idea of “rights” in a system wherein “the market” and “the state” are intertwined and inseparable. I want to investigate a clear disparity in expectations of citizenship, based upon levels of power and capital in various forms.

The existence of these flaws in democracy is nothing new. Classical political theorists spoke to the failings or inequities present in a democratic system. John Locke (1689), in associating property rights with citizenship and then articulating the basis for uneven accumulation of money based upon property, posited the basis for disparities in wealth within the state. John Stewart Mill (1859), in describing the potential for a “tyranny of the majority,” foresaw the risk of democratic majorities inflicting “wrongs” upon smaller groups. More recently, legal scholar Lani Guinier, in her book, *Tyranny of the Majority* (1994) observed that tyrannies of the majority are not visited evenly across the population, but are instead concentrated on particular groups. Hence, she explored alternative democratic configurations, including power sharing, as hypothetical remedies to such systemic flaws.

The framers of the US Constitution also were aware of these inherent challenges as they devised the nation’s system of representative democracy. The US version of representation was finalized in the Constitutional Convention of 1787, and was, even at that time, contentious. In

Federalist #10, James Madison outlined the problem of factions in advocating for a system of representative, as opposed to direct, democracy:

a number of citizens, whether amounting to a minority or majority of the whole, who are united and actuated by some common impulse of passion, or of interest, adverse to the rights of other citizens, or to the permanent and aggregate interests of the community (Madison, 1787).

However, the Anti-federalists, among them Thomas Jefferson and George Clinton, disagreed with this republican system, regarding it as inadequately representative of diverse interests, and ultimately at odds with governing a large nation-state:

Whoever seriously considers the immense extent of territory comprehended within the limits of the United States, together with the variety of its climates, productions, and commerce, the difference of extent, and number of inhabitants in all; the dissimilitude of interest, morals, and policies, in almost every one, will receive it as an intuitive truth, that a consolidated republican form of government therein, can never form a perfect union, establish justice, insure domestic tranquility ... (Strong, 1981, p. 110)

This debate is hardly a historical artifact as political scholarship since the nation's founding has continued to address the many potential bases for citizenship (see, for example, "The Citizenship Debates," 1998). Many scholars and lay-people alike have attributed the problems or failings of US democracy to the undue influence of corporations, resulting from their disproportionate role in campaign finance, arising from the US Supreme Court ruling in *First National Bank of Boston v. Bellotti*, 1978, which granted for-profit companies First Amendment rights. These analysts contend on the basis of both the influence of money and the curtailment of free speech, that promises to citizens outlined in the Preamble to the Constitution and the Bill of Rights have gone unrealized. It is not clear whether this abridgment of rights represents a design flaw in the political system, or rather an inherent function of the state to stabilize and reproduce disparities in human rights.

A brief history of civil rights highlights the challenge. As Wolin (1993) has outlined, the US Constitution initially guaranteed equal rights to all free citizens, but that definition of citizenship had clear caveats. Although citizens women were not originally enfranchised by the Constitution. Likewise, enslaved people were initially defined as 3/5 citizens for the apportionment of elected representatives. Women were granted the right to vote only after early feminists (suffragettes, like my grandmother) formed a social movement to fight for the right to do so, which was granted in 1920 with the 19<sup>th</sup> amendment. African-American people were eventually granted equal protection in 1868 with passage of the 14<sup>th</sup> amendment, and guaranteed the right to vote to contravene state Black Codes in 1870 with the 15<sup>th</sup> amendment. However, they were still systematically denied equal education and employment until 1964 and passage of the Civil Rights Act—and chiefly then due to the role of the national media in amplifying their struggle (see Lewis & D'Orso, 1999). In short, while white males born in this country have been citizens from the very beginning, the enfranchisement of women and African Americans has come through a history of supplication to the dominant classes for rights, which only they had the power to grant. Further, the Constitution is silent on historic disadvantage; it did not include provisions to address the present effects of past discrimination.

All of this is to suggest that the definition of the state rests upon certain foundations. First and foremost, the state is a text, a “constitution,” that creates and outlines the terms of inclusion and exclusion for citizenship. Second, the state rests on geography and natality, a person is a citizen if born within certain boundaries. Yet even within this definition, there are still conditions of overt and tacit exclusion based in law, whether in characterizing citizens from certain regions or who practice certain religions or are members of particular groups as inferior, or in enforcing conditions of property ownership that advantage or disadvantage people based

upon their level of financial capital. Indeed, many would contend that the concept of environmental justice—the right to live in a clean and healthy environment in keeping with life, liberty, and the pursuit of happiness—is based primarily on social privilege (see, for example, Agyeman & Angus, 2003; Agyeman, Bullard, & Evans, 2003; Bryant, 1995; Bullard, 1993, 2000, 2005, 2007; Bullard & Wright, 2009; Cole & Foster, 2001; Schlosberg, 2004). This leads me to explore two further questions. What are the implications of these disparities in a democratic society? And what can theories of the state tell us about why and how such disparities are systematically formed and sustained?

### **Definitions / Theories of the State**

To say that much has been written about “the state” would be to observe the obvious. For a thorough overview of positivist and Marxist perspectives on the state, I refer the reader to Nickel (2006). Vázquez Arroyo (2008) has provided an excellent review of the failings of the neoliberal state. Here I will explore in more depth the question of the existence of the state, the basis upon which we assume and define it and its role in administering justice. I suggest the existence and definition of the state depends considerably upon one’s standpoint within it. Therefore, there are multiple positions, stories, and “texts” of life in the democratic state. Clear and predictable disparities are visible along lines of race, class, and gender. The conviction of pluralists, and the language of the US Constitution, that “all men are created equal”, and thus covered by the “equal protection clause” belies centuries of unequal protection, and for that matter, millennia of theories about the definition and identity of a citizen.

I shall begin with the “Concept of the Political” as articulated by Carl Schmitt (1996). Schmitt, like Madison, notes the potential for social divisions to foment conflict and enmity. For

Schmitt, these are ultimately constitutive of the state through the “friend/enemy distinction.” (p. 37) As a student of Weber, who defined the state as holding a monopoly on violence, and calling to mind Machiavelli's Prince, Schmitt characterizes the state as possessing the power to wage war:

The state as the decisive political entity possesses an enormous power: the possibility of waging war and thereby publicly disposing of the lives of men. The *jus belli* contains such a disposition (Schmitt, 1996, p. 46).

The notion of a sovereign people through a system of liberal pluralism is antithetical to this idea of the state; absent a dominant ruler to make the friend/enemy distinction, there is no concept of the political (in contrast to Wolin (1993) and others, who see the political in the form of revolutionary publics). Schmitt contends that consensus and compromise have led to corporatocracy, and under our nation's present sad circumstances one is tempted to adopt his perspective.

Schmitt also argues the sovereign has the power over the exception, which means in practice the power to abridge laws and rights during times of war or crisis. Where his theoretical sovereign has the power to decide the exception, I suggest that today corporate interests exercise undue power over the rights of citizens, as can be argued with coal companies and coalfields activists. Thus it is arguable that they have the power, at least locally or regionally, to decide the exception. Due to their power and increasing primacy over the state British Petroleum, for example, reported 2009 annual revenues of \$16.8 billion (*BP Annual Review 2009*, 2009, p. 24), which is close to the GDP of Iceland (*The World Bank Data: Iceland*, 2010), concepts such as political “rights” become a matter of cost-benefit analysis. Therefore, in this view, even if the state still possesses the power to decide the exception, appeal to legal rights is becoming less and less effectual. In the case of the Coalfields Delegation, even though coal overall contributes less

and less to state economies, the mining corporations, located outside of producing states and in some cases, outside of the country, maintain considerable power through lobbying, campaign finance, public influence, and discourses of identity to influence and decide the friend-enemy distinction, ultimately whether coalfields activists are protected by the law or not.

If we speculate about the global as a system in which for-profit corporations are the “new state”, albeit depopulated and in a relationship of patronage with humans, we can consider what such a world would resemble. Several authors have argued corporations do indeed act as state-like entities. Barber, in *Jihad v. McWorld* (2000), theorized a system of global tribalism eternally clashing over resources, against a de-territorialized terrain “governed” by market forces: “one commercially homogenous global network: one McWorld tied together by technology, ecology, communications, and commerce”(p. 23). Hardt and Negri (2000, 2004) have theorized a system of unnamed global capitalism called Empire, constantly capable of assimilating diversity through commodification, opposed by a “Multitude” of globally decentralized bio-power. One might argue in the current reality the “new enemy” is a faceless supra-national network capable of marshalling and sacrificing human life, in the name of neoliberal ideology. Under a neoliberal regime, superpowers feel justified in committing acts of war (sometimes characterized as “pre-emptive force” actions) against sovereign nations. Such acts may, as Harvey (2007) and Juhasz (2004, pp. 12-13) argue, be simply a mechanism of opening up new markets for global corporations in the name of “democracy” (I note, for example, the case of Iraq).

The abiding concern this discussion raises is how it might be possible to envision our way out of institutionalized hegemony—against a totalizing ideology that condemns certain segments of society to outsider status in the name of the greater good. To analyze this issue I

draw on the arguments of two theorists, Walter Benjamin and Jacques Derrida, and their works on violence and the state. To do so also involves adopting a contrasting ontology. The Derridian/Heideggerian version of time is infinite and multi-directional, rather than linear and directional. A linear/directional model of time justifies the imperative of “progress”, an ontology agreed upon by thinkers from the enlightenment through Marx, and finally through Popper (MacCarthy, 2001).

Walter Benjamin has critiqued this idea of progress. Although not explicitly a theorist of the state, he nevertheless observed the role of the powerful in establishing hegemony and constructing what we regard as natural. In *Theses on the Concept of History*, he observed:

Whoever has emerged victorious participates to this day in the triumphal procession in which the present rulers step over those who are lying prostrate. According to traditional practice, the spoils are carried along in the procession. They are called cultural treasures, and a historical materialist views them with cautious detachment. For without exception the cultural treasures he surveys have an origin which he cannot contemplate without horror. They owe their existence not only to the efforts of the great minds and talents who have created them, but also to the anonymous toil of their contemporaries. There is no document of civilization which is not at the same time a document of barbarism (Benjamin, 1969, p. 258).

What we know to be history is inevitably inflected with the worldview of the dominant powers that have shaped it. It is therefore difficult to seek justice in a system that takes the prevailing hegemony as natural and unproblematic. Here, justice is not consonant with law:

... one might perhaps consider the surprising possibility that the law's interest in a monopoly of violence vis-à-vis individuals is not explained by the intention of preserving legal ends but, rather, by that of preserving the law itself; that violence, when not in the hands of the law, threatens it not by the ends that it may pursue but by its mere existence outside the law (Benjamin, 1986, p. 281).

He concludes by deducing, “If justice is the criterion of ends legality is that of means” (p. 278). In other words, justice represents the higher ideal, and legality constitutes the means by which



that ideal is sought and preserved. The tendency of legality to preserve its basis for enforcement raises the question of how violence outside of the law might be utilized to achieve justice. If we are to lay a foundation for Fraser's theorizing of justice outside of the state it is here that we must begin, with a concept of justice that does not accept the state's monopoly on violence. Justice claimants must be able to de-construct the state. Fraser hints at this possibility when she defines her concept of *transformation* as changing the prevailing system, as opposed to *affirmation* that preserves the status quo (Fraser, 1995, p. 82).

To conceive of justice outside of a system of laws, however, requires thinking beyond the state as a stabilizing force. Jacques Derrida expanded Benjamin's "Critique of Violence" in an attempt to conceive of justice outside of law. He argued:

... I want to insist right away on reserving the possibility of a justice, indeed of a law that not only exceeds or contradicts "law" (droit) but also, perhaps, has no relation to law, or maintains such a strange relation to it that it may just as well command the "droit" (Derrida, 1990, p. 5).

Still, in attempting to derive such a form of justice, Derrida reminds us of the role of force and violence in preserving the law, and thereby the state: "The word 'enforceability' reminds us that there is no such thing as law (droit) that does not imply in itself, a priori, *in* analytic structure of concept, the possibility of being 'enforced'" (Derrida, 1990, p. 6). This force was necessary in creating the state, either in founding it out of a population that had no corresponding concept, as in many cases of colonization; in creating it by means of war, or in establishing a state on previously "unoccupied" land. Ultimately, the power to suspend laws in Schmitt's state of exception derives from the capacity to create laws where none exist. Derrida emphasizes this similarity:

How are we to distinguish between the force of law of a legitimate power and the supposedly originary violence that must have established this authority and that could not itself have been authorized by any anterior legitimacy, so that, in this

initial moment, it is neither legal nor illegal--or, others would quickly say, neither just nor unjust (Derrida, 1990, p. 6).

The formation called the state raises just such questions of anterior legitimacy. Whether a state is established by an act of war (violence) against an indigenous people or sovereign nation, or through the machinations of unelected individuals seeking to found a system of representative democracy that inevitably bears the mark of their power, such a state is ultimately vested with an act of decision that occurs prior to any question of legitimacy. That decision ultimately defines who is and is not a citizen. As Shklar (1991) emphasizes in the case of the US, this has created a contradiction in which a state, founded on principles of equality, nevertheless maintained a system of inequality for its citizens. Given that the existence of the state rests upon this sort of founding violence, a decision without precedent in law, then the law that arises from it is ultimately deconstructible:

Even if the success of performatives that found law or right (for example, and this is more than an example, of a state as guarantor of a right) presupposes earlier conditions and conventions (for example in the national or international arena), the same "mystical" limit will reappear at the supposed origin of said conditions, rules or conventions, and at the origin of their dominant interpretation. The structure I am describing here is a structure in which law (*droit*) is essentially deconstructible, whether because it is founded, constructed on interpretable and transformable textual strata (and that is the history of law [*droit*], its possible and necessary transformation, sometimes its amelioration), or because its ultimate foundation is by definition unfounded (Derrida, 1990, p. 14).

Thus, Derrida concludes: "Deconstruction is justice" (p. 15). The thought of justice disentangled from the formation of the state is so profound that it confronts us as an aporia, "a perplexing difficulty" (OED, 2010). This moment of un-decide-ability of a condition that cannot be fully comprehended and controlled is necessary for the full consideration of what is just. But thinking outside the institutionalized towards an alternative system risks creating an equally

unsatisfying or flawed form. For his part, Derrida saw the experience of aporia as fundamental to justice:

I think that there is no justice without this experience, however impossible it may be, of aporia. Justice is an experience of the impossible. ... Aporetic experiences are the experiences, as improbable as they are necessary, of justice, that is to say of moments in which the decision between just and unjust is never insured by a rule (p. 16).

The idea of justice deserves critical attention and constant questioning. Derrida argued that it requires of us:

... never to yield on this point, constantly to maintain an interrogation of the origin, grounds and limits of our conceptual, theoretical or normative apparatus surrounding justice is on deconstruction's part anything but a neutralization, of interest in justice, an insensitivity toward injustice. On the contrary, it hyperbolically raises the stakes of exacting justice; it is sensitivity to a sort of essential disproportion that must inscribe excess and inadequation in itself and that strives to denounce not only theoretical limits but also concrete injustices, with the most palpable effects, in the good conscience that dogmatically stops before any inherited determination of justice (my emphasis) (Derrida, 1990, p. 20).

Such inherited determination suggests revisiting Benjamin's concerns about triumphant historicism. That is, the relevant question may be whether justice is an artifact of a dominant, victorious culture imposed on people with less power. If so, how does a population or citizenry un-inherit it? Recent authors (Hill-Collins, 1989; McIntosh, 1988; Mouffe, 1995; Natter, 1995) have advocated for pondering positions of "un-thinking privilege," "examining your position," and adopting positions of "non-identity," from various paradigmatic perspectives. Still, a progressive ideology, one that embraces a beginning and end, can only conceive of a successor condition to the state, rather than questioning why citizens accept conditions linked to the actually existing state.

Post-colonial scholars have devoted considerable thought to this problem in their interest to distance themselves from the gaze of the west and the Westphalian state. They have perhaps gone the furthest in advancing an imaginary of the impossible. Better than anyone, they can understand the founding violence in instituting a form of state that previously did not exist, as well as the imposition of other “state simplifications” such as language, maps and laws, whose chief function was often to impose a system of legibility and hegemony that facilitated western colonization (Appadurai, 1996; J. C. Scott, 1998). Postcolonial literature emphasizes the lingering hint, or trace, of possibilities that Western colonialism foreclosed (Abeysekara, 2008; Mandair, 2009; Spivak, 1988). Spivak, in her brilliant critique of intellectual complicity in oppression, notes the challenge of not re-imposing marginalization on one’s subjects: “... their text articulates the difficult task of rewriting its own conditions of impossibility as the conditions of its possibility” (1988, p. 285). She continues:

When we come to the concomitant question of the consciousness of the subaltern, the notion of what the work **cannot** be becomes important. ... The historian, transforming "insurgency" into "text for knowledge," is only one "receiver" of any collectively intended social act. With no possibility of nostalgia for that lost origin, the historian must suspend (as far as possible) the clamor of his or her own consciousness (or consciousness-effect, as operated by disciplinary training), so that the elaboration of the insurgency, packaged with an insurgent -- consciousness, does not freeze into an "object of investigation," or, worse yet, a model for imitation. "The subject" implied by the texts of insurgency can only serve as a counterpossibility for the narrative sanctions granted to the colonial subject in the dominant groups. The postcolonial intellectuals learn that their privilege is their loss (emphasis added). In this they are a paradigm of the intellectuals (p. 287).

Her observations have substantial import for methodology:

In seeking to learn to speak to (rather than listen to or speak for) the historically muted subject of the subaltern woman, the postcolonial intellectual systematically "unlearns" female privilege. This systematic unlearning involves learning to critique postcolonial discourse with the best tools it can provide and not simply substituting the lost figure of the colonized (p. 295).

A second Derridean scholar offers a similar critique. Where Spivak highlights the necessity of “unlearning,” Abeysekara has raised the more radical concept of “un-inheriting.” This acknowledges the deeply rooted traditions we take to be “reality,” but which require greater scrutiny and concern.

Our democracy, our modernity, our secularism, our secular ways of being and belonging, have not even come close to thinking of the im-possibility of un-inheriting the name. Our democratic modernity cannot ever do such a thing because it is in the business of improving and perpetuating the name (p. 30).

And further:

I contend that no prevailing notion of responsibility, duty, or obligation associated with any form of democracy (or, for that matter, any concept of morality, ethics, or goodness associated with a given ethical or religious tradition or heritage) will ever help us to respond to the aporia of the name (p. 31).

I emphasize this particular point to suggest neither Democracy nor Justice are things that have ever been experienced. What we take to be democratic behavior is a mundane, day-to-day performance focused on the “I” and the “now”, with neither space nor consideration for un-freedom and our own implication in the conditions that perpetuate it. Democracy, by contrast, is a future promise, a limit condition to which we might aspire, but as yet have never achieved. Our entire history of democracy to date has been an inadequation, “shot through” with anti-democratic experiences. Indeed, it is much like Benjamin’s Angel of History:

His face is turned toward the past. Where we perceive a chain of events, he sees one single catastrophe which keeps piling wreckage upon wreckage and hurls it in front of his feet. The angel would like to stay, awaken the dead, and make whole what has been smashed. But a storm is blowing from Paradise; it has got caught in his wings with such violence that the angel can no longer close them. This storm irresistibly propels him into the future to which his back is turned, while the pile of debris before him grows skyward. This storm is what we call progress

(Benjamin, 1969, pp. 259-260).

These notions of un-thinking, un-learning, and un-inheriting, I argue, are the proper tasks of both traditional and organic intellectuals. Revolutionary consciousness, I believe, involves exploration without a map, leaping into a cavern of unknown depth, and laying oneself open to risk a move which activists often understand far better than traditional scholars. If a state possesses a monopoly on violence, or the power over decision, a relevant question becomes the fate of those without power. How do they struggle for justice in a state that, I argue (in the US case), preserves inequality and injustice in its very heritage?

I will end this section by admitting that I am not up to the task of fully deconstructing the state; indeed, with Fraser, I rely on concepts of the economic, the cultural, and the political that aspire towards the goal of transformative justice in the form of participatory parity. The concept of transformation involves breaking with deeply historical structures of inequality. The concept of a global justice that is adequate to the task of addressing extra-territorial conflict, corporate exploitation of labor, and climate injustice must certainly involve breaking the mold. It is to this project that I now turn, beginning first with the concept of the public sphere.

### **The Public Sphere**

Among the more contentious of Habermas' theoretical concepts is the notion of a public sphere constituted by ideal speech and rational dialogue. This is the realm of publicity, in which people come together to be recognized by the state, to effect policy change, and yet it too is permeated with power. Many critics of Habermas (Cook, 2001; Eley, 1999; Landes, 1988) reject his particular construction of the public sphere as Eurocentric, masculinist, and inevitably pervaded by dominant discourse.

The relevant analytic question therefore is how one might characterize the public sphere differently. Liberals might contend it is a realm of anomic individualism, as in a Hobbesian war of all against all. Constructivists, meanwhile, might hold it is rather a space of communication in which differing perspectives intermingle and permeate each other unproblematically. The relevant question, however, is whether the intersubjective understandings developed out of such a dialogue may be accepted unproblematically. Or is the public sphere a space of agonistic contention, in which differing groups vie for power? And if this is so, should we nonetheless regard that space as dialogic?

Whether individuals/groups come together through commonality or contention, through negotiation or argument, in dominance or in subjugation, communication exists. And there are numerous communicative approaches by which counterpublics attempt to make change. One might contend that groups adopting a Habermasian, reasoned and conciliatory approach may have greater success in gaining acknowledgement from the state. This may be effective in some cases, but I would argue that an extreme case must exist before there can be a middle ground, an unruly public must precede a cooperative one. Further, there is at least one other factor to be considered, the existing institutional structure. This includes the political climate, the shifting of power structures, and often most crucially, timing.

Many authors have tried to conceptualize this complex environment. Some (Gittel & Vidal, 1998; Szreter, 2002; M. Taylor, 2007) describe varying forms of networking and social capital in its bridging, bonding, and linking forms. Others examine the totality of actors and structures, as in Latour's Actor Network Theory. I opt here to employ a third body of theory, the Field Theory of Kurt Lewin, as later developed by Pierre Bourdieu.

Bourdieu, in the tradition of Marx, lands on the side of agonism. He theorizes actors within an inherently competitive field that is, as Calhoun (1995) has noted, non-discursive. This opens up a far greater array of movement and action for any behavior is allowed so long as it is related to changing one's position within a field of power. Habermas' theory lends itself better to forms of collaborative governance while Bourdieu's field can readily adapt to the countless strategies employed by social movement actors and grassroots activists. And this broader conceptualization, I would suggest, is much more consistent with the idea of a "public sphere".

But to go further with this line of reasoning, I must revisit the tenets and theories of the public sphere. I will weave in Bourdieu's field theory as a part of this discussion. First, however, I discuss the relationship between the public sphere and civil society, as many use these two terms inter-changeably. Calhoun (2002) has offered a cogent nested explanation by arguing the public sphere is a component of civil society, one that is explicitly and outwardly political in its orientation to the state. I would note that his operating definition of civil society, as with Habermas, includes the market or corporations. In this sense, then, the notion of the public sphere could be consistent with a definition of civil society that excludes the market (For a comprehensive discussion of civil society and the market, see Cohen and Arato, 1994).

However, this definition belies the modern reality that, due to actions of the US Supreme Court and in any event now nearly ubiquitously, corporations readily compete with other civil society actors to sway the state. Under the same Constitutional first amendment protections, corporate actors are now guaranteed "free speech". This makes their presence in the public sphere particularly influential as a key power holder with which other actors must contend. With this in mind, it is possible to map the "public sphere" onto Bourdieu's concept of the field. He



offers a definition relating to the intellectual field, but which neatly describes the overarching concept:

The intellectual field, which cannot be reduced to a simple aggregate of isolated agents or to the sum of elements merely juxtaposed, is, like a magnetic field, made up of a system of power lines. In other words, the constituting agents or systems of agents may be described as so many forces which by their existence, opposition or combination, determine its specific structure at a given moment in time. In return, each of these is defined by its particular position within this field from which it derives positional properties which cannot be assimilated to intrinsic properties and more especially, a specific type of participation in the cultural field taken as a system of relations between themes and problems, and thus a determined type of cultural unconscious, while at the same time it intrinsically possesses what could be called a functional weight, because its own “mass”, that is, its power (or better, its authority) in the field cannot be defined independently of its position within it (Bourdieu, 1969, p. 89).

In his early work, Habermas did not distinguish between public sphere actors of differing levels of power. Eley (2002), Fraser (1990) and others have critiqued him for this omission in building his definition on an historically specific “bourgeois public sphere” present only in 18<sup>th</sup>-century France. This public sphere did not include women or people of subordinate class status (let alone citizens of different race or ethnicity), nor did it allow for the possibility that these groups might form separate configurations. Bourdieu did not differentiate the field in this manner; however, he did suggest that, in more complex societies, “the field” segments into many smaller fields (i.e. the cultural field divides into the artistic and intellectual fields). For the present, I shall work with a broader conceptualization of fields.

While Calhoun (1995) has critiqued Bourdieu for not addressing the idea of difference, I argue the concept of the field is sufficiently capacious to embrace such differentiation. I begin with Bourdieu’s theory of habitus, which he defines as “a system of lasting, transposable dispositions which, integrating prior experiences, functions at every moment as a matrix of *perceptions, (sic) and actions* and makes possible the achievement of infinitely diversified tasks”

(Bourdieu, 1972, p. 82). This definition is similar both to Foucault's concept of discourse (but narrower) as well as the psychological concept of the frame. But habitus is not a static predisposition. Rather, it is subject to change through experience. While habitus might be viewed as consistent across actors of similar backgrounds, I would argue this interpretation is unwarranted. I rather argue Bourdieu's concept of habitus is analogous to Hannah Arendt's formulation of the "vita activa." Arendt suggested that all life is political and that political action—the vita activa—takes place specifically within a context, in relationship with others. Thus, political action arises from where we are (the natural and the man-made). As she observed:

... the things that owe their existence exclusively to men nevertheless constantly condition their human makers. In addition to the conditions under which life is given to man on earth, and partly out of them, men constantly create their own, self-made conditions, which, their human origin and their variability notwithstanding, possess the same conditioning power as natural things (Arendt, 1998, p. 9).

However, she also insisted that such conditioning is never uniform:

... on the other hand, the conditions of human existence - life itself, natality and mortality, worldliness, plurality, and the earth - can never 'explain' what we are or answer the question of who we are for the simple reason that they never condition us absolutely (p. 11).

Thus, locality, geography, family, history, experience, etc. are the seedbed of the vita activa and, I would argue, the habitus. But people's experience and expression of the local and the political are far from uniform. Clearly, however, the multiple influences of the habitus ensure that, whether gay, feminist, Latino, differently abled, Southern, wealthy, etc. few are likely to approach the world in the same way.

It is the habitus/vita activa that not only informs political behavior, but also *makes us political*. This is not simply upholding the notion of liberal individualism and pluralism that lays

the ground for equal opportunity, but rather noting that experiences of privilege and oppression, trauma and complacency, high and low expectations, etc., render a field in which actors are in different positions with respect to power.

### **Fraser's public sphere.**

As Lovell (2007) has indicated, Nancy Fraser's dual systems theory and recent writings concerning the transnational public sphere draw heavily on Bourdieu's work on the economic, cultural, and political fields. My sense, however, is that neither Fraser nor Bourdieu has fleshed out the idea of movement within fields. That is, they do not fully explore the nature of agency within structure. Further, how can we theorize movement from positions of lesser power to greater power *without* irrevocably tying such change to a neoliberal notion of progress? I contend the notion of "participatory parity", committed to bringing groups (directionally) *up* to a status of economic and cultural equality is at once practically infeasible in the face of increasing pressures on global natural resources, and theoretically inadequate, in that it fails to contend with the flaws and contradictions inherent in "neo-liberal democracy," specifically the problems of uneven distribution of capital, cultural marginalization, and insufficient representation at the national and transnational levels.

Fraser's contribution is in recognizing the imbrication of political *and* cultural *and* economic inequality. A greater infusion of Bourdieu's field theory is in order to address many of the unanswered questions about the role of *power* and *structure* in the derangement of the "public sphere". What remains unclear is how a public sphere is constructed, in terms of relevant "membership", relationships among members, parameters of rules and accountability norms, and particularly spatiality. Fraser hints at part of this problem in raising questions about

the transnational public sphere as a venue outside of the Westphalian state, and thus outside the bounds of existing of law and governance. This is one reason I merge the ideas of the public sphere, which is state dependent, and the field, which is not.

The term “field” implies a dimensionality not fully captured in Fraser or Habermas. Fraser has described her “dual systems theory” in terms of two “axes”, invoking a mathematical terminology, yet carrying the Cartesian analogy only so far. I would also demur from constituting a three-dimensional “plane” through which one might attempt to predict “movement” as a mathematical function. But the notion of “threes” has power in describing the intersections of the economic, political, and social or a Hegelian configuration of market, civil society, and state. However, I am not arguing that democratic deficits can be adequately described in threes. For example, Bourdieu himself articulates multiple types of fields. Indeed, Fraser would probably concede that her posited three levels are inherently *unruly*, much as she has suggested that the lines among the market, civil society, and the state are porous and diffuse (Fraser, 1990). The opposite end, however, such as an amorphous “empire” of Hardt and Negri, renders analytical exploration rootless with respect to the focus of this research, the *counterpublic* within the public sphere. As Warner (2002) and others have asked, the relevant issue is how to delineate publics within publics. I believe that Fraser’s three-fold theory of redistribution, recognition, and representation provides a starting point to address the question.

The problem of sub-groupings within a democracy is well known. From Mill (1859) to Madison (1787) to Marx (1867) to Schmitt (1996) to Guinier (1994), the question of how we constitute a public as comprised of collectivities, rather than independent individuals, has been extensively theorized. Yet, no existing state system, neither liberal democracy, nor for that matter communism, has ever adequately dealt with this question. Collectivities and

configurations of power are inherent to any constituted political entity. Further, “actually existing capitalism” has only served to increase differences and disparities along lines that are far from random.

I propose positing as given a state constituted by (in)equality. This is not unreasonable to suggest, considering the role of social movements in US history in opening up greater equality and freedom. I further suggest the history of “movement” towards equality is exactly that of “counterpublics” striving for recognition. It is also a question of “who’s in” and “who’s out” in terms of full citizenship in a state. Such a history lends itself to critique of ready or simply accepted categories of citizenship.

### **The Transnational Public Sphere**

The argument I advance, following Fraser, is that of a quasi-Schmittian system of public contention, rather than that of a Habermasian global dialogue. Fraser has questioned, in her earlier works, whether groups can achieve participatory parity in a dialogic public sphere; hence she raises the need for counterpublics to form common bonds and pursue justice together. However, they must publicly appeal to a masculinist hegemonic system that holds the power to decide what is political (echoing Schmitt’s argument), and that often regards counter-arguments as non-political, or private matters. Ultimately, as Schmitt has contended, this is the power to determine the friend/enemy distinction, where an “exception” is made against certain groups of citizens. But one might ask if it is possible to argue that a state of exception can be enacted against citizens who are still entitled to a certain, albeit truncated array of “rights.” I contend this is so, when state-defended rights are ultimately a leaky vessel, allowing, or at least failing to

prevent the dismantling of public environmental goods, and the visiting of disproportionate environmental harms upon certain non-random groupings of citizens.

If we consider the public sphere as an imbalanced field, we might ask what Fraser and Bourdieu offer in terms of a theoretical response. Put differently, if we characterize the Coalfields Delegation as seeking justice within a transnational public sphere, the issue becomes how to theorize the institutional and hegemonic forces they faced, as well as the strategies they brought to bear to confront them. A further concern is to ascertain whether and how their actions within the transnational public sphere could be transformational, deconstructing the systemic forces they faced, as opposed to affirmative, improving their status on the terms of the status quo.

I report here the actions of the Coalfields Delegation, working from Fraser's theories of the transnational public sphere. This is a nested argument, in that Fraser builds upon her original categories of economic maldistribution and cultural misrecognition by arguing that these injustices also flow across national boundaries. What is transformative about this theory, Fraser contends, is the reframing of global space to allow for representation of individuals exploited by transnational forces. She explains:

In such cases, the transformative politics of framing proceeds simultaneously in multiple dimensions and on multiple levels. On one level, the social movements that practise (sic) this politics aim to redress first-order injustices of maldistribution, misrecognition, and ordinary-political misrepresentation. On a second level, these movements seek to redress meta-level injustices of misframing by reconstituting the 'who' of justice (Nancy Fraser, 2005, p. 84).

In these two dimensions, transformative politics occurs through transferring control of the 'what' and the 'who' of justice from elites to counterpublics. But Fraser goes further to suggest that

“post-Westphalian” politics seeks to transform how and where justice, in the form of participatory parity, may occur:

Above and beyond their other demands, these movements are also claiming a say in a post-Westphalian process of frame-setting. ... Asserting their right to participate in constituting the ‘who’ of justice, they are simultaneously transforming the ‘how’—by which I mean the accepted procedures for determining the ‘who’. At their most reflective and ambitious, accordingly, transformative movements are demanding the creation of new democratic arenas for entertaining arguments about the frame (Nancy Fraser, 2005, pp. 84-85).

Fraser asserts that the truly radical step towards justice occurs when counterpublics are able to challenge the forces of globalization by reframing the boundaries of state via cross-national identification and organization.

I use this argument to emphasize the contention that, where the legitimacy of the state is in question, struggle is utterly warranted. As I shall discuss in subsequent chapters, the Coalfields Delegation’s protest was directed at the US for not fulfilling its promise of democratic representation on matters that directly affected members’ quality of life. In other words, they were denied the opportunity to participate on an equal level with other parties in the politics of extraction. Given that parity is one of Fraser’s main criteria for justice, this is a significant caesura in the concept of a bounded democratic populace.

However, deconstructing, un-learning, or un-inheriting the state is a far from straightforward matter. Two concerns immediately arise. First, the delegation may be leaping from the frying pan of the state into the fire of transnational politics. Can the actually existing transnational public sphere serve as a space where prevailing power arrangements can be challenged? At issue is whether this system, or field, is more permeable to justice claims than the nation state. Second, the delegation as a counterpublic functioning within a field of competing interests may yet find difficulty in effectively advancing its claims. To employ

Bourdieu's theory, for the Coalfields Delegation, the nation constitutes a field in which the group had a limited amount of power to contest their position. "Framing up," according to Fraser, places them in the same sphere or field with corporations and countries that contribute to their plight, but it also afforded them the opportunity to engage and potentially align with other counterpublics. But the concern this argument does not reach is whether this transition to the transnational level can make a difference in a counterpublic's struggle for justice.

## **Conclusion**

This chapter has reviewed the limitations of the modern nation-state, both from the brief observations of coalfields residents, and from a theoretical interrogation of the conditions of state efficacy and legitimacy. From a grounded perspective, many would question whether the state can be deemed either efficacious or can be said to deal equitably with the polity of the given nation. I have argued this sort of critique is ultimately rooted in the power configurations present at the founding of any state. Minorities and marginalized groups must always approach democratic state power as supplicants (Wolin, 1993), as to an ultimate authority that has the power of granting not only rights, but legitimacy to certain citizen groupings. And this granting, unfortunately, is indelibly inflected by conceptions that often domination by some over less powerful groups. Given the problematic nature of national government, the relevant concern is to ask if it is possible to conceive of an alternative governing body that is not created in the pre-existing image of the state.



I have considered the transnational public sphere within this power configuration and analyzed its role as a space that might permit counterpublics access to an alternate to locus of authority to redress their needs. In essence, the public sphere is charged with holding government accountable, but this is a circular problem because that regime must also be efficacious and responsive to legitimate interests (which it ultimately defines). Given this challenge, I focus on the transnational public sphere as one route to the phenomenon of transnational governance, but rather than approaching this problematic from the global level, I look at the routes and access into the transnational from the perspective of one group, the Coalfields Delegation to the United Nations.

## Interlude: The American Dream

Lisa Atkins bought her dream home in 1999, not knowing that a renewed coal boom would wreak havoc on her small community of Sassafras, Kentucky:

Um, we lived in a trailer across the creek and down for 15 years. We finally saved enough money. Houses are very expensive in Eastern Kentucky again because of no flat land. Although you can't build a house on top of a strip job, I'm sorry! They say you can, but you can't there's no infrastructure, there's no water. There's no electricity up there. We finally bought our house, we remodeled. This, this was a camp house, you can tell this was a camp town. The first two rooms they say were built in 1933, and then it's been added on. You can see as they added on each section.

I don't have to have fancy. You know I love my house, I love my neighborhood! When my daughter was little we used to bring her over trick or treat. All the neighbors decorated Halloween, they all decorated Christmas. It just was such, I was like totally ... I thought I had the American dream, you know? I thought I found a home that I can afford, we fixed it up, we did what we wanted to to it. We stayed in the area -- my husband's born and raised here. I'm 3.4 miles from my school. And then the coal trucks started ...

Now, should they haul coal, yeah go ahead! But slow down, don't stir this dirt and dust up. If there's an access road. You know, leave these people alone! Miss Polly after she worked you know for 30 some years and retired, if she wants to sit on her front porch and watch birds. She should be allowed to do it. Do you know what I'm sayin'? It's just ... it's just doesn't sound like the United States. There should be some laws, there should be some give and take for all of us, you know? I just don't get it.

(Speaking of children in Lexington and Georgetown, Kentucky): They don't dodge coal trucks on Halloween. Kids start trick or treating you know, early cuz it get- ... you know they don't keep them out too late. They literally were dodging down the middle of the road, the coal trucks were. Now you can't tell me that those guys couldn't have said "You know what? Tomorrow's trick or treat let's knock off an hour early let's do without one less load (Atkins, 2008).

## **Chapter 2: Publics and Counterpublics**

### **Introduction**

The phenomenon of the Coalfields Delegation to the United Nations could be characterized as unique to the period of globalization in the late 20<sup>th</sup> and early 21<sup>st</sup> century. Building upon a small, but growing background of transnational efforts on one hand, and increasing scholarly interest in linking the local to the global on the other hand, the UN trip was reflective of a trend towards transnational resistance in Appalachia. In the previous chapter, I discussed the transnational public sphere. Here, I describe the roles of counterpublics in the transnational arena. First, I discuss the nature of counterpublics and my reasons for classifying the Coalfields Delegation as one such. Second, I examine the posited ways in which counterpublics advance their needs. Last, I consider how such groups effect change within a public sphere in order to lay a foundation for the Coalfields Delegation's actions within the transnational public sphere.

### **What are Counterpublics?**

Theories of counterpublics challenge the omnibus notion of a single public sphere. Habermas (Fraser, 1990; 1991) has theorized the public sphere using 18<sup>th</sup>-century Europe as his exemplar, describing it as an historically situated phenomenon, notable for its “intersubjective communicative processes and their emancipatory potential in place of any philosophy (or politics) of the subject“ (Calhoun, 1999, pp. 5-6). However, he did not articulate how more modern conditions might change the public sphere, leaving that challenge to others. The Habermasian theory of the public sphere has spawned a broad scholarly literature that now seeks to address such concerns. Many theorists, for

example, have critiqued the idea of the public sphere on the basis that it insufficiently accounted for power differentials among actors (Benhabib, 1996; Fraser, 1990; Hauser, 1997, 1998a; Mansbridge, 1994; C. Taylor, 1995). For her part, Nancy Fraser has challenged Habermas' historical interpretation, arguing he might have examined other contemporaneous public spheres. Acknowledging the existence of other than bourgeois spheres, Fraser has critiqued Habermas on four key dimensions:

1. that it is possible for interlocutors in a public sphere to bracket status differentials and to deliberate "as if they were social equals";
2. that a single, comprehensive public sphere is always preferable to a nexus of multiple publics;
3. that discourse in public spheres should be restricted to deliberation about the common good;
4. that a functioning democratic public sphere requires a sharp separation between civil society and the state (Fraser, 1990, pp. 62-63).

Drawing upon other critics such as Eley (1999), Landes (1988), and Ryan (1990), Fraser has argued that the bourgeois public sphere was exclusive on the basis of gender and class, and did not exist as Habermas characterized it. As Fraser noted "This network of clubs and associations-philanthropic, civic, professional, and cultural-was anything but accessible to everyone" (Fraser, 1990, p. 61). She pointed to the existence of "a host of competing counterpublics, including nationalist publics, popular peasant publics, elite women's publics, and working class publics"; however, she noted that "Bourgeois publics, in turn, excoriated these alternatives and deliberately sought to block broader participation" (Fraser, 1990, p. 61). In Fraser's view, Habermas' focus on the bourgeois sphere precluded the existence of other spheres. In deeming it *the* public sphere, he failed to examine how the bourgeois public sphere may have operated as a hegemonic force, proscribing the ability of other groups to represent their political needs.

Indeed, in failing to note the gender and class distinctions implicit in the bourgeois public sphere, Habermas overlooked how such social conditions might exert undue dominance over the public agenda.

Fraser argued that by maintaining control over the issues regarded as “public” as well as the official discourse of needs, the bourgeois public sphere has consequences for who is represented in public decision processes. A marginal group will face greater challenges in representing its needs. Its interests must either be held in common with those of the bourgeois sphere, or its members must find other ways onto the public agenda through a process Fraser (1989) calls “runaway needs.” Needs not countenanced as political may nevertheless achieve liminality through varying political means. Examples include the women’s movement advancing abortion rights in the 1970s and Love Canal residents achieving political efficacy through persistent participation in state-level decision-making, as well as national publicity drawing attention to their plight. These examples of counterpublics emphasize movements that mobilize in opposition to prevailing power structures.

The Social Science Research Council (“Counterpublics,” n/d) has described counterpublics as “dissident networks of communication excluded by the dominant public sphere and its hegemonic discourse.” Scholars (Asen & Brouwer, 2001; Brooks, 2005) trace the history of the counterpublic sphere to the seminal work of Negt and Kluge (1972, 1993) in their work on “proletarian publics.” which they describe as follows:

The interests of workers can, since they are unrealized, be organized only if they enter into a context of living, in other words into a proletarian public sphere. Only then do they have the chance to develop as interests, instead of remaining as mere possibilities. (p. 57)

Negt and Kluge (1972, 1993) traced the development of these proletarian groups from founding, in which they are largely impotent, through stages in which they begin to adopt bourgeois organizational forms, at which point they “participate in the movement of society.” (p. 59). Asen and Brouwer (2001) in their edited volume *Counterpublics and the State*, noted that these groups’ lack of political power, but emphasized “sometimes, ostensibly inaccessible means and venues provide opportunities for counterpublic and state interaction. Other times, alternative modes and sites engender such interaction.”

(p. 3). These and other authors (Brooks, 2005; Dawson, 2003; M. Stephenson, 2002), credit Fraser (1990) and Rita Felski (1989) as “prominent articulators” of counterpublics. Felski (1989) defined such groups as “oppositional forces that seek to disrupt the homogenizing and universalizing process of a global mass-communication culture that promotes an uncritical consumerism” (p. 7). Other theorists have reinforced Felski’s characterization of counterpublics as oppositional. Warner (2002) described a counterpublic as “a dominated group (that) aspires to re-create itself as a public and, in doing so, finds itself in conflict not only with the dominant social group, but also with the norms that constitute the dominant culture as a public.” (p. 80). Hauser (2001), meanwhile, has argued:

A counterpublic sphere is, by definition, a site of resistance. Its impetus may arise from myriad causes, but its rhetorical identity is as an arena for hearing proscribed voices, expressing proscribed ideas, and entertaining the alternative reality they advance to the existing order. Sometimes this resistance is militant, as in an underground movement, and sometimes it is apparently benign, as in the counterpublic sphere of a minority community enacting its own internal business (pp. 36-37).

The above definitions emphasize that counterpublics exist along side, and in conflict with, the bourgeois public sphere. Nancy Fraser has argued that multiple publics are not only preferable to a single public sphere, but also serve an important, dual purpose:

On the one hand, they function as spaces of withdrawal and regroupment; on the other hand, they also function as bases and training grounds for agitational activities directed toward wider publics. It is precisely in the dialectic between these two functions that their emancipatory potential resides (Fraser, 1990, p. 68).

Mansbridge (1994) has offered an argument that echoes this concept of regroupment: “those who lose in each coercive move can rework their ideas and their strategies, gathering their forces and deciding in a more protected space in what way or whether to continue the battle” (p. 47). Fraser countenances the potential for many publics (even specifically anti-democratic ones) to open up discursive space (Calhoun, 1999, p. 124); the natural conflict among a proliferation of

counterpublics enhances the possibility of democracy. However, such a democratic space will not be possible absent an equitable distribution of resources and recognition of differing cultural characteristics.

A logical corollary to multiple counterpublics would be the unlikelihood of determining a single *common good*. Fraser specifically raises the challenge of social inequality:

After all, when social arrangements operate to the systemic profit of some groups of people and to the systemic detriment of others, there are *prima facie* reasons for thinking that the postulation of a common good shared by exploiters and exploited may well be a mystification (Fraser, 1990, pp. 72-73).

Looking again at the barriers that counterpublics face in attaining a place for their issues on the public agenda, it follows that the notion of a *common good* will be laden with power, and certainly obscures issues the dominant sphere considers “private.”

Fraser’s final point of contestation with Habermas is the sharp demarcation he drew between civil society and the state. This line, she notes, “promotes what I shall call weak publics” (Fraser, 1990, p. 74). This idea of “weak publics” could be compared to that of John Gaventa’s “thin democracy” (Gaventa, 2006, p. 19), constituted primarily by voting and other constrained forms of participation. By contrast, a realm in which the ability of publics to join in more robust forms of decision-making would develop “strong publics”, which, by Fraser’s reckoning, demand more accountability from the state.

However, in Habermas’ terms, the public sphere already functions as a space for expressing political concerns and voicing differences. Other authors have questioned whether the term “counter-public” makes sense, as counterpublics are, in fact, public entities. The theory of “counter” publics, particularly multiple, competing counterpublics, has the potential to change our conceptualization of the public sphere.

## **Counterpublics and power.**

The problem of power differentials necessitates the concept of the counterpublic. Fraser challenges a contention of the Habermasian public sphere: “that it is possible for interlocutors in a public sphere to bracket status differentials and to deliberate ‘as if they were social equals’” (Fraser, 1990, p. 62). The Coalfields Delegation challenged US policy and coal industry practice while operating at a significant disadvantage in terms of resources and voice. They advanced their needs against powerful industry opponents who held considerable influence over policy-makers. Michael Warner (2002), has suggested that counterpublics are fully aware of their position with respect to dominant publics, and this clear agonism is reflected in the manner in which they are “public”:

A counterpublic maintains at some level, conscious or not, an awareness of its subordinate status. The cultural horizon against which it marks itself off is not just a general or wider public, but a dominant one. And the conflict extends not just to ideas or policy questions, but to the speech genres and modes of address that constitute the public and to the hierarchy among media. ... Friction against the dominant public forces the poetic-expressive character of counterpublic discourse to become salient to consciousness (Warner, 2002, p. 86).

It is not clear whether Fraser views her “counterpublics” similarly, yet her use of the term “subaltern” is telling. She is clearly thinking of groups that have not achieved full recognition and redistribution, and yet are empowered enough to take full advantage of “publicity”. As Fraser notes:

... these subaltern counterpublics in order to signal that they are parallel discursive arenas where members of subordinated social groups invent and circulate counter discourses, which in turn permit them to formulate oppositional interpretations of their identities, interests, and needs (Fraser, 1990, p. 67).

Parallel discursive arenas, however, need not suggest that counterpublics maintain an entirely separatist orientation. Neither are they part of a single public sphere in which parties interact



directly in a dispassionate, 'rational' manner. Yet the potential for having their appeals blocked by dominant parties necessitates adopting strategies that can bring counterpublics into interaction with potentially more receptive parties:

... the concept of a counterpublic militates in the long run against separatism because it assumes an orientation that is publicist. Insofar as these arenas are publics they are by definition not enclaves which is not to deny that they are often involuntarily enclaved. After all, to interact discursively as a member of a public - subaltern or otherwise - is to disseminate one's discourse into ever widening arenas (Fraser, 1990, p. 67).

There is a great deal packed into Fraser's statement. "In the long run" implies there is a short range in which separatism may be appropriate. A publicist orientation suggests some volition to make one's comments public. And her use of the term enclave is puzzling: *not enclaves, yet often enclaved*. In other words, "publicity" is not a flat, either/or concept. The notion of enclaving and working among "fellow travelers" recognizes people's need to validate their own perspectives, which previously had been foreclosed from the outside. This embryonic phase, the period during which counterpublics are striving to develop and advance their publicist discourse, is hidden from view. As such, the long history of struggle from which the UN Coalfields Delegation arose, must be acknowledged. I discuss that evolution further in the next chapter.

### **Counterpublicity and privacy.**

Warner (2002) offers another sense in which counterpublics are hidden from view. He suggests that the nature of publicity involves both a sender (the public) and a receiver: "Public speech must be taken in two ways: as addressed to us and as addressed to strangers" (Warner, 2002, p. 58). He brings attention to what should be obvious—that publics are not in full control of how their messages are received. This situation involves an element of risk:

This necessity of risked estrangement, though essential to all publics, becomes especially salient in counterpublic discourse and is registered in its ethical-political imagination. Dominant publics are by definition those that can take their discourse pragmatics and their lifeworlds for granted, misrecognizing the indefinite scope of their expansive address as universality or normalcy (Warner, 2002, p. 88).

Thus, counterpublics might choose to keep some of their communications from being received by dominant publics: “It might therefore circulate in special, protected venues, in limited publications” (2002, p. 87). But, like Fraser, Warner is not clear whether dominant groups would receive such communications as “public”:

... it depends on a hierarchy of faculties that allows some activities to count as public or general, while others are thought to be merely personal, private, or particular. Some publics, for these reasons, are more likely than others to stand in for the public, to frame their address as the universal discussion of the people (2002, p. 84).

I offer one possibly controversial caveat to Fraser’s and Warner’s counterpublics. Fraser bases her ideas in the collective protest of the women’s movement of the late 1970s. At that time, the movement was quite visible, and actively forming oppositional language. Fraser is clear, however, that the women’s movement was not fully recognized in the dominant sphere. Warner, by contrast, analyzed the mobilization efforts of “queer publics”. Both authors worked within a definition of public that draws upon relatively empowered groups (in terms of protest) in more advanced stages of public status. At the risk of generalizing, these groups they are somewhat cushioned from the kinds of threats and violence many subaltern groups have experienced for making their claims public, in that the latter have less power and empowerment to counter threats, violence, and retribution, and these all too frequently go un-noticed.

There are thus reasons for counterpublics to be guarded about their actions. This suggests that there may be two ways in which groups are considered “private”. The first, as

Fraser observes, is the sense that their interests are *particular*, private, and do not rise to the level of public consideration. The second and more sinister consideration is that groups are actively prevented from presenting their concerns as public.

As Walter Benjamin has argued in *Theses on History*, many actions and utterances of low power groups have passed mutely into history while the dominant narrative carries through.

Were these utterances “public”, even though they are now obscured from the record of time?

Spivak (1988) observes it is insufficient merely to create public statements:

Perhaps it is no more than to ask that the subtext of the palimpsestic narrative of imperialism be recognized as "subjugated knowledge," "a whole set of knowledges that have been disqualified as inadequate to their task or insufficiently elaborated: naïve knowledges, located low down on the hierarchy, beneath the required level of cognition or scientificity' (Spivak, 1988, p. 281).

Is the idea of “publicity” adequate to cover speech that is sent, but not recognized?

Does the dual notion of civil society and public sphere allow for political “speech” that must occur in a setting not fully public? Fraser and Habermas do not point to a fluid dynamic system in which counterpublics “emerge” into the public sphere. Gramsci, on the other hand, points to such movement in the shifts between historic bloc and hegemony (Gill, 1993, p. 40). But the process or means by which counterpublics proceed from being small, partially enclaved groups into publicly observed activists is opaque, and requires further scrutiny.

## **Needs Talk**

The arbiters of public needs are far from a neutral body. Groups must advance their concerns within a prevailing power structure. Dominant groups set the basis for what constitutes a valid need and what does not, or, in Fraser’s terms, which needs are “public” as opposed to “private”, and further, which groups are legitimate to voice their needs.

On the contrary, the norms, significations, and constructions of personhood that impede women, racialized peoples, and/or gays and lesbians from parity of participation in social life are materially instantiated-in institutions and social practices, in social action and embodied habitus, and yes, in ideological state apparatuses. Far from occupying some wispy, ethereal realm, they are material in their existence and effects (Fraser, 1998, p. 144).

Such appeals to dominant authorities are examples of what Fraser terms “needs talk”. Needs talk is a particular property of any counterpublic—each advances needs that are distinctive from those deemed political in hegemonic society. Thus, for example, women survivors of breast cancer identified the need for more research involving women at varying life stages. ACT-UP and other AIDS activists have pushed the agenda for more research into treatment paths for HIV/AIDS. The Coalfields Delegation is working to bring public attention to the impacts of mountaintop removal on communities and human lives. The point, following Fraser, is that these claims are presented publicly. Secondly, they are presented in multiple public spheres. Where needs are recognized, for many (if not most) counterpublics, satisfaction comes as a result of lengthy struggle. Fraser terms successful claims “runaway needs”, which are achieved in large part due to public struggle in a variety of venues. Some of these are specific and appropriate to particular groups (for example, women’s political appeals in *Ms. Magazine*; African-American messages on BET). But some public venues are broader and more far-reaching, such as the United Nations. Participation in many different public spaces increases the likelihood that needs will become visible to someone, in essence doing an “end run” around dominant perspectives. Thus, the likelihood of successful struggle certainly depends upon challenges to economic, cultural, and political circumstances, but it also depends upon the frequency and consistency of public action. Delegation organizer Danielle Jones emphasized the Delegation’s multiple publicity efforts were “part of that work to just get it in every venue, you

know?" (D. Jones, 2008).

According to Fraser, counterpublics must seek legitimacy within a dominant order by utilizing

... the historically and culturally specific ensemble of discursive resources available to members of a given social collectivity in pressing claims against one another. Included among these resources are things like the following.

The officially recognized idioms in which one can press claims; for example, needs-talk, rights-talk, and interests-talk. The vocabularies available for instantiating claims in these recognized idioms; thus, with respect to needs-talk, what are the vocabularies available for interpreting and communicating one's needs? For example, therapeutic vocabularies, administrative vocabularies, religious vocabularies, feminist vocabularies, and socialist vocabularies.

The paradigms of argumentation accepted as authoritative in adjudicating conflicting claims; thus, with respect to needs-talk, how are conflicts over the interpretation of needs resolved? By appeals to scientific experts, by brokered compromises, by voting according to majority rule, by privileging the interpretations of those whose needs are in question?

The narrative conventions available for constructing the individual and collective stories which are constitutive of people's social identities.

Modes of subjectification; the ways in which various discourses position the people to whom they are addressed as specific sorts of subjects endowed with specific sorts of capacities for action; for example, as "normal" or "deviant," as causally conditioned or freely self-determining, as victims or as potential activists, and as unique individuals or as members of social groups (Fraser, 1989, pp. 294-295).

Thus they achieve their needs, unpredictably and sporadically, through the mysterious mechanism of "runaway needs". Groups contend within structures of unequal power, and their success depends upon tenacity, but also upon luck and circumstance.

### **Habitus and field.**

This notion of striving against long odds is consistent with action in Bourdieu's concept of the field (Bourdieu, 1969, 1975) theorizes a concept called habitus, which he defines as follows:

The structures of a particular type of environment (e.g. the material conditions of existence characteristic of a class condition), which may be grasped empirically in the form of the regularities associated with a socially structured environment, produce habitus, systems of durable dispositions, structured structures predisposed to function as structuring structures, i.e. as the principle of the generation and structuration of practices and representations (Bourdieu, 1973, pp. 63-64).

Bourdieu defined habitus more clearly: “The history of the individual is never any more than a certain specific case of the collective history of his group or class and, in consequence, the systems of individual dispositions are structural variants of the group or class habitus”

(Bourdieu, 1973, p. 76). This definition tends to reduce the idea of a group or class to a degree of identifiable commonality. For this analysis, I develop the idea of habitus in a more particular sense, drawing upon a broad notion of environment, constituted by nature, place, family, history, and all the forms of experience that make up an individual life. These varying conditions provide some bases for commonality and group formation; however I do not wish to conflate the idea of habitus with the concept of “culture”. Culture is encompassed within a person’s lived experience, as are economic background and political concerns. A person is both embedded in these frequently unquestioned conditions, but also operates based upon her/his habitus. This provides a way to animate reductionist ideas of culture and nature, for example:

The enduring connectedness of people with the land results from an active engagement with it; rather than a reflection of “tradition”, it is an integral part of the contemporary modern life of these communities ... Persons and their environments, places and identities, are thus mutually constituted (Escobar, 2001, p. 146).

This suggests a multiplicity of standpoints from which to view one’s place in the dominant power structure. For example, one might consider how Native Americans might write the “United States of America” or how the colonized might write the colonial state. I investigate the

Coalfields Delegation's perspectives on the US, particularly as they relate to how they reframed their claims at the transnational level. That said, we can consider how they might define "the state" from a local position and habitus and how they determined their place in a transnational public sphere. A person "sees" from the vantage of her life experience, her "environment", and the views of family, friends, and neighbors. In the case of the Coalfields Delegation, members highlight specific things about their world:

As a coal miners daughter and grand-daughter ... you know my ancestors – grandfather and father were coal miners, my brother and my family were all coal miners. But my ancestors um, dates back here in this valley in the late 1700s. And so we, we were mountaineers long before we were coal miners (Poff, 2008).

Each individual discusses their grounding with respect to coal and its impact on their local environment. However, their expressions of identity are different, based in a sense of locality that is inflected by their experiences and histories.

I discuss the concepts of counterpublic and habitus on the basis of locality in order to emphasize their placement within the global. Counterpublics need not draw upon a common natality or geographic home, yet all constitute a local "space" of common or shared experience. In this sense, localness sits directionally opposite the global. Locality appears as the outside, the remnant, or the leftover of globalization. I am mapping a state of locality that serves as the foundation for globalness. A person does not shed their bearings in order to become a more cosmopolitan global citizen. She or he becomes both, or more properly, inhabits the range of experiences from local to state to regional to national to global, as I have discussed was the experience of the Coalfields Delegation.

Localness serves as a starting point, not only of histories and journeys, but also of the formation of political identity. Following Magnusson and Shaw (2003), and Escobar (2008), I view the idea of resistance through the lens of the local. Localness can serve as the common

element that founds a counterpublic, in this case the Coalfields Delegation to the United Nations, and later the Alliance for Appalachia. This localness is linked not only to a geographic space, but also to a set of experiences of a common but not necessarily contiguous geography and, more importantly, a sense of being “from somewhere”. This perspective “from somewhere” relates to habitus, and in this sense is something that united Delegation members. However, that unity arose not because they were all “from” the same place. Rather, they shared different memories of the same phenomenon—in this case, something important to them that has been lost or was under threat.

That “something”, originating from the local, has been referred to as a human “ecology”. Escobar suggests that such a conception of ecology is essential to the study of the global-local connection:

... the point is to find out how people ... “practice the local in the global”, that is, of examining the practices through which people construct places even as they participate in translocal networks. In other words, what I am also suggesting is that it might be possible to approach the production of place and culture not only from the side of the global, but of the local; not from the perspective of its abandonment but of its critical affirmation; not only according to the flight from places, whether voluntary or forced, but of the attachment to them. This is what ecology allows you, indeed forces you, to do ... (Escobar, 2001, pp. 147-148).

However, one cannot assume the same or similar human ecologies will result in similar habituses (habiti). What “sticks” and what does not is a process that one can never fully understand using a psychology overly proscribed by normative methodology. Despite the various constructions of the political human (rational man, Lacanian psychology), I suggest the political is the property of Hannah Arendt’s *vita activa*. Living is constitutive of politics. Every subject is raced, classed, gendered, and I also argue, “ecologized”.

Indeed, it is not difficult to imagine a world to come in which there are ecological



“haves” and “have nots”, but distributed unevenly, as David Harvey suggests, on the basis of terrain and geography. This is nothing but the logical course for a nature converted to “private property”, through the sweat of one’s brow, and thus subject to exchange and accumulation.

If we accept the principle of scarcity—and indeed it is difficult not to conceive of some sort of “limit” to growth, in whatever irreducible complexity it may be manifest—then we must contend with an ineffable re-framing of “environment” as “resources” subject to distribution on the basis of power, that of nation-states, regions, and individuals. It is on this basis that I conceive the phenomenon of environmental (in)justice as the intersection of class and geography. I do not argue about what the manifestations of environmental injustice might include—whether of locally unwanted land usage (LULUs), infrastructural developments, or other possible exceptions. I consider environmental (in)justice in terms of the distribution of goods and harms.

One might ask why not simply posit an “environmental” or “ecological” field? This might be logical, in the sense that one could easily delineate a field of contenders with varying levels of power. The difficulty is the definition of “environment” cannot be conceived outside of territoriality, cultural construction, and class. “Environment” is not a monolith. At its most restrictive conceptualization it could be thought of as “pristine nature” and only that. I prefer a more expansive definition, one that could conceivably encompass all other potential fields. “Environment” at its most democratic is what surrounds us.

Does such a broad definition dilute the urgency of the preservation of nature? I argue that by viewing “environment” more broadly, it is difficult to escape the question of justice and thereby the justification of global action. The splintering of “nature” into, for example, the untouched wilderness versus drinking water contaminated by toxins and heavy metals, has

resulted in an argument that cannot be reconciled. The nature qua nature argument perpetuates the divide between the human as *zoon politikon* and nature as inert substance. The targeting of human communities for environmental degradation could be viewed as overly anthropocentric; however the same geographical harms are visited upon non-humans as well as humans. As I hope to show through my discussion of *habitus*, humans can just as easily be seen as constructions of nature. Both are equal subjects of “the market”.

Nevertheless, I confess an anthropocentric tendency, as one who is “always already” anthro. Any discourse about “nature” must be received through various interlocutors of nature who can only ever see it as “non-human”. I will however resist framing “environment” as that which is purely for human use. Still, it is a “use” paradigm that has enabled harms to be disproportionately visited upon certain human and natural creatures. And that “use” rationality cannot be viewed without attention to geography, class, and culture. Viewing nature as “resources” for human consumption renders it a form of capital that can be circulated much the same way as financial capital, with the same problems of uneven distribution, creative destruction, and devaluation of certain groups within society.

Therefore, and for the purposes of this research, “environment” is conceived as an attribute of “publicness”, following Arendt’s definition. That is, I view “environment” as an extant factor, along side history, family, and other dimensions of human experience that cannot be extracted independently from the *habitus*. The distribution of environmental goods and harms will be viewed as mediated by class, culture, and geography. In this sense, environment can be viewed both as a precursor to the formation of political consciousness, and a matter of public discourse.

The *habitus* emerges as the foundation for becoming counterpublic. Constituted by a

dialectic of commonality and difference, counterpublics can be fragile, spatial and temporal. This accords with with Sheldon Wolin's concept of the political:

I shall take the political to be an expression of the idea that a free society composed of diversities can nonetheless enjoy moments of commonality when, through public deliberations, collective power is used to promote or protect the wellbeing of the collectivity (Wolin, 1994, p. 11).

For Wolin, the political is fleeting, presenting itself in particular temporal moments: "Politics is continuous, ceaseless, and endless. In contrast, the political is episodic, rare" (p. 11).

Indeed, in these pursuits, the Coalfields Delegation joins the ranks of place-based activists in venues such as the World Social Forum, the Copenhagen climate summit, and other explicitly transnational forums. They come together for a particular moment of publicity, based upon a certain confluence of habitus. Yet the "group," or counterpublic, is more amorphous. It gains and loses members, shifts the focus of its public-ness, and has a beginning and an ending. This is consistent with Asen's (2000) contention that counterpublics are more creatures of discourse, of public message, than of specific identity and place:

... public sphere scholars ought to seek the counter of counterpublics in participants' recognition of exclusion from wider public spheres and its articulation through alternative discourse practices and norms (Asen, 2000, p. 427).

The delegation can be theorized as a "counterpublic", following Fraser and others, for many reasons. As a counterpublic, the group definitely functioned as a space where message development occurred. The Delegation was also a supportive, generative space in which members shared common experiences and affirmed each other's indignation and pursuit of justice. Further, they positioned themselves against a prevailing norm that accepts the loss of human life, health, property, and memories as the price of doing business. As Bourdieu might suggest, they advanced a heterodox position against a firmly entrenched doxa.

## Achieving Change

I return to the concept habitus because some authors have attempted to equate it with a single dimension, that of culture. If habitus is produced by “the structures of a particular type of environment”(Bourdieu, 1972, p. 72) I argue that it is Bourdieu’s economic, cultural, and political fields that comprise those structures. If habitus is influenced by a person’s experiences, it follows that it is continually evolving or changing. Where Thomas Wolfe writes, “you can’t go home again”, it follows that as one’s position in a field changes, the habitus also changes, such that one’s perspective is permanently altered.

I offer the following diagram of my argument.

1)  $\Delta$ Economic field +  $\Delta$ cultural field +  $\Delta$ spatial/political field =  $\Delta$ habitus  
( $\Delta$ =change).

2) Change in any given field is a result of public action. Action in multiple public spheres increases the likelihood of change.

3) Fields are structural, and structures change slowly. Thus change is usually ‘affirmative’, in Fraser’s terms. Transformative, frame-breaking change is harder to achieve.

4)  $\Delta$ habitus  $\rightarrow$   $\Delta$ publicness  $\rightarrow$   $\Delta$ fields  $\rightarrow$   $\Delta$ habitus

In short, liberatory potential does not reside solely in the economic, the cultural, or the geographic. Rather, the habitus is constituted by these coordinates, and is manifest by the public expression of resistance.

As I have personally observed in my work within communities, counterpublics struggle frequently and continuously, but “if a tree should fall in the forest, and nobody knew, did it ever fall at all”? Sadly, it is not protest by itself, but public action that brings about the potential for social change. This advances the argument beyond the idea that change in economic, cultural, or

political circumstances brings about justice. For, after all, justice is a moving target. Is it true that if everyone held the same amounts of economic, cultural, and political capital, the world would be just? It is not so much a question of individual possessing such resources as it is the need for a systemic adaptation that can produce the precursors for justice.

This point leads to a third dimension of justice articulated by Fraser, that of affirmative versus transformative justice. For example, economic equality represents affirmative justice, whereas socialism—a society guaranteeing economic equality—would be transformative. Likewise, “mainstream multiculturalism” is an affirmative remedy, whereas deconstruction—breaking down cultural differences and making them irrelevant – would be transformative. Following this formula, changing ones level of capital in the economic, cultural, and political fields is a purely affirmative strategy. Deconstructing the idea of capital, or the fields themselves, would be transformative.

One might ask if habitus disappears, if the fields of economic, cultural, and political distinction cease to exist. I argue it does not. Rather, habitus continues to be constructed by time and place, but not in a manner that confers distinction on one group over another.

Parsing how the actions of any particular group contribute to the deconstruction of the whole is the task of the public intellectual, Bourdieu might argue, to develop a discursive system in which the economic, the cultural, and the political have less determinative force. But this is not a particular strength of institutions of higher education in my experience. We trade in the advancement of cultural capital. We valorize economic capital in the form of tuition, grants, and alumni donations, as well as our role in “economic development” and the commodity fetishization of knowledge. And we promote particular notions of spatial good through our construction of elite societies, built environments, and technological advancement that creates a

divide between prosperous communities and those to whom creative destruction has laid waste. But where institutions may fail, we as public intellectuals, can engage with and valorize the struggles of the trees in the forest, adding one more public venue through which needs might be advanced, and categories questioned.

The story of the Coalfields Delegation as a counterpublic helps illustrate the process of political struggle for change. Although small, it is formed from a wider net of organizations asked to sanction and select Delegation members. It is not so much the case that group members effected an actual change in redistribution, recognition, and representation, although arguments can certainly be made along such lines. Instead, I contend their struggles have taken place along economic, cultural, and political boundary lines, and as such, those efforts have affected the habitus' of delegation members.

This is certainly a story about the delegation making its case at the UNCSD. It is, however, much more. The Delegation engaged in many highly public activities while in New York. These included UNCSD meetings, side events at the UN, a concert, an exhibit of an artist's sculpture, and public speeches. In addition, group members attracted a theatrical group that created a play about mountaintop removal, while the first delegation was accompanied by a film crew, ultimately resulting in the documentary film, "Burning the Future". Through the Delegation's actions, a new and ongoing event—New York Loves Mountains—was created. The delegation coincided with the formation of a new sustainable counterpublic, the Alliance for Appalachia, a trans-Appalachian network of organizations. While the Delegation cannot be said to have influenced the formation of the Alliance, it was born of a similar spirit of framing up, geographically

Contra Bourdieu, I contend that people within a field do not advance simply from gaining

economic, cultural, and political capital. As Fraser suggests, this is affirmative justice, but more is needed for it to be transformative. Justice results from publicly challenging the field, designed to raise questions about varying forms of capital. For the Delegation, this consisted of publicly challenging the economic hegemony of coal companies over communities; strategically and publicly using Appalachian-ness as a form of cultural distinction and publicly claiming their position in a global venue. Through these actions, they raised awareness of their plight, made new friends and allies, developed connections across national lines, and in many ways changed their own position and strategy.

But one might ask whether their work was transformative. This is certainly an open question, and many of the delegates left frustrated that perhaps no change had occurred at all. In terms of their three stated goals, however, they may have succeeded. They built relationships between community-based organizations that resulted in new solidarities at multiple geographic scales. They definitely drew attention to the issue of mountaintop removal through the use of a variety of public media. Lastly, they did get language in the position papers of the Youth Delegation to the UN-CSD, as well as in the final declaration for CSD-15. In the process, they also challenged the failings of the US political system, and its dramatic impacts on communities. I address the question of transformative change in the second part of this dissertation, in terms of the delegation's challenges to the economic, cultural, and political systems that stabilize the destruction of their communities.

## **Conclusion**

Using Fraser's theory of counterpublics within the transnational public sphere, I examined the experience of the Coalfields Delegation to study the dynamics of group formation,

contestation, and achieving social change. The nature of counterpublics is to provide safety and development for activists who are disadvantaged by dominant power structures. I have argued that the need for safety represents a difficulty in defining such groups as “public”, and misses a crucial embryonic phase in which they are striving for, but have not yet achieved, publicity. Fraser’s description of “needs talk”, efforts to secure recognition for their concerns as public, and not private in character, addresses part of this early phase. Bourdieu’s theory of habitus and field also adds to understanding this “pre-public” condition in positioning counterpublics within a field of power. Together, these two theories contribute to a transformative model of social change, by describing first how groups become public, and second how counterpublics challenge the prevailing power structure.



## Interlude: Coal Dust

Ron Randall was born and raised in Sylvester, West Virginia. As an adult, he continued to live near his family in a house that he built, until Massey Energy built a coal stockpile on the ridge above his land.

... there's like a little ridge that came out that kind of separated the town from the prep plant, this ridge that came out. Well the DEP let them go ahead and shoot this ridge off in order to put a stock pile up in there, because it was located right beside the railroad tracks, that way they could just put a beltline in there and load the railroad cars. That was the purpose of shootin' the top of this ridge off. Well when they put this stockpile on top of this ridge, any time the wind would blow, it would just - it would blow, it would like come out of the west and it would just ... you could see black clouds just go over the town. Sylvester's a small community too. But you could see black clouds, and our house set right at the base of this stockpile. And it's a house that I built. And my father lived two houses up above it in the house I grew up in. So basically I was there all my life.

... And I'd come home from work from Massey and look on my kitchen table every night and it'd be like a ¼ inch of coal dust on, on everything in the house! And you know, you keep windows closed and you couldn't open your doors and stuff. It would get in! It was that fine. And I'd get really mad and, and so I said, I told my wife, I said 'Well you know I'm gonna talk to a couple of my neighbors live right here close and see about startin' a petition'.

Ron, a laid off union coal miner who had difficulty finding employment in the non-union mines, found that his protests got him blacklisted by the mining companies. Still,

We had a hearing before the surface board. And the DEP says why don't we just settle with Massey ... they said we've never won a case against the surface board, but our whole community was there you know and we said no we're goin' forward with it. Five panel surface board members up there, and they listened to both sides. At the end of it ... (we said we had a) 15 minute video we want to show you. And this was a video showin' these big clouds of dust. And they said "well we usually don't allow this, but we'll, we'll watch your video". And as soon as they seen that they came back with an order to enclose this stockpile and so now it's just like a big dome over top of it.

The coal companies eventually purchased the homes of several Sylvester residents:

Elk Run now owns our house and they rent 'em out to their employees. They bought just the lower half of the community. Ones that was settin' right under the stockpile, theirself they bought that whole little small community out, my dad out my brother out, probably 5-6 of our neighbors. They all left too, because they knew it wasn't gonna stop and it's not stopped as of today.

## Chapter 3: Resistance

### Introduction

... well basically, Massey Energy, a coal company, moved into my holler where generations of my family had lived, about 1995 or 1996. I think it was 1996 they moved in. And they started to pollute the water. They had, there was a black water spill. It was very highly visible, the black water spills were. And there were fish kills and my grandson stood in a stream full of dead fish when he was 6 years old. And there was coal dust all over everything in my home, outside my home, in my grandson's lungs, in our lungs. So, it, it was just a, a awakening of irresponsible mining. And I've never dealt, I mean, you know I've been, lived here all of my life and, like I say I have an intimate relationship with the coal industry. But this was ... different, it was very different to me in, in, in the way that Massey went about mining this coal and it's so openly, blatantly, irresponsible, in your face ... Um, didn't even try to hide it. So concern, anger, frustration, fear made me an activist (Poff, 2008).

On this particular day, I was interviewing Lisa Poff, an activist with Coal River Mountain Watch. As we sit in the office, with frenzied activity going on all around us, the look I see on Lisa's face as she speaks is not fearful, but fierce. For the coalfields activists, resistance is not a matter of choice, but a matter of self-defense. Most of the people I spoke with were surrounded by mining and had suffered the direct effects of those extraction processes on their own properties. Surface mining, for example, destroyed Luke's family cemetery. Ron, Laura and Lisa lived with coal dust all over their houses. Johnny and Jean have toxic heavy metals in their water supply. The interviewees who shared their stories are not alone in experiencing the consequences of energy consumption—the “un-freedom” that many undergo so that the majority of Americans can have access to cheap electricity. Still, such protest is not universally embraced; many in the region are unwilling to challenge coal companies as large employers. Many also fear the economic, social and physical reprisals for speaking out. Desecration of burial sites, destruction of property, respiratory illness, and exposure to poisons, among other

consequences, would seem to be easily recognized as infringements on life, liberty, and the pursuit of happiness, yet the matter is more complex than it might at first appear. But the plight of those who formed the Delegation, and of others who live in Appalachian coal country, and the lack of response or remedy at both the government and corporate level, leads to the question of just why it is so difficult to seek and receive justice in one's own country.

One explanation for the above situation is the colonization of public entities by private corporations, which makes the pursuit of justice a difficult goal. Under such conditions, counterpublics seek to challenge the exploitation and marginalization that their members confront, yet have not been able to find satisfaction from their elected lawmakers. Local community activists are now working with regional community-based organizations to pursue a larger scale geographic strategy. These efforts are beginning to bear fruit, as grassroots activists are seeing their place within a global economy, one in which coal is extracted for use outside of Appalachia and the US altogether. These activists are beginning to develop transnational strategies, and to define and orient themselves with respect to global entities. This chapter explores the difficulties inherent in the formation and developing consciousness of counterpublics in Appalachia generally, and the Coalfields Delegation in particular, in the transnational public sphere.

Implicit in this chapter is a challenge to the frequent academic romanticization of social movements as the answer to all ills, wherein powerless people fight the system and succeed. This is the stuff of stories and movies, yet it is never that simple. The problem with the arguments of many scholars who lionize movements is that their perspective essentializes the positionality and directionality of movements as coming from a deficit to achieve something that others have, and implies that people who have more power and privilege have no role nor

responsibility in securing structural change. This common viewpoint fails to question how the burden of struggle is expected of those groups most violated by power. Movements are more about struggle than victory; they are, at least in liberal, economic terms, often completely irrational. People struggle in the face of abundant and frequent evidence that they will be punished. In so doing, they often suffer in very personal ways for speaking out. Nonetheless, many persevere with a level of stamina to which comfortable people could never commit themselves, at least not more than part-time. Indeed, what is “rational” is for people to be politically apathetic and quiescent.

### **The Researcher as Narrator**

So that basically what we see is that the part of the world which implicitly claims that history of human consciousness has found its best fulfilment in it is, also, the site which is the home of the axiological (the science of human values) . . . And the rest of the world is measured against that. So that, in fact, to qualify for the subjectivity of ethics, that can choose between right and wrong imagining that it is the human subject, one must be located in that part of the world where the history of human consciousness has found its fulfilment (Spivak, 1990, pp. 95-96).

Spivak’s passage was written concerning India; however, it could just as readily apply to the Appalachian region. Historic depictions have long regarded the region as out of step with the rest of the United States, and this characterization has had devastating consequences.

Appalachia is treated as a region requiring therapy, with the implicit goal of bringing its economy up to expected US standards. Far from pursuing this goal, however, the economic development model applied in the region has been one of outside ownership of land and capital, with money flowing away from the area. Residents of the region are dependent upon an economy over which the majority has no control, and little other choice for making a living. The overarching reasoning seems to be that any economic development is good economic

development, whether it places the area's destiny in the hands of the people, or whether it promotes an unsustainable base for which there is no successor economy planned. The implicit assumption of this rationale is that there is no local capacity and no quality of life worth retaining; therefore any intervention is a benefit and a gift to residents. The history of the region, by contrast, has been one of consistent struggle for a modicum of self-determination in the face of overwhelming corporate power.

### **Power and common narratives.**

Researchers must realize that, along side journalists, authors of popular fiction, and politicians, we are complicit in this narrative of incapacity. I contend that the resistance of organic intellectuals should be accompanied by thoughtful, reflective, and engaged scholarship by academics. Thus, we need to be conscious of prevalent storytelling. I shall focus on three such common narratives. One is that of economic privation in a region that has long been compared with the "land of opportunity" myth, and found lacking. This story views residents as passive recipients of government and corporate largesse. Another second popular story is one of opposition to powerful entities. I, like many aspiring scholar-activists, am drawn to narratives of successful popular resistance. Yet people who participate in such efforts, as I have, know that they are rarely easy to develop or to sustain. Popular and scholarly depictions usually have a familiar storyline imposed after the fact, assuming, of course, that groups are victorious. Absent triumph, there is no story. The third narrative is "his-story" (history), a linear narrative from a dominant liberal perspective. This is a sympathetic tale that nevertheless oversimplifies and condescends, emphasizing the remarkable determination of the people, the quaintness of their culture, and their overweening ties to place and the environment as a conscious rejection of the

American way of life.

The initial three stories might reflect an “insider-outsider” characterization of Appalachian communities. This stereotype of Appalachia ignores the fact that the region’s residents do not all behave similarly. I call attention to the “self-other” distinction that dominant groups aim at politically subjugated people. The “other” is frequently de-humanized and de-personalized; therefore easily regarded as an object unworthy of consideration. But the self-other distinction is important for other reasons. The history of Appalachia is a story told from at least two positions, that of the all-seeing observer and that of the often unheard observed. This is characteristic of many academic narratives, in which researchers overlook their own power. In other words, each story is told from the perspective of a dominant chronicler who can only see what he or she knows to look for; the narrative subject, then, has a choice of being misrecognized, or not recognized at all.

It follows that the “story” of Appalachia is one of “official” or “authoritative” observers who create and describe a region according to the conventions of their particular historic moment. This narrative is intended to advance a bounded, simplified snapshot or travelogue for people who have no other experience of the region. But Appalachia is also a story told by people who respond to the name Appalachian. These narratives are as different as the people who tell them. Many of the subjects in this research spoke directly to the idea of “being” Appalachian, and I hope to capture the differences among their claims.

In pointing out the power of the researcher, I would be wrong to suggest that the people of Appalachia have no voice whatsoever. It is not so much that they are not speaking out, but rather that they are often not heard. This became apparent in my conversations, as a gentle admonition from at least one of the Delegation members: “... you coming here ... may help, you

know, to tell the story. I don't know. That's why I do it. Maybe help one more day, maybe, I don't know" (Garvin, 2008). People sometimes view the researcher as a megaphone for their efforts.

As I noted in the introduction, this story is "mine" in that I narrate from my own particular background of Appalachian-ness, social struggle, and rebelliousness that inevitably inflects my writing. Yet "my" resistance is not theirs, nor vice versa. It is impossible to avoid the ineluctable human tendency, even in self-appointed "radicals", to label, name, and call things in a manner that helps make sense of what we see. And I would suggest, as I do to my students, that things are never that simple. I do not live the lives of the people I speak of here, so it is almost as if I write in a different language. When I write about resistance, I can only speak from my own activist perspective, but I hope, in the process, that I have done a good job at listening.

### **A History of Resistance in the Appalachian Region**

I argue that this very public characterization of Appalachia contributed to positioning the region along particular economic, cultural, and geographic dimensions. It is against such dominant public assumptions and perspectives—stabilized by institutions—that resistance movements must contend. The Coalfields Delegation was no exception. In order to locate the Delegation along economic, cultural, and spatial lines, I first offer a brief history of Appalachian opposition efforts. This section provides necessary background to understand the progression of resistance over time, from the local to the global.

The "Appalachian Region" was not always so. One could fairly describe the lives of the people as intertwined with their home in the world's most ancient mountains, and to this extent,



bearing certain commonalities. Yet characterizations of the “Appalachian people”, ignoring, of course, the Native Americans who came before, are relatively recent. Montrie (2003) credits late nineteenth century writers with the attribution of “otherness” that has arisen from this label:

One of the first writers to assert the “otherness” of Appalachia was Will Wallace Harney, who published “A Strange Land and Peculiar People” in Lippincott’s Magazine in 1873. Similar essays by other local colorists followed. In more than two hundred travel accounts and short stories of the local color variety published between the early 1870s and 1890, southern mountaineers were presented as backward and isolated from the mainstream of American life (Montrie, 2003, p. 13).

Such popular depictions doubtless informed early political attitudes towards the region. The US government put “Appalachia” on the map in 1894 with a US Geological Service survey that established 194 counties in 9 states as constitutive of "a new pioneer region in the mountains of the Central South" (Walls, 1977). Five years later, and in keeping with the spate of travel writing on the region, the *Atlantic Monthly* published an article entitled "Our Contemporary Ancestors in the Southern Mountains," in which the author unofficially named the region: "The mountainous back yards of nine states . . . one of God's grand divisions, and in default of any other name we shall call it Appalachian America" (Walls, 1977). The name stuck. But there is no reason to believe that “Appalachians” across this nine-state region felt any commonality with each other.

The Appalachian Region was officially constituted as such in 1964, with the formation of the President’s Appalachian Regional Commission comprising an initial 10 states and 340 counties. The commission’s sentinel report depicted the region in bleak, anti-progressive terms:

For Appalachia is more striking in its homogeneity than in its diversity. Unlike though they may be, its subregions share an unhappy distinction: **rural Appalachia lags behind rural America; urban Appalachia lags behind urban America; and metropolitan Appalachia lags behind metropolitan America.** (Commission, 1964 93)

Drawing attention to the economic privation of the region led to a series of televised stories, documentary filmmaking, articles, and political messages. This caused many local citizens to bridle at the characterizations by outsiders. Films and news reports that depicted and emphasized the squalor of many Appalachian homes, they argued, presented a flat and demeaning portrait of the region. The poignant film “Stranger with a Camera”, tells the story of a sympathetic filmmaker who was murdered while documenting the region’s housing conditions because, the film suggests, the owner of that housing disapproved of having his property used as an example of “Appalachia”. This occurrence, coupled with a widely held negative popular portrait, had political consequences in defining Appalachia and its people as violent and backward. Even President Lyndon Johnson’s anti-poverty programs and Robert F. Kennedy’s “poverty tours” of the 1960s were not without consequence for the citizens of Appalachia. I emphasize that these were dominant and very public portrayals, not always ill-intentioned, but certainly politically disempowering. The portrayal, if not the level of interest in the region, persists to this day. As Nesbitt and Weiner (2001) have observed:

This expansive mountainous area - which extends from northern Alabama to southern New York - has historically been associated with deep poverty and ‘less developed’ living conditions. In accordance with this modernist assumption came a number of normative models intended to both explain and ameliorate Appalachian underdevelopment. These models continue to exert significant influence on how the region is perceived and serve as the basis for the vast majority of regional economic development programs and policies (Nesbitt & Weiner, 2001, p. 334).

### **Foundations of resistance.**

There are many excellent resources on the history of Appalachia and Appalachian resistance, and I have no intention of reinventing the wheel here. There are numerous histories

focusing on economic resistance in the region, for example, *Fighting Back in Appalachia* (Fisher, 1993), which contains an excellent bibliography of “Dissent in Appalachia,” and *Communities in Economic Crisis: Appalachia and the South* (Gaventa et al., 1990). Biggers, in his 2005 book chronicling the influence of Appalachia on the development of the United States, credits the North Carolina Patriots with the first acts of rebellion against the British Empire (p. 57). Chad Montrie claims, rightly, to offer the most comprehensive account of resistance by focusing on the entire region, rather than individual states. He reveals a wide range of activism of significant regional and historical depth. For example:

The first significant upsurge of activism, known as the “Battle of Clear Creek,” occurred in Knott County (Kentucky) in 1965. When strip operators attempted to mine land in the Clear Creek Valley belonging to Dan Gibson’s stepson, who was off fighting in Vietnam, Gibson scared the workers off with a .22 automatic (Montrie, 2003, p. 72).

Chronicling the US use of military violence against its own people, Savage (1990) tells the story of the “Battle of Blair Mountain” in 1921, when the United States Army bombed protesting miners in West Virginia. Blair Mountain is now slated for mountaintop removal mining. Listed as a national historic place in March, 2009 (Ward, 2009b), it was subsequently de-listed in January, 2010 due to competing estimates of landowner objections, as Nyden (2010) reports: “a new list of landowners at the site seemed to indicate that a majority of the landowners wanted the historic site to be opened to coal mining”. It now appears that some of the alleged objecting landowners were deceased at the time of their protest. As of September 4, 2010, the West Virginia Commissioner of Culture and History re-nominated Blair Mountain for state<sup>1</sup> historical designation on September 4, 2010 (Nyden, 2010).

These and many other articles and books document the history and continuing nature of

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<sup>1</sup> Note: State historical designation must precede federal historical designation.

economic, cultural and political struggle in the region. Recently, Appalachia has begun to witness nascent resistance directed towards global entities, among which the Coalfields Delegation can be counted. I argue that this is a logical outgrowth of trends that are visible in both scholarship and activism.

**Resistance: periods of visibility.**

Coalfields resistance has been the subject of scholarly articles, history books, popular fiction, documentary and popular film, song, myth and stereotype, and propaganda. Each movement was doubtless considerably more complex in practice than it has been described. I believe there has always been a cultural, economic, and political element to each movement. However, characterizations of these efforts have been considerably flatter, and subject to categorization. Further, one can detect periods of scholarship reflecting an emphasis on the economic, cultural, etc., and it could be argued that, to the extent that many Appalachian scholars have adopted a grounded study approach, resistance efforts have occurred at least in dialogue with some of this scholarship (Munn, 1965, pp. 25-30).

Munn (1965) has argued that there have been five eras of “rediscovery” of the Appalachian region. The first corresponds to the period in the late 19th century, during which authors produced “local color” stories. The second era reflected the missionary discovery of the region, in which “over one hundred mission schools were established” (Reid, 1996, p. 242). The third rediscovery focused on mining and poverty during the Great Depression, and reflected unionization efforts hotly opposed by coal companies. This period corresponds in time to the national salience of labor movements, culminating in the Wagner Act (1935), the Fair Labor Standards Act (1938), and the Taft-Hartley Act (1947).

Finally, Munn characterized the time of his writing in 1965 as the fourth era of Appalachian rediscovery, in which the area was characterized as a “social problem region”. Reid (1996) has elaborated this view by noting the agency of the Highlander Folk School (instrumental at the time in creating the Freedom Schools that influenced the Civil Rights Movement), United Mine Workers organizing, and other regional collective efforts. In addition, Reid added a fifth era, one of “global economic restructuring by transnational corporations” (p. 245). Of this period, Reid noted the increasing emphasis on Appalachian coal in light of the US energy crisis, and he emphasized that this era persists to this day.

Following Munn and Reid, I would overlay periods of interest in social movements among Appalachian Studies scholars with these distinct eras. Social movement research during Munn’s fourth era was primarily conducted on rational economic terms and analyzed using resource dependence theory. This period frequently focused on labor struggles and unionization. A second era, the “cultural turn”, theorized “new social movements” that organized along lines of identity, roughly beginning in the mid-1970s (thus potentially representing another periodization), and focusing on Appalachian “culture”. Finally, with the addition of Reid’s global era, we begin to see Appalachia in the context of the rest of the United States as prey to the changes wrought by increasing globalization of trade, with adoption of the North American Free Trade Agreement and other international trade agreements. In this period, resistance activities began to focus on connecting the local to the global. As well as increasing interest in global resistance movements. Scholarship on Appalachia proceeded apace. “Appalachia as a Global Region” became salient during this time with the publication of Gaventa’s (1980) *Power and Powerlessness*, which chronicled the struggles of an East Tennessee community against a coal company whose parent corporation was located in England. A significant gap followed

until Dunaway's (1996) "First American Frontier." After that publication, scholarly attention was inconsistent until the publication of a 2002 special edition of the *Journal of Appalachian Studies* "Standing at the Crossroads: A Symposium on Globalization and Appalachian Studies." Activist efforts have continued, and as I contend in this research, have arguably gone further in situating the region in a global context.

This periodization of scholarly interest doubtless has had an impact on what is considered "reality" on the ground, at least from the academy's point of view. As Fraser (1995) and Butler (1997) emphasize, the economic and the cultural are intimately linked. Additionally, while often characterized as purely local struggles, the exercise of power and domination in the Appalachian region has always had a global component; whether in terms of international political economy, or in terms of ownership of capital, as evidenced by frequent foreign ownership of Appalachian property and mineral rights. The following section investigates existing activist efforts to expand outward from the local to the state to the national to the global.

### **Current acts of resistance.**

The story of the Coalfields Delegation reveals an array of resistance and organizing efforts, employing numerous forms of direct action. Technology is one such medium. There are several Appalachian area Internet listservs, each regularly sending news and appeals for support on current legislative efforts. Indeed, this is how I found out about the Coalfields Delegation. In addition to direct email, there are numerous organizational and informational websites. Among these are Appalachian Voices (<http://www.appvoices.org/>), a news and advocacy organization serving the entire region. Another site is I Love Mountains ([www.ilovemountains.org](http://www.ilovemountains.org)), which contains substantial information on mountaintop removal mining, including "What's Your

Connection to Mountaintop Removal?” in which the user can enter her zip code and identify where the coal for her electricity comes from. Another page on [ilovemountains.org](http://ilovemountains.org) tracks state-by-state legislative efforts on MTR. Many Appalachian organizations have begun utilizing the social network site Facebook for appeals.

Protest is another widely practiced form of activism. Organizations such as Coal River Mountain Watch and Southern Appalachian Mountain Stewards have picketed coal power plants and mining companies in order to protest corporate actions. While such efforts are usually undertaken lawfully, there have been arrests for trespassing and blocking plant entrances. On June 30, 2008, EarthFirst! and Mountain Justice activists formed a chain across the Richmond, Virginia entrance to Dominion Power’s headquarters building (Harper, 2008), joining hands inside cement-filled barrels. On June 22, 2009, actress Daryl Hannah and other activists were arrested for “impeding traffic” outside of a Massey Energy coal preparation plant in West Virginia (Ward, 2009a). Many other celebrities and public figures in addition to Hannah are becoming increasingly involved in movements. Other celebrities include Ashley Judd, Wendell Berry, James Hansen, Robert F. Kennedy, Jr. Dave Matthews, Dan Tyminski, Emmylou Harris, Kathy Mattea and Alison Krauss.

Another frequently utilized political action is citizen lobbying. This can take the form of letter-writing campaigns, frequently organized by internet appeals or through organizational memberships, attendance at public hearings, and the Annual Week in Washington lobbying event. In each case, community organizing groups, such as Appalachian Voices and Kentuckians for the Commonwealth, and other organizations provide citizens with training and technical assistance on how to approach elected officials, as some have never taken this form of action before. This has resulted in a savvy group of activists, quite comfortable approaching

officials and making a case for ending mountaintop removal. Citizens have taken other symbolic forms of protest. In our interview, for example, Luke Garvin told me about how he walked in honor of the mountains: “I did a walk across the state. I walked a mile for every stream destroyed. And at that time it was over 500 miles. Now it’s something like 3500 miles of streams have been destroyed. More than that ...”. In 2006 Ed Wiley walked from his home in West Virginia to Washington, D.C. to protest the sludge pond behind his granddaughter’s school, Marsh Fork Elementary. Recently, a group of young activists formed Mountain Justice, which works alongside citizens, going door-to-door to provide information on actions that can be taken against mountaintop removal. At least one of the activists with whom I spoke was recruited through such an effort. Along side such resistance efforts, many counter-groups are now in operation. Consisting primarily of miners and mining company employees, these people attend hearings and have protested outside anti-mountaintop removal rallies and get-togethers.

These many efforts give the lie to stereotypes of politically disengaged, under-educated, under-privileged Appalachians. Indeed, many of the people I spoke to had become seasoned political advocates, often developing expertise on particular policies or scientific information. One organizer talked about an individual who had developed extensive policy knowledge:

(Name) is one that comes to my mind ... he’s a local leader in Tennessee, has no further education beyond high school ... I don’t think he even completed high school. But if a strip mine permit comes down the line that has some loopholes in it, he’s an individual that could put forth a 60 page regulatory response to it citing every, every regulatory loophole that exists in that permit and get it, a version that applies to the state clean water guidelines and get a version that app- kind of deals with the federal surface mining regulations, and hammer that out in a couple of days time, at most. And so I think that there’s some pretty incredible leaders in that area ... (Brandon, 2008).

Another person I talked to, Mandy Kilgore, talked about how she had accumulated a wealth of information on toxic pollutants throughout her career as an activist:



So, I just you know, when I learned that, you know my community was drinking over 200 volatile and semi-volatile organics, 5 of which were carcinogens, and all the ways that this company had, had treated my community, I just kept learnin' and learnin' and learnin'. And, you know I went to environmental health conferences. At one time I felt like a chemist! You know, I could tell you, I could rattle off all these chemicals and how many people dies out of a hundred thousand, whether ingest it or inhale it or you know? And then just learning the whole process of, you know what, what it goes, what you have to go through in order to protect yourself. And one of the biggest things I think, that I worked on the most was through the ATSDR, which is the Agency Toxic Substance and Disease Registry, which is like the health arm of the EPA, and educating them over and over and over, because every time you felt like you got them educated about your community, then there would be a new team come through. So you'd have to start all over (Kilgore, 2008).

Not only are people well capable of developing such advanced understanding, they must attain that level of sophistication in order to be knowledgeable about problems that affect their lives. It is unfortunate that such technical information is often limited to “experts” who may or may not have an ethic of helping people. Frequently it takes homegrown activists, such as those involved in the movement against mountaintop removal, to protect their communities.

### **Transnational Justice?**

The activist skills and experiences outlined above were foundational in the formation of the Coalfields Delegation. Ultimately, the delegation advanced its appeals at the United Nations Commission for Sustainable Development (UNCSD), thereby linking the issue of mountaintop removal to the global quest for sustainable energy. However, their initiative represented a continuation of a long-standing discourse of resistance. This is consequential, because their statements still reflect essentials of this complex historical dialogue, which manifests elements of the economic, the cultural, and the political/global. The discourse of justice among Appalachian activists has changed over time.

Following Reid (1996) and Munn's (1965) schema of Appalachian "discovery" or periods when Appalachia was publicly visible, early political resistance was clearly economic, both from the inside and from without. Characterizations of abject poverty in the news media were met both with resistance to stereotyping and calls for economic justice, particularly from miners. As this stereotyping shifted into a "culture of poverty" portrayal, groups countered by promoting the unique ways of life of the mountain region. This stance became another stereotype of a homogeneous society that, as Reid and Taylor (2002) have observed, became divorced from a corresponding economic analysis. Global environmental justice has been a longstanding issue, but a relatively new line of resistance for coalfields activists.

## **Reflections**

This chapter has focused on struggle, knowledge, innovation, and persistence in Appalachian social movements. In so doing, I can only speak from my experience and standpoint. Still, I cannot over-emphasize the tendency, if not inevitability, of concealing what I consider the fascinating part of a movement; the inside, which consists of a tremendous amount of frustration and struggle. The dominant triumphal narrative misses the climate of nay-sayers who offer persistent doubt and expectations of failure, as well as impatience and resignation in the face of how much time and effort it takes to change "the way things are"; they have the luxury of believing that their efforts will often bear fruit, and of jumping on the bandwagon after much of the groundwork for success is already in place.

Such is the nature of publicity and counterpublics, a one step forward, two steps back struggle that frequently ends before barely getting started. And this could easily have been and could still be the fate of the Coalfields Delegation, whose trip to the UN is still popularly

unknown. It is these acts of resistance that fall short of the title “movement”, and yet are critical to the formation of larger, more visible efforts. From my perspective participating in small acts of politics, struggle is always about trying to blaze a trail that does not exist yet (all the time knowing that trail may lead nowhere), and having tremendous faith that doing something, even if it ends up badly, is better than doing nothing at all. Following Honig (1993), I believe that this space is exactly where “the political” lies.

Most political theorists are hostile to the disruptions of political. Those writing from diverse positions – republican, liberal, and communitarian – converge in their assumption that success lies in the elimination from a regime of dissonance, resistance, conflict, or struggle. They confine politics (conceptually and territorially) to the juridical, administrative, or regulative tasks of stabilizing moral and political subjects, building consensus, maintaining agreements, or consolidating communities and identities (Honig, 1993, p. 2).

Wolin (2000) points to a similar conclusion:

(A prior) essay accused political science of complicity by its uncritical, accommodative relationship to power, and of being so focused on methodological applications as to be unaware that it was merely producing a simulacrum of the existing political order. ... (T)he ordinary reflex of political scientists was to dismiss any anomalies that might imply that the system was violating its own norms or falling seriously short of them. In the eyes of critics, anomalies were symptomatic of crisis, and crises seemed to be everywhere, not only in the political and constitutional crisis associated with the war, with race relationships, and later with Watergate, but also in the emerging concerns about ecology, the status of the family, sexual mores, and the claims of women (Wolin, 2000).

Where Max Weber described the vocation of the political scientist, I would insert the avocation (calling) of resistance groups, for whom to appropriate a phrase from Weber, the “slow boring of hard boards” is a daily experience. Activism is often low-paid or unpaid work. I call attention to this distinction because activism is invariably something that people do ‘in their spare time’, and I say this with a considerable amount of irony. Those who would call to mind class distinctions in political behavior miss the concept that people often engage in struggle at

the risk of their lives and family well-being.

## **Conclusion**

This chapter has described the historical background of Appalachian resistance. Yet in so doing, I need to reveal my own desire as an author to tell stories of political struggle, focusing on the kinds of small efforts that are foundational to larger, more visible efforts. I don't wish to take anything away from these kinds of activism, indeed I want to add to common narratives by including how stubborn and persistent people need to be to achieve success, or at least to maintain such a posture until the wheel turns around. It is these elements of smallness, and stubbornness that I have found lacking in much scholarship.

The narratives of resistance I have discussed above depend on publicity, or more basically, on scholarly and authorial noticing. They are, for this reason, incomplete. Still, I find Munn's and Reid's typology of Appalachia's historical periods of visibility helpful in describing the evolution of public and academic interest. In addition, however, I have sought to call attention to the activist efforts that inevitably precede such noticing. Indeed, such efforts formed the basis for my exploration of the Coalfields Delegation's decision to seek to participate in the transnational public sphere.

## Interlude: The Big Flood

Alice Paterson grew up in Bob White, West Virginia. Although she left for a while to go to college, the family property was willed to her children, and she came back to take care of her grandfather when he fell ill. One day, she heard trees being felled behind her property. Maria grabbed her gun and climbed up the mountainside, only to find coal employees clearing land.

This clearing above would prove fateful to her by and by:

Yeah, um I moved back up this way in 1997. My daughter was like, I think 3 years old. And I, I pretty much spent my time takin' care of kids and my grandfather. And, and my husband worked and took care of the family and I took care of the elders in the family ... and the kids of course. And in 2001 my grandfather passed on. And in 2000 the, the coal company representatives was coming in here pretty much tormentin' my grandfather when he was livin', tryin' to buy his property from him. Now he was an elder man, he was incapacitated. He, he couldn't, he was in a wheelchair. So he couldn't get away from 'em you know? And he couldn't do much about 'em bein' here. And they would literally catch me gone and come in here and try to trick him into sellin' his property and everything else. Well, what they didn't know was it really didn't belong to him, belonged to my kids and my dad and my grandfather had that fixed years ago.

But basically what, what happened -- my grandfather in 2001 died heartbroke, because he knew what was goin' on. He knew exactly what was goin' on! In, in 2001 when he was in the hospital we got flooded. In July, it was in July 28, 2001. We got flooded from this creek and this creek, from Big Branch Creek and also Pond Fork River, we was flooded from both rivers. And the Pond Fork River washed out our car-bridge. My grandfather and my father put that car-bridge in there. Me and my grandfather was the last ones to cross it on his way to the hospital. Now when I brought him back from the hospital, I brought him back to a place that he didn't leave, I mean this was not what he left. He come back to a place that was tore all to pieces. OK, that was on August the first, my grandfather died on August the 2nd.

And then we like to never got him out of here. It took like 5 ½ hours for an ambulance to get him out of here, and, and get him to the morgue because of the fact that we had lost our access bridge and had no way for anybody to get in here. But yeah, it, it was just, that was the beginning of it . You know I'd, I, I have to say the beginning of it was my father gettin' killed on a mountaintop removal site. And then my grandfather, everything that they, uh he died heartbroke because of what they're doin'. I mean, he really did, he knew what was comin'. He sat in ...

my house used to be different. He sat in there in front of his window one day and looked up the railroad track and they was a coal train comin' down thru there, and coal was fallin' off both side of it. And looked at me and he said "Sissy!" that's what he called me, he said "sissy there's somethin' goin' on!" He said "they's more coal goin' out of here right now than what's ever went out of here ". And that was in 2- early 2001 He died in August 2001 and he was right! There was somethin' goin' on. It's called the Bush Administration!

... And uh, in 2003 the floodin' started, the BIG floodin' started. I mean my definition of flooding has changed over the years dramatically. But the BIG flooding in 2003 started, and, and it just, it flooded me! I mean it literally ...when the flood happened in 2003, the night of the flood, I spent the biggest part of the night sittin' right here, watchin' that creek and what it was doin'. And the next day, I woke up, and I looked at it, and I started cryin' and I cried for 3 days! I couldn't even raise my head. And then, I cried myself into bein' MAD, is what I done!

Because there was nothin'! I had ... there was no recourse! There was no, there was nobody that I could go up there, there and just shake the shit out of, you know what I'm sayin'? There was nothin' I could do, nothin'! went to my county representatives down here, hopin' you know that somebody would come and say, "Oh my god! Look what a mess they've made of you! Let me help you!" You know? No! It wasn't there. I got doors shut in my face at the county level. I went to the state level to, to Governor Manchin, as a matter of fact, and Governor Manchin made myself and my daughter the promise that they would do somethin' to help us. And this was on a Thursday. And then on the following Monday, one of his staff called me and offered to have the coal company, and this is his very words, have the coal company to come up and fix my place, IF I would sign a waiver releasing them from all liability. ... I told that man, I said, "I wouldn't have your GD job right now for nothin'!" I went off on him! I was furious! I could not believe it.! (Paterson, 2008)

## PART II

## Chapter 4: Redistribution

*In other words, what I have here, they're trying to destroy. And in that they're trying to destroy me, you know. My life at hand is, is not worth a plugged nickel right now (Garvin, 2008).*

On that summer afternoon, Luke and I walked quietly up the hill with the dog running on ahead of us. Apart from the distant sounds of machinery, there was little clue of what was going on about 100 yards ahead. We stopped for a breather, and Luke continued:

... And so, the violence here, because of what I'm doing here, they say this land, this little 30 -50 acre land sits on, has 39 seams of coal in it. Because of this they say this land is worth, gonna be more than 650 million dollars by the time George Bush gets out of office, to the industry. So my life expectancy here is not very good at all (Garvin, 2008).

### Introduction

Chapter 3 provided an overview of the economic, cultural, and political background of the Appalachian region. Economically, the area has been publicly depicted in fiction and the news media within the US as economically disadvantaged. This characterization paints the entire region and its people as out of line with the standards of American prosperity. Coal industry representatives and economic development officials can therefore use this depiction to justify the idea that any form of economic development in the region is preferable to none at all. Therefore the area, once rich in lignite, bituminous and anthracite coal (for an excellent overview of pre-historic coal formation, see Montrie, 2003, p. 10), has fallen prey to creative destruction due to declining employment, resources and a mono-economy.

As chapter 3 argued, historically, coal mining has been the object of much social activism across Appalachia. Protesters have campaigned against coal mining for its detrimental health



effects, lack of long-term benefits, and more recently, for its catastrophic impact on the landscape in the form of mountaintop removal. As major domestic energy suppliers, coal companies wield considerable economic capital; thus activists and citizens who bear much of the externalities of coal extraction are at a disadvantage when it comes to contesting mining company practices. Coal has historically been the chief economic driver of the Appalachian region. Therefore, coal companies hold considerable influence with elected officials at the local, state, and federal levels as well. In a spate of inquiries following the April 2010 Upper Big Branch mine explosion, a Washington Post article identified "... nearly a dozen former MSHA (Mine Health and Safety Administration) district directors who recently took jobs as executives and consultants with Massey or Murray Energy, the two U.S. mining companies (who are among those) with the worst safety records" (Kindy & Eggen, 2010).<sup>2</sup> A subsequent article specifically addressed the influence of mining interests over office holders: "The industry represents about 6 percent of West Virginia's gross domestic product, less than the percentage for retail and manufacturing. But 'its political mind share is more. It's like 60 percent,' said Carter Eskew, a co-founder of the Washington-based Glover Park Group, a consulting firm" (Fahrenthold, Ahrens, & Mufson, 2010). The coal industry's power has been buttressed since the beginning of the Iraq war in March 2003 when US citizens and politicians began actively to question the nation's dependence on foreign sources of energy. Thus in recent times, coal has been widely viewed as a source of "cheap" domestic energy, a matter of both economic and political capital.

It is in this context that I consider the idea of 'redistribution'. If, as Nancy Fraser suggests, 'redistribution' and 'recognition' combine to bring greater justice, it will be useful to

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<sup>2</sup> The article was accompanied by the following retraction/clarification: "the article should have said the companies are 'among' those with the worst records according to a particular measure used by MSHA, which the article should have cited more specifically".

examine the processes by which this occurs. The goal of 'recognition' is to be 'recognized'. But redistribution, at least as it is conceived under a regime of neo-liberal globalization, seems a daunting goal, especially during a time when the global distribution of wealth is highly imbalanced. This chapter examines the means by which the Coalfields Delegation sought justice in the form of economic redistribution.

I consider this question from both traditional and organic intellectual standpoints. First, I review economic theories to explore how they address the possibilities for redistribution. Second, I focus on the perspectives of Fraser and Bourdieu, to explore the foundation they lay for movement within the economic field. Lastly, I share the perspectives of Delegation members on their difficulties contending with economic disparity; their own actions against the economic power of coal companies, and ultimately their goals as they related to redistribution of economic capital.

### **Coal Statistics**

According to Connor (2010) coal mining is now a \$38.4 billion industry in the United States. Of the amount extracted annually, about 90% of domestic coal is used to produce electricity across the United States. The industry overall is characterized as strategically “in decline”; and the eastern US coal region in particular, is expected to lose market share in coming decades. Analysts attribute this situation to a number of factors, including increasing environmental consciousness (Connor, 2010). Additionally, the geography of coal is shifting “During the outlook period, low sulfur coal from the western part of the United States (especially the [western] Powder River region) is expected to continue gaining market share at the expense of higher sulfur coal from the eastern states” (Connor, 2010, p. 9). Nonetheless, according to the

US Quarterly Coal Report, Oct.–Dec. 2009, coal production in the Appalachian region recently experienced the reversal of a two-year decline with a production increase of 3.3%. This growth was “primarily driven by the large increase in U.S. coal exports, which are predominantly produced in this region” (*Annual Coal Report 2008*, 2008). Europe remains the main consumer of US Coal and the Continent received about 30,073,489 short tons in 2009 (*US Coal Exports, Quarterly Coal Report, October - December 2009*, 2010, p. 14).

Coal provides significant employment in a region that experiences unemployment rates that range from 4.5% in Monongalia County, West Virginia to 21.3% in Magoffin County, Kentucky (*Appalachian Employment Report 2009 Fourth Quarter*, 2009). Indeed, arguments concerning the region’s relative dependence on coal industry employment have represented a significant source of backlash against grassroots MTR activists in recent years.<sup>3</sup>

Still, surface mining and mountaintop removal coal extraction in particular, supplies roughly two thirds the number of jobs as underground mining produces (See Table 3.1). According to the US Energy Information Administration, West Virginia has the highest number of coal mining jobs in Southern Appalachia at 21,665, followed by Kentucky at 18,850. Both states experienced a decline in coal mining employment in 2009, primarily in the area of surface mining, which includes mountaintop removal (*US Coal Exports, Quarterly Coal Report, October - December 2009*, 2010).

Environmental or ecological economists have attempted to quantify the direct and indirect costs of coal-related air and water pollution. However, these costs are typically not incorporated into mining firm’s production costs. Indeed, neo-classical economics is a poor tool for assessing these external costs, which include the emotional and psychological impact of

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<sup>3</sup> Anecdotal stories suggest that mining companies coerce their employees to attend; nevertheless, turnout on the part of mining interests has been very high.

having homes that have been in families for generations damaged or destroyed. It is these sorts of human costs, labeled innocuously by economists as externalities that Coalfields Delegation activists set out to protest.

The implications of failing to factor externalities into firm production costs are potentially catastrophic. A 2008 coal ash impoundment break was deemed “the largest environmental disaster of its kind in the United States”<sup>4</sup> (Dewan, 2008) with 2.6 million cubic yards of wet coal ash released outside of Knoxville, Tennessee. This is one of three known impoundment ruptures since the Buffalo Creek disaster in 1972 that released 138 million gallons of waste water and killed 125 people ("Buffalo Creek Disaster," 2002). Such incidents, although rare, wreak enormous damage, in addition to the many other environmental impacts of coal extraction and production processes. This is especially tragic, considering that many communities in Appalachia have little economic recourse but to bear these possibilities. Like many regions throughout the world, Central Appalachia has long been dependent upon a mono-economy (coal). Although alternative industries exist, they have not grown significantly as a portion of Appalachian economies.

### **Economic goods and economic harms.**

In coal-producing states, mining companies do compensate communities through the coal severance tax. The system of tax revenue distribution is negotiated with coal companies by each state, and the process is complex. West Virginia counties, for example, received a portion of that state’s total coal severance tax of \$34.8 billion in 2009. Of that total sum, 25% was shared with all West Virginia counties and municipalities, while 75% was returned to coal producing

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<sup>4</sup> At least until the BP oil spill of 2010.

counties. The funds are primarily used for county economic development initiatives, such as water and sewer projects ("Coal Severance Tax," n.d.). Kentuckians for the Commonwealth (KFTC) has reported how that state's severance funds have been used. Of the estimated \$211.6 billion received in 2008 (which constitutes 4.5% of the gross value of coal during that year), 50% went to the state general fund and 50% (\$105.3 billion) to economic development projects in 39 coal producing counties. In practice, however, KFTC, citing a 2005 report by the Democracy Resource Center, Lexington Kentucky (now apparently defunct), reported "By 1992 only 7.6 percent of the \$2.7 billion dollars that the tax had raised over twenty years had gone back to the coal counties" ("Understanding Kentucky's Coal Severance Fund," n.d.). In addition, a recent report from the Mountain Association for Community Economic Development (MACED), estimated for 2006, the Commonwealth of Kentucky provided a net \$115 million subsidy to the coal industry (Konty & Bailey, 2009). Activists acknowledge the revenues provided by the coal severance tax, but question the uses to which it is put. Johnny Branch and his wife Jean discussed with me how severance funds are used in their part of Kentucky:

JEAN: We need the coal severance tax well you know, what are they usin' the coal severance tax for? ... they're not usin it to fix up the roads, which is what it ...

JOHNNY: No. What they need to be usin' it for is funding after school programs for kids and you know, just things to help seniors and stuff like that.

JEAN: ... and Economic development.

JOHNNY: Economic development! If you go up the road right here up the road a couple of red lights ... is a parking garage ... That parking structure was 8 million dollars and, and the bulk of that comes from the coal severance tax! And it's rarely used, hardly ever used ... (Branch, 2008)

Lisa Atkins, a schoolteacher, concurs:

We have skuzzy roads. My kids should have every piece of technology comin' and goin' with the money they're cartin' out of these mountains. And they don't have a music teacher! Somethin's wrong there. Um, we're the poorest counties in the state

and we got all this coal comin' out of here! Somethin's wrong there! Um, people in Scott County ... Toyota doesn't send us some of their money from their taxes. Why do we send our coal severance to the rest of the state? ... I don't know who make- ... it's all illogical, the whole thing. I don't know why I have to fight for it, cuz none of it makes sense. My kids should have every piece of technology, the best building, the best of everything, cuz of what they're haulin' out of these mountains and destroyin' (Atkins, 2008).

West Virginians share a similar jaundiced perspective:

Well the coal companies, and the Boone County Commission down here, is talkin' about closin' that school, because we don't have enough money to keep it open. Well maybe some should start stayin' here then! ... And we don't even get crumbs anymore. They started takin' the crumbs lately! We used to get crumbs, we don't even get that now. I mean, they don't, they, they just, they want everybody out. Everybody but the laborers (Paterson, 2008).

The national emphasis on coal as a form of "cheap" energy fails to account for both the externalities of coal extraction, processing, and distribution and their negative impact on common pool resources. Negative externalities come in the form of lowered property values, destruction of nearby privately owned land, downstream effects of by-products of coal extraction (toxic minerals, blast materials, etc.), and impacts on endangered species from mountaintop removal. The shift from deep mining to surface mining has also had a negative effect on employment throughout the region, a fact that grassroots activists are quick to emphasize against the 'economic development' arguments in favor of coal (see Table 3.1). One of the key messages Delegation activists sought to communicate at the United Nations was the fallacy of "cheap" or "clean" coal. They understand first hand the impacts, and countered clean coal rhetoric with a cogent analysis of their own:

But I kinda look at coal ... I kinda put coal into like three different categories. The way I look at it ... the first category is like the extraction of coal, where you know people die mining coal, uh they get black lung you know so... there's not a good side to that on this extraction process, and especially mountaintop removal. And then there's also the coal cleaning process, which it goes through the coal plant and you got all these toxic chemicals, and I kinda look at that as phase 2. And the

phase 3 ... is burning of coal in coal-fired power plants, which effects everybody. The first two affects us right here locally, ... and a lot of people don't understand that that's a big problem with coal. They're all up in arms about coal-fired power plants, but you know it starts way before it gets to the coal fired power plants. And I know ... we're not callin' for an end to coal. We can't do that as a state, I mean we just can't stop coal right now, we know that. We want an end to mountaintop removal right now! (Randall, 2008).

### **Human costs.**

The coalfields activists live with the conditions of economic mal-distribution daily. But it would be an over-simplification to suggest that their plight is merely a matter of class relations. Their stories attest to the influence of the social and the political on economic marginalization, and they are keenly aware of the workings of these dynamics. They understand, for example, that cultural marginalization facilitates economic oppression in the coalfields.

...and how they set that up is, is thru the stereotyping. And once, once you stereotype someone and you dehumanize someone, then it's hard for everyone else to say "oh, look at those poor people in, in coal country there in Appalachia that are getting bombed and poisoned, you know, their health, very health is, is at risk" (Poff, 2008).

And they also realize their position in a larger economic system, considering that the profitability of coal extraction has little progressive economic impact on their region. 'Class' doesn't function well as a cover-category for the people with whom I spoke. Certainly they would admit to lacking the economic resources to combat directly those of the coal companies. But exploitation goes far beyond the idea of money against money. It is a pervasive force with implications well-beyond the coalfields.

The story of the Coalfields Delegation, however, begins from a point of grounded, situated experience. The experience of living in Appalachia and of having their homes directly attacked—for example, the flooding, toxic drinking water, and ground subsidence experienced by research participants—has been a core component of political activism, and has drawn many

to organizations such as the Ohio Valley Coalition, Coal River Mountain Watch, Kentuckians for the Commonwealth, and Save Our Cumberland Mountains. This sort of assault is economic, in that it creates pollution and waste that affect people's daily lives; cultural in that it robs people of their family history and their communities through completely destroying vast amounts of land; and political, in that mining corporations have undue influence over elected office holders. On a deeper level, environmental concerns cross all three categories in terms of degradation in property value, loss of native species, and willfully ignoring or re-writing environmental laws. The impacts of mining are also spatial in that place (the local) is the object of corporate cost-benefit analysis, and the commerce of coal places residents at the mercy of a global supply chain and demand for energy that fails to account for pollution and toxics that affect people's lives and health. All of these matters are economic, in a sense, but they are also far more. In examining how the Coalfields Delegation sought economic justice, I advance a theoretical analysis of economic redistribution.

### **Theoretical Bases for Economic Redistribution**

I begin by presenting a theoretical frame that attempts to account for these myriad effects on people's lives. But I also call upon theory to describe the sort of economic agency (for the purposes of this chapter) that coalfields activists can bring to bear in the face of extreme imbalances in resources. A purely 'rational' approach would rule out struggle in the face of improbably long odds, as it would fail to explain the move to global activism. Neo-classical economic theory is both reductionist and incomplete in its ability to explain the actions of the Coalfields Delegation. But there are other theories that are far more robust and dimensional.



If we are to consider economic redistribution as a goal of the Coalfields Delegation and their supporters as a counterpublic, it is useful to question whether such theories can clarify the concept. It appears particularly useful to inquire in what manner economic goods might be redistributed, given the neo-liberal current in the United States in recent decades. Or, put more simply, it is useful to ask in what ways the pursuits of the Coalfields Delegation were targeted at redressing economic disparity, and from this, seek to determine how much economic maneuverability they enjoyed. A review of economic theories suggests that movement can occur at a number of different levels (local, national, global). However, these theories tend to fall on one side or the other of the 'structure/agency' divide.

Classical economic theory operates at the individual level (micro), or the global level (macro); however, in either case, the actions of individuals and groups are regarded in a limited and limiting fashion. Within classical economic thought the primary mechanisms by which economic actors can effect redistribution are individual consumerism and worker effort. John Locke, for example, postulated that "labour, in the beginning, gave a right of property, wherever any one was pleased to employ it upon what was common" (Locke, 1980, pp. 25-27); such labor, in improving upon the land, was a basis for private claims and a means for the accumulation of value (Locke, 1980, Sec. 45, p. 17). Land could then be traded, serving as the basis for the monetary system. Likewise, David Ricardo's Labor Theory of Value posited labor as one of the main sources of goods valuation. He stated: "Possessing utility, commodities derive their exchangeable value from two sources: from their scarcity and from the quantity of labour required to obtain them ... By far the greatest part of those goods which are the objects of desire, are procured by labour"<sup>5</sup> (Ricardo, 1891, Secs. 3 and 4, p. 6). For both Locke and Ricardo,

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<sup>5</sup> Ricardo also applied this line of thought to mining. "It will be sufficient to remark, that the

redistribution would therefore occur solely on the basis of individual effort; addressing disparities in wealth would mean working harder. This line of reasoning is consonant with prevailing United States values of liberty and private property.

Adam Smith's 'Wealth of Nations' stands as a pillar of classical economic thought. Smith proposed that 'rational economic man' acting in his own best interests, serves as the basis for markets. In theory, there is a balance of power between rational economic consumers and producers of goods. However, this balance obtains in the absence of market failures: non-competitive markets characterized by the presence of monopolies/oligopolies, and/or an imbalance in information between producers and consumers and situations in which the rational actions of an individual cannot be extricated from non-market consequences for others, this includes negative externalities; or cases of collective or common pool resources (Kraft & Furlong, 2004, pp. 20-23). In the event of market failures it is the government's responsibility to regulate the market in the event of market failures. In Smith's ideal market, the only actors influencing distribution are consumers, producers, and/or the government. Beyond these roles, other actors are irrelevant. Thus the theories of Locke, Ricardo, and Smith, accounting primarily for economic behavior, afford no space for grassroots activists as economic actors.

However, in looking solely to the actions of individuals, these theories are highly reductionist. To bring in the actions of collectivities, I draw upon Karl Marx. In his 'Critique of the Gotha program' (2000), Marx extrapolated from Ricardo's labor theory of value in reckoning that the worth of a product, being the equivalent of the labor put into it, should be the basis of

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same general rule which regulates the value of raw produce and manufactured commodities, is applicable also to the metals; their value depending not on the rate of profits, nor on the rate of wages, nor on the rent paid for mines, but on the total quantity of labour necessary to obtain the metal, and to bring it to market" (Sec 32, p. 63).

worker wealth. Yet it is not. This is because the owners of capital extract surplus value off the top. Even so, drawing upon Smith, Marx reasoned that, even in a perfectly functioning market, there is a need for redistribution, as baseline conditions for market participation were never equal, and there is nothing about a functioning ‘free’ market that would redistribute wealth to rectify past inequities. Marx viewed the economy and production as embedded within the social “but the human essence is no abstraction inherent in each single individual. In its reality it is the ensemble of the social relations” (Marx, 2000, p. 172), therefore revolutionary action is necessary in order to achieve redistribution. But for Marx, redistribution came as the realized telos of the communist state: “Between capitalist and communist society lies the period of the revolutionary transformation of the one into the other. Corresponding to this is also a political transition period in which the state can be nothing but the revolutionary dictatorship of the proletariat” (Marx, 2000, p. 611). He therefore critiqued Ricardo and Smith for their individualized notions of economic man: “The individual and isolated hunter or fisher who forms the starting-point with Smith and Ricardo belongs to the insipid illusions of the eighteenth century” (Marx, 2000, p. 380).

Marx’s theories move us closer to an integrated view of the economy that goes far beyond the dyad of producer and consumer. Production, within a social context, must include the conditions of re-production, or the circumstances of family, health, etc., that prepare the worker for production. Therefore, the economy of money is a reduction: it begins with “material activity, material intercourse of men, and the language of real life” (Marx, 1845). Labor, reduced to money, is thereby alienated labor. Leaving out all these factors of existence, economic distribution becomes purely a function of material production, private property, and money. Revolutionaries, by contrast, are able to bring other social resources to the table.

The difficulties in Marx's argument stem from the nature of revolution and the achievement of an ideal society. Thus, a considerable body of scholarship has been devoted to the revolution that never happened. Marx eschewed cultural difference as a basis for revolution, relying primarily on labor as the basis for radical commonality. His complex work "On the Jewish Question" (Marx, 2005) as well as his stance on religion revealed his concerns about the non-ideal nature of social divisions based on anything beyond labor and the family.

### **Global Redistribution**

Up to this point, I have discussed redistribution as primarily a function of transactions by individuals and groups. While transactions of a social nature take us beyond the simple producer-consumer relationship, larger scale theories are needed to explain systematic differences between regions and countries. While Marx theorized transactions between states, more recent theorists have worked to explain differences in wealth on a global scale. In short, whether the state is complicit in the marginalization of coalfields citizens, the locus of coalfield economic tribulations resides at the global level.

When we examine the feasibility of redistribution, we can readily see that it *does* occur, primarily from lower income to wealthier individuals. A 2005 series of *New York Times* articles called "Class Matters" challenged the myth of America as the "land of opportunity" (J. Scott & Leonhardt, 2005). Census data for the years 1967-1980 and 1980-1992 demonstrate a reversal in wealth transfer, such that the disparity between the lowest and highest income quintiles in the US has been increasing almost exponentially since 1980 (A. F. Jones, Jr. & Weinberg, 2000).

The most recent edition of the Statistical Abstracts of the United States reports that nearly 50% of aggregate income in the US is controlled by the highest 5th of the population in terms of

income (Census, 2008); disturbingly, the lower 4 quintiles have been declining in their share of income since 1990; while the highest fifth has increased. In terms of income inequality, the US has a Gini index of 40.8. Although not exactly comparable from state to state, the US is tied with Georgia and Turkmenistan at 62nd in the world, with Denmark as the lowest with a Gini coefficient of 24.7 and Haiti among the highest at 59.6<sup>6</sup> ("Distribution of Family Income - Gini Index. CIA World Factbook," 2010).

The critical concern is how this redistribution occurs at the global level. World systems theory and theories of uneven development suggest several mechanisms. In her book, *The First American Frontier* (1996), which specifically addressed the economic history of the Appalachian region, Dunaway has argued:

Capitalism survives, grows, and combats crises through the operation of five recuperative mechanisms that trigger the capture of new frontiers: 1) alteration of production strategies; 2) redistribution of the world surplus; 3) the international search for cheaper labor; 4) industrial transfer to the semi-periphery; and 5) expansion into new geographical zones (Dunaway, 1996, p. 11).

She outlined three areas of institutional integration through which world systems redistribute wealth from the economic core to the semi-periphery—State, Economy and Human Labor—and added two of her own: State, Economy, Culture\*, Human Labor, and the Environment\* (\* - Dunaway's additions) (Dunaway, 1996, p. 17). In this manner, she built upon traditional Marxist categories with two not traditionally included in Marxist analysis, although Marx did address the impacts of capitalist accumulation and commodification on nature. Dunaway elaborated upon the process of incorporation:

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<sup>6</sup> The CIA World Factbook defines the Gini index as “the degree of inequality in the distribution of family income in a country. The index is calculated from the Lorenz curve, in which cumulative family income is plotted against the number of families arranged from the poorest to the richest. The index is the ratio of (a) the area between a country's Lorenz curve and the 45-degree helping line to (b) the entire triangular area under the 45-degree line.

At its most abstract level, “incorporation” involves three concurrent macroscopic social changes: transformation of the sphere of economic production; restructuring of mechanisms for local governance; and dramatic alteration of dominant cultural values and institutions. Three major mechanisms have enabled this world system to persist: the concentration of military strength in the hands of dominant forces; the pervasiveness of an ideological commitment to the system as a whole; and the division of the majority into a larger lower stratum and a smaller middle stratum. As a result, the modern world economy operates as a tri-model structure (italic) consisting of core, semiperipheral, and peripheral zones that are interdependent (Dunaway, 1996, p. 17).

Working to debunk the myth of Appalachia as an isolated system with simple forms of mercantile exchange and limited contact with outside trade, Dunaway drew on world systems theory as she built upon historical data from Appalachian counties. From this data, she located the region squarely within this system of core and semi-periphery. The terrain she describes is complex, structural and historical:

Comprised of interacting subsystems that are held together by conflicting forces and long-term historical processes, capitalism has been able to flourish precisely because the world economy has had within its bounds a multiplicity of nation-states. The absence of a single political authority makes it impossible for one state to curtail the capitalist mode of production (Dunaway, 1996, p. 18).

Absent this global governing power, these historic conditions apply in the region today. Nor is this phenomenon a recent one in the Appalachian region. Dunaway takes as her thesis that dominant authorial histories of this region have characterized it as underdeveloped, yet she convincingly argues that Appalachia has been part of the world system since early in US history. She demonstrates the existence of a significant mining economy as early as the mid-1800s: “nearly one-half of the region’s antebellum extractive output was generated for out-of-county markets, and some extractive industries were produced solely for distant manufacturing centers” (Dunaway, 1996, p. 166) The world system includes numerous mechanisms by which capital redistributes from core to semi-periphery. These processes are very similar to those outlined by

Harvey (2007) in his discussion of the process of creative destruction (discussed below and in Table 3.2).

Harvey (2007) has built on Schumpeter's 1942 idea of capitalism as a system of creative destruction (Schumpeter, 2008). While Schumpeter tended to focus on the creative tendencies of capital, Harvey has described capitalism as a ravaging force that causes economic boom and bust cycles. Briefly, industry comes into a region and brings jobs as well as a host of ancillary businesses and economic growth. However, when the industry has exhausted the area's resources, it exits and leaves essentially a ghost town of closed businesses, unemployment, and limited economic opportunity, alongside social impacts such as poverty, low educational attainment, and depopulation that lead to lack of choice and a dependence upon a limited range of employers. More specifically, Harvey characterizes the resultant redistribution of capital towards the upper classes via a process he terms "accumulation by dispossession". By this he means the continuation and proliferation of accretion practices that Marx had designated as "primitive" or "original" during the rise of capitalism. The practices are outlined in the following table alongside those of Dunaway. This process is stabilized and extended by the nation-state:

The state, with its monopoly of violence and definitions of legality, plays a crucial role in backing and promoting these processes. To this list of mechanisms, we may now add a raft of additional techniques, such as the extraction of rents from patents and intellectual property rights and the diminution or erasure of various forms of communal property rights—such as state pensions, paid vacations, access to education, and health care—won through a generation or more of social democratic struggles. The proposal to privatize all state pension rights (pioneered in Chile under Augusto Pinochet's dictatorship) is, for example, one of the cherished objectives of neoliberals in the United States (Harvey, 2007, p. 35).

Table 3.2 compares Dunaway's delineation of the mechanisms of the world system with Harvey's extension of primitive accumulation to the international realm. (see Table 3.2 -

comparison of World Systems and International Primitive Accumulation approaches).

While there is surprisingly little direct overlap between strategies there is considerable internal consistency. At the risk of over-simplifying these mechanisms, I have developed five categories that seem to cover most of the similar points of both approaches. These categories apply Marxist thought at the global level, and to the Appalachian region. Work and technological efficiencies have reduced the need for labor in mines. Privatization of property applies to the lands owned by absentee landowners, as well as private mineral rights. International trade is portrayed as how European markets for coal facilitate creative destruction and ensure Appalachia's peripheral status in the world system. Geographical expansion and appropriation occur as coal-mining companies seek to obtain more property by buying out landowners and communities, often in a coercive manner. Finally, expulsion, exclusion, and domination of citizens has resulted in coalfields residents being politically marginalized, intimidated or forced off their property, or otherwise required to bear externalities by unresponsive corporations. Still, although each of these mechanisms describes conditions in the region and promotes understanding of the challenges confronting Appalachian activists, they reveal little about how the activists exercised resistance tactics within the unbalanced field of power they faced.

### **Fraser and Bourdieu: re-writing the economic field.**

The previous discussion considered economic redistribution in terms of the flows of financial capital among consumers and corporations and across space. Nancy Fraser and Pierre Bourdieu have perceived economic distribution as deeply embedded within a social and political context. Both thinkers have approached theory in a specifically political manner, drawing upon



their backgrounds as activists. Fraser couches her concept of redistribution within observations of second wave feminism, circa the late 1970s. She has characterized the goals of the women's movement at the time as primarily economic, that is, seeking economic parity with men. Fraser notes that, for some groups, marginalization is primarily based upon class; in these cases, the economic takes precedence over the cultural dimension. Thus, with respect to second wave feminism: "It originated, in other words, as part of a broad effort to transform an economic political imaginary that had narrowed political attention to problems of class distribution" (N. Fraser, 2005a, p. 296). However, her formulation views the economic as a structural element, thereby placing movements in relation to a larger context; for her, then, narratives of second wave feminism are "too internal to feminism ... preoccupied exclusively with developments inside the movement, it (they) fail(s) to situate interior changes in relation to broader historical developments and the external climate" (N. Fraser, 2005a, p. 296). For Fraser, simple reallocation of funds is not sufficient to achieve justice and her work on transformative politics made this argument explicitly. A strict definition of redistribution, involves "surface reallocations of existing goods to existing groups (that) support group differentiation" but still re-affirm the "liberal welfare state" (Fraser, 1995, p. 87). By contrast, a transformative approach would favor a form of socialism that addresses economics at the institutional and systemic levels, involving "deep restructuring of relations of production (that) blurs group differentiation" (Fraser, 1995, p. 87).

Bourdieu shares an activist background with Fraser. He was active in movements against the French government, and a constant commentator and scholarly critic of injustice via "manifold forms and mechanisms in modern capitalist societies" (Grass, 2002, p. 62). Bourdieu argued, from a fairly straightforward Marxist viewpoint, that distribution occurs competitively

within the economic field. As with Fraser, his theory of the field takes into account both agency and structure (although landing more on the structural side). He argued strenuously that the economic, social and political fields together form a complex system of capital distribution. The economic, however, is more institutionalized, and therefore more refractory to change, than the social and political.

### **Mechanisms of economic re-distribution?**

Fraser says little about how economic re-distribution might occur, but there are hints among her works. She emphasizes the deeply intertwined nature of redistribution and recognition within the public sphere. These dimensions—the economic and the cultural—are not clearly bounded. Therefore, any formulation of economic change must also consider the possibility of cultural change, and (more recently in her theorizing) the political, in the form of the shift from the national to the global. As she suggested in her 1989 article “Talking About Needs”, the phenomenon of runaway needs, the means by which less powerful counterpublics achieve popular salience through pursuing multiple speech opportunities, may be in play; however, the idea that needs may only occasionally break through the hegemonic power structure reinforces the role of structure while downplaying the idea of agency.

For ‘runaway needs’ to overcome traditional barriers successfully, circulation and movement within the economic field cannot be a simple matter of wealth. Something else must be afoot in the economic field to allow for change. To realize success, counterpublics must be able to operate with the equivalent of wealth, and/or the ability to transcend assets with other forms of capital. And further, as Fraser’s idea of transformative (economic, cultural, and political) change suggests, the ability to alter the relations of production, indeed the order of

economic distribution itself, must rest upon relations among groups that begin to break down the distinctions between them<sup>7</sup>.

Bourdieu's concept of structural economic change comprises something far more complex. In *The Social Structures of the Economy*, he begins by noting that the concept of economics, dis-articulated from all other forms of human existence, is deeply flawed: "the science called 'economics' is based on an initial act of abstraction that consists in dissociating a particular category of practices, or a particular dimension of all practice, from the social order in which all human practice is immersed" (Bourdieu, 2006, p. 1). Economic behavior must be observed within the context of all other human transactions, not "outside of any reference to the work of historians or social anthropologists, of social realities as complex as the family, intergenerational exchanges, corruption or marriage" (Bourdieu, 2006, p. 3). Overcoming the tyranny of an economic 'system' (with recourse, as Bourdieu suggests, to pre-capitalist conditions) requires nothing short of deconstruction of the concept. It is, in sum, a concept with an inside and an outside: so called 'rational' economic actors within the free market versus everyone else. Countries that could (once) have been called pre-capitalist must enter into this (predominantly neo-liberal) construction of the economic system on its terms.

Bourdieu argued that individual agents are steeped in economic beliefs through experience and inculcation. He contested the universality of the free market, contending that economic propensities are historically based:

Economic interest, to which we erroneously tend to reduce any kind of interest, is merely the specific form assumed by investment in the economic field when that field is perceived by agents equipped with adequate disposition and beliefs – adequate because they are acquired in and through early and protracted experience of its regularities and necessity. The most basic economic dispositions – needs, preferences, propensities – are not exogenous, that is to say, dependent

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<sup>7</sup> This is consistent with a Marxist telos, "On the Jewish Question".

on a universal human nature, but endogenous and dependent on a history that is the history of the economic cosmos in which these dispositions are required and rewarded. This means that, against the canonical distinction between ends and means, the field imposes on everyone, though to varying degrees depending on their economic position and capacities, not just the 'reasonable' means, but also the ends, of economic action, that is to say: individual enrichment (Bourdieu, 2006, p. 8).

It is the economic field that produces a way of thought and being, an orthodoxy, in which agents are deeply invested.

It is evident, then, that the immersion of the economy in the social dimension is such that, however legitimate the abstractions made for purposes of analysis, we must keep clearly in mind that the true object of a real economics of practices is nothing other, in the last analysis, than the economy of the conditions of production and reproduction of the agents and institutions of economic, cultural and social reproduction or, in other words, the very object of sociology in its most complete and general definition.”

In other words, not simply the productive or the reproductive economies, but all of the social conditions that encompass them, form what Bourdieu called a doxa, an accepted ideology that, left unchallenged, holds and reproduces actors within a relatively stable field. Hence, the role of the counterpublic is to challenge the doxa, or to assert a heterodoxy that offers an alternative way of viewing the economic.

Asserting a heterodox position is more than positing needs within a dominant setting. It is, rather, the social and political nature of the economic field and the configuration of publics and counterpublics in relation to it that provides the potential for challenging and reconfiguring the field and its tenets of production and reproduction. It is therefore necessary to describe the economic field in which the Coalfields Delegation has operated.

### **Coalfields Conditions**

In considering how we can characterize the actions of the Coalfields Delegation as

redistributive, we can review its three primary goals: to build alliances between coalfields activists in Appalachian states; to get publicity for the issue of mountaintop removal, both in official UN publications and in the US media; and to have language included in official UN Commission for Sustainable Development recommendations regarding mountaintop removal. In so doing, Delegation members were looking both inwards toward their own needs and those of their communities while also projecting outwards towards similar situations in other countries. Their appeals for an end to mountaintop removal constituted a key challenge to the economic status quo. This section examines the conditions constraining the Delegation's members and the resources they brought to the struggle against mountaintop removal.

### **Structural Factors**

Viewed through the lens of Bourdieu's concept of the field, the coalfields activists found themselves in a realm populated by coal companies, local, regional and state politicians, and miners, to name a few. From their background and habitus, the delegates were not economically powerful, nor were they demanding a great deal in terms of financial resources. Among their concerns were goals such as the right to live in peace on their own property. Their purpose in petitioning the UN was economic in that they sought an end to the practice of mountaintop removal and the externalities that it inflicts on their families and communities. Delegation members sought not only to put an end to these costs for themselves, but also to publicize these effects to an international audience in the interests of curtailing MTR globally.

Still, one might ask how they hoped to achieve these goals. Activists long have contested structural economic conditions, yet a reliable strategy for transcending them seems elusive. The Delegation, building upon efforts of several community-based organizations across the region,

has pursued action on multiple fronts. They have not petitioned for an end to all mining, but instead have advanced critiques of mountaintop removal mining and its impacts as well as the less than impressive efforts to pursue economic development through reclamation, and the declining number of jobs due to mechanization of mining. The delegates formed a counterpublic in order to demonstrate political strength, not only in their local communities, but building up to state and national levels as well. And, in a way their relative lack of economic capital has positioned them to strive in the face of long odds. As Alice put it:

You know, this is where I spent the biggest part of my life. And um, everything here has always been hard. I mean shoot, I was probably diggin' ditches by the time I was 10 years old. Fixin' my own vehicle by the time I was 12, you know I mean 'ats. Life here's always been difficult! Every morning throughout my life I had to get up and build a fire to have hot water to take a shower to go to school. And I had 3 brothers, so they all got a shower before I did. You know, so really in a big way I was born bangin' my head into this wall (Paterson, 2008).

Their developing political acumen has been hard won through experience. Many Delegation members told me that mountaintop removal protest was their first foray into political action. They were motivated by a direct threat to their homes and communities. Certainly, property rights are at the heart of much protest. A particularly difficult issue is that of mineral rights. In Virginia and West Virginia, for example, sub-surface mineral rights are held separately from (surface) land ownership. This enables coal companies to mine beneath people's properties with little regard to the potential structural damage such operations may inflict. In Tennessee, a non-primacy state, sub-surface mineral rights are regulated by the Federal government so the state's governor and state agencies have no control over how the industry mining practices.

Kentucky activists achieved a major victory in advancing the Broad Form Deed amendment to regulation involving the ownership and mining of underground coal. Broad form

deeds essentially provided mining companies the right to “property tax exemption(s) for unmined minerals and ... strip mining without landowners' permission”(“History & Accomplishments, Kentuckians for the Commonwealth," n.d.). In 1984, members of Kentuckians for the Commonwealth advocated for the Broad Form Deed Act, which the Kentucky State legislature passed, to halt such abuse, and later in 1988, the group successfully helped with a campaign to pass a ballot initiative with overwhelming support in favor of the Broad Form Deed amendment.

... it used to be that uh, people, many people had signed what were called Broad Form Deeds uh, in the early ... late 1800s early 1900s um, and in Kentucky the supreme court kept saying that the contracts were valid and superceded ... so therefore the mineral rights essentially superceded the ... the surface rights ... KFTC and others had passed legislation numerous times and the Supreme Court kept knocking it down. So, in around 88-89 we passed a constitutional amendment (Fines, 2008).

The law and amendment provide increased protection for landowners from coal company strip mining. Leaders in KFTC hail this achievement as an example of when the organization had more power than they understood, while coal operators experienced a loss of influence.

... and that's just to say that there was all this work around mining issues sort of building up to that point and we built a lot of power and a lot of ...influence around that and the Coal industry lost a lot of power and a lot of influence around that, partly because we won the, the ballot initiative and the amendment by more than 82% of the vote and it just, it exposed the industry for not having the public support that everybody thought they did (Fines, 2008).

This power deficit was soon corrected through intensified company lobbying efforts at the state level. Tennessee activists had earlier realized a similar victory in their state in 1972.

The significant effort on the part of Kentucky activists, traveling to Lexington and contacting lawmakers directly, translated into an important economic victory for individual landholders whose properties were adversely or potentially negatively affected by mining

operations. Their efforts, in terms of time and determination, changed the playing field dramatically, in terms of attracting national interests, and activists have strong faith that their efforts are paying off.

West Virginia communities have not been as fortunate. The residents of many coal area communities have had major struggles against externalities caused by mining. At times, representatives have been far from receptive about their concerns

RON: That meeting, that meeting we had in Washington a few months ago with (elected representative) now that beat all I ever seen in my life.

LUKE: ... Citizens of Charleston West Virginia cryin' in his office.

RON: He did!

LUKE; and he made fun of them!

RON: He talked to us like dogs, he really did. ... He sat down, well as soon as (activist) started talkin', talkin' about how her home was bein' affected by mountaintop removal and how her family cemetery's bein' threatened by ... I mean he just, he just lashed out at her.

After her property was flooded by mine runoff, she took her case to local officials, state representatives, and finally to the nation's capital. She described her ultimate reception:

(I) went to ... left out of here in my little pickup truck and drove all the way to Washington DC to realize that not only did my truck not fit in in DC, I didn't! A- And it was, it was awful! I was treated like ... uh, not that I think that they should be treated any different, but I just was treated like a street person. You know, just like? You know, just like, "What are YOU doing here?" You know? And they took copies of my photos, Senator Byrd's staff and Senator Rockefeller himself took copies of my photos, the same photos you just looked at, and give me their word that they would be in contact and we, we would do what we could do to resolve this and see what they could do to get me back to some kind of normal life ... Nothing! No I take that back. I got a form letter (Paterson, 2008).

Despite such personal setbacks, activist determination has economic value. One of the Coalfields Delegates, having visited and presented to the National Resources Defense Council,



laughingly recalled the day that the group finally decided to join efforts to end mountaintop removal:

... National Resource Defense Council came to us uh, probably about 6 months ago, 5-6 months ago, and they ... now want to get on board of stoppin' mountaintop removal coal mining. And I had to look at 'em and say, "I'm sorry, you've not spent your time in the van. (laughing) You've not spent your time sleepin' in the van, on the cold ground, campin' with, campin' with a lot of very uncompromising people. (we laugh) Sorry, you ain't spent your time!" But yeah, and it, you know, I just ... I- I'm quite honestly, I'm kind of glad that they're gettin' involved, but they're only gettin' involved now because they see that we, we got it, we got it whipped! We got mountaintop removal whipped! It's just a matter of time. And National Resource Defense Council's gonna jump in and say, "Hey we want to get in on this! We could do a big PR! We got a 9 million dollar budget," and I'm goin', "You're tellin' the wrong people about a 9 million dollar budget!" I mean because money we, this movement wasn't built on money. It wasn't built on money at all! This movement was built on determination! You can ask Judy, Patty, Chuck, Ed, anybody that's involved in this movement, every single one of them has done their time on the cold ground, I guarantee it. And, and drivin' 20 hours at a whack, you know and doin' anything and everything that you can to get to that ultimate goal, and you got so many people that's dedicated ... and it's every breath they take! Literally every breath they take is consumed by stoppin' what 's goin' on. A-and, uh its, the dedication of the people's what's built this movement, it really is! (Paterson, 2008).

Certainly, the public relations firepower of national organizations can have financial impacts in delivering resources that groups have been short of in the past. Although lacking in financial resources, the activists understand the importance of getting their message out "in every venue" (D. Jones, 2008). And they do lament the lack of funds for more weapons in the fight to battle against the radio and television commercials the coal companies have been producing:

... we don't have that money for counter-commercials and that's the problem! You know and the media is not pickin' up on it and, and just, you know, playing along with this, this fake game the coal industry's playin' ... (but) We've been holdin' our own. We've been holdin' our own. Yeah, that's why they're putting all these commercials on because we **have** done our job, you know (Poff, 2008).

Still, activists' determination and resolve have substituted immeasurably for their relative lack of

financial resources.

## **Conclusion**

Coal production represents a declining economic base in the Appalachian region. Still, Mountaintop Removal (MTR) represents a particularly devastating form of mining that visits economic harms in the form of erosion, flooding, and toxic wastes due to blasting, among others. These represent significant human costs that are not calculated into the overall economic benefits accrued from energy production (not to mention air and water pollution in the US and globally). Taking neo-liberal economics seriously, one might conclude that economic redistribution from mining entities to citizens is highly unlikely. However, following the theories of Fraser and Bourdieu, this particular version of economics is given undue primacy, and therefore the challenge is to deconstruct the economic field. This would include valuing environmental costs, as well as the value of human resistance, which has influenced mining regulation, however gradually. Activists are confronting corporations at the local, regional and national levels, and firmly believe that they are making headway. The trip to the United Nations Commission for Sustainable Development targeted the coal economy at its proper level, the global. Still, academics and activists are critical to re-configure the national mindscape that embraces, yet is arguably ill-informed about neo-liberal economics and its impacts on all but the highest income quintile of the US population.

**Table 3.1. Coal Mining Productivity by State and Mine Type (US Coal Exports, Quarterly Coal Report, October - December 2009, 2010)**

Report No: DOE/EIA-0584 (2009); Data For: 2009

Report Released: October 2010; Next Release Date: September 2011

**(Table 21) Coal Mining Productivity by State and Mine Type, 2009, 2008**

Coal-Producing State, Region, and Mine Type	Number of Mining Operations[2]			Number of Employees[3]			Average Production per Employee per Hour (short tons)[4]		
	2009	2008	Percent Change	2009	2008	Percent Change	2009	2008	Percent Change
<b>Kentucky Total</b>	<b>591</b>	<b>600</b>	<b>-1.5</b>	<b>18,850</b>	<b>18,906</b>	<b>-0.3</b>	<b>2.57</b>	<b>2.82</b>	<b>-8.9</b>
Underground	268	281	-4.6	12,034	11,981	0.4	2.32	2.52	-7.8
Surface	323	319	1.3	6,816	6,925	-1.6	3.04	3.39	-10.2
<b>Eastern</b>	<b>551</b>	<b>564</b>	<b>-2.3</b>	<b>15,147</b>	<b>15,663</b>	<b>-3.3</b>	<b>2.27</b>	<b>2.61</b>	<b>-12.8</b>
Underground	247	262	-5.7	8,950	9,239	-3.1	1.89	2.15	-11.9
Surface	304	302	0.7	6,197	6,424	-3.5	2.84	3.28	-13.5
<b>Western</b>	<b>40</b>	<b>36</b>	<b>11.1</b>	<b>3,703</b>	<b>3,243</b>	<b>14.2</b>	<b>3.68</b>	<b>3.76</b>	<b>-2.1</b>
Underground	21	19	10.5	3,084	2,742	12.5	3.42	3.59	-4.7
Surface	19	17	11.8	619	501	23.6	5.16	4.95	4.3
<b>Tennessee</b>	<b>36</b>	<b>34</b>	<b>5.9</b>	<b>781</b>	<b>611</b>	<b>27.8</b>	<b>1.35</b>	<b>1.87</b>	<b>-27.8</b>
Underground	13	9	44.4	366	230	59.1	1.26	1.65	-23.6
Surface	23	25	-8.0	415	381	8.9	1.43	2.01	-29
<b>Virginia</b>	<b>146</b>	<b>153</b>	<b>-4.6</b>	<b>4,652</b>	<b>4,797</b>	<b>-3.0</b>	<b>2.12</b>	<b>2.29</b>	<b>-7.4</b>
Underground	75	87	-13.8	3,211	3,364	-4.5	1.9	2.1	-9.6
Surface	71	66	7.6	1,441	1,433	0.6	2.57	2.7	-4.7
<b>West Virginia</b>	<b>415</b>	<b>438</b>	<b>-5.3</b>	<b>21,665</b>	<b>22,034</b>	<b>-1.7</b>	<b>2.87</b>	<b>3.06</b>	<b>-6.1</b>
<b>Total</b>									
Underground	243	260	-6.5	14,844	15,043	-1.3	2.51	2.58	-2.8
Surface	172	178	-3.4	6,821	6,991	-2.4	3.63	4	-9.3

<b>Appalachian Total</b>	<b>1,641</b>	<b>1,710</b>	<b>-4.0</b>	<b>57,979</b>	<b>58,745</b>	<b>-1.3</b>	<b>2.7</b>	<b>2.91</b>	<b>-7.4</b>
Underground	697	742	-6.1	37,425	37,802	-1.0	2.55	2.7	-5.5
Surface	944	968	-2.5	20,554	20,943	-1.9	2.97	3.3	-10.1
<b>Subtotal</b>	<b>1,856</b>	<b>1,910</b>	<b>-2.8</b>	<b>87,592</b>	<b>86,719</b>	<b>1.0</b>	<b>5.6</b>	<b>5.96</b>	<b>-6</b>
Underground	780	818	-4.6	50,087	49,575	1.0	2.99	3.15	-5
Surface	1,076	1,092	-1.5	37,505	37,144	1.0	9.22	9.82	-6.1
<b>Refuse Recovery</b>	<b>31</b>	<b>23</b>	<b>34.8</b>	<b>163</b>	<b>140</b>	<b>16.4</b>	<b>9.6</b>	<b>6.78</b>	<b>41.7</b>
<b>U.S. Total</b>	<b>1,887</b>	<b>1,933</b>	<b>-2.4</b>	<b>87,755</b>	<b>86,859</b>	<b>1.0</b>	<b>5.61</b>	<b>5.96</b>	<b>-5.9</b>

[2] Mining operations that consist of a mine and preparation plant or preparation plant only processing both underground and surface coal are reported as two operations.

[3] Includes all employees engaged in production, preparation, processing, development, maintenance, repair shop, or yard work at mining operations, including office workers.

[4] Calculated by dividing total coal production by the total labor hours worked by all employees engaged in production, preparation, processing, development, maintenance, repair shop, or yard work at mining operations, including office workers.

\* Absolute percentage less than 0.05.

- = No data are reported.

Note: · Excludes preparation plants with less than 5,000 employee hours per year, which are not required to provide data.

Source: · U.S. Energy Information Administration Form EIA-7A, "Coal Production and Preparation Report," and U.S. Department of Labor, Mine Safety and Health Administration Form 7000-2, "Quarterly Mine Employment and Coal Production Report."

**Table 3.2**

**Mechanisms of the World System and Extension of Primitive Accumulation: a comparison.**

<b>Dunaway World Systems</b>	<b>Harvey Primitive accumulation</b>	<b>Crossover categories</b>
Alteration of production strategies	Commodification of labor power and the suppression of alternative (indigenous) forms of production and consumption.	1) Labor, technological efficiencies
Redistribution of the world surplus	Conversion of various forms of property rights (common, collective, state, etc.) into exclusively private property rights. Suppression of rights to the commons; monetization of exchange and taxation, particularly of land.	2) Privatization of property
International search for cheaper labor	Commodification of labor power and the suppression of alternative (indigenous) forms of production and consumption; Slave trade – to which I might add Peterson’s informalization of work	3) Internationalization of labor and trade
Industrial transfer to the semi-periphery		
Expansion into new geographical zones.	Colonial, neocolonial and imperial processes of appropriation of assets (including natural resources);	4) Geographical expansion and appropriation
Transformation of the sphere of economic production	Commodification and privatization of land and the forceful expulsion of peasant populations	1) Labor, technological efficiencies
Restructuring of mechanisms for local governance		
Dramatic alteration of dominant cultural values and institutions	Commodification and privatization of land and the forceful expulsion of peasant populations	5) Expulsion, exclusion, domination of citizens.
Concentration of military strength in the hands of dominant forces		
Pervasiveness of an ideological commitment to the system as a whole;		
Division of the majority into a larger lower stratum and a smaller middle stratum.		

## **Interlude: Toxic Community**

Mandy Kilgore, a volunteer on the 2006 UN trip, grew up on what would later be declared a Superfund site:

The mountains was always a place where I could go that there was peace, and I just always loved them. I went away when I was 17 and I came back when I was 25. (there had been) massive mining behind my parents house, who -- we'd been in this community for generations, you know my family had been there for generations. And of course it was always George Hereford, whoever this mysterious landowner is, and he's gonna make his million and leave. Well that's exactly what he did, and he left all of his ponds and stuff. And then at one time they flooded in the late 1970s and, and destroyed our whole yard and the road and the creek and everything. So that just really upset me! And I remember coming home to visit my parents right after it happened and you could not even drive the car to the house anymore!

This company from Houston, Texas (dumped) toxic waste in my community from 1951 to 1987. In Harlan... in Dahoite and then they sold the company as environmentally clean to a local company and then walked away. And then in 1989 they decided that if 10 or more people was on a well (then) the health departments (would go) out and test them. And they tested this trailer park, which when I was growing up right next to this plant was a drive in theater. And after the 77-78 floods, they put in a HUD trailer park in that spot. So this trailer park was right next to this plant. And they tested the water there and found out that it was, that it was fulla somethin'. And then later it actually became a federal Superfund site. And you know at first I, my mother was dying of cancer. I was working at the clerk's office. I didn't have much time to, to give to the issue. And besides they'd sent me a notice from the EPA telling me that my water wasn't contaminated. And then later I went to a public meeting, and my well was flagged as one of the contaminated wells. So I think it just really pissed me off, you know?

## Chapter 5: Recognition

*... and they said tell your story. And that's what everybody that went up on the Delegation did they all just told their story (Poff, 2008).*

### Introduction

This chapter focuses on a different form of capital, cultural capital. Here, I investigate the ways in which the Coalfields Delegation challenged prevailing characterizations of residents as “ignorant hillbillies”, developing instead a critical analysis of dominant narratives. Paolo Freire might describe this as “conscientization”. Nevertheless, it involved a complex mixture of elements: embracing and strategically utilizing “Appalachianism” to their advantage; adopting dominant global language in order to argue their case on the terms of the coal industry and politicians; and legitimating bases of expertise that are grounded, not in conventional notions of “expertise”, but in local knowledge and in democratic education achieved through struggle. Thus, action was cast along lines that are typically less noticeable: the messy, trial-and-error struggle of repeated attempts, failures, and partial successes. Unlike the distribution of capital, the pursuit of recognition offers more room for maneuvering, and represents an opportunity for publicity of which the delegation took advantage. It is also a critical function of the counter-public—to utilize publicity as a means for taking control of and recasting one’s culture.

“Culture” is a controversial topic with respect to the Appalachian region. Yet, cultural recognition among groups is closely tied to the formation of political movements, or counterpublics. “New” social movements typically emphasize recognition of group identity (Johnston, Larana, & Gusfield, 1994). Culture is but one element of counterpublics, however, intertwined with political and economic marginalization to produce a more complex interpretation of power. Placing emphasis on the “publicness” of groups causes one to highlight

how the cultural is “performed” as a way of making struggles public. “Culture” here is not a concept that can be easily elided; rather, it is important to examine how culture, politics and economics comprise public issues, from varying perspectives.

### **What is Culture?**

Culture is a hotly debated and elusive creature. On one hand, it is an anthropological concept describing characteristics of a particular group or collectivity. As such, the construct has been derided as homogenizing and reductive. Old school Marxists consider culture irrelevant at best, believing that the term is a means of ascribing traits to people that mitigate their subjugation. On the other hand, proponents of the “cultural turn” hold that meanings cannot be essentialized. As Denzin (2001) has noted: “students of cultural studies wrestle with the multiple meanings of such key terms as identity, place, globalization, the local, nationhood, and difference” (p. 3121). This perspective is associated with the post-modern view, which destabilizes and particularizes meanings and experiences. Earlier studies viewed culture as a property of a particular community or region. More recent work interprets it as a complex phenomenon. As anthropologist Clifford Geertz has suggested:

Believing, with Max Weber, that man is an animal suspended in webs of significance he himself has spun, I take culture to be those webs, and the analysis of it to be therefore not an experimental science in search of law but an interpretative in search of meaning (Geertz, 1973, p. 5).

As far as who is encompassed by culture, Nancy Fraser casts a broad net, including race, gender, sexuality and ethnic status. Indeed, in terms of her “dual-systems theory”, culture is almost anything outside the economic. But, as I shall describe it, the concept is more complicated even than that expansive definition.



Some Appalachian scholars express concern at an overly simplistic concept of culture, and its consequences. For example, in the introductory article of a 2002 special issue of the *Journal of Appalachian Studies* devoted to globalization, Reid and Taylor (2002) raised concerns about the “ideology of culturalism” (p. 9) that they argued has characterized the academic field of study since its inception. Specifically, they were concerned about the tendency to investigate culture absent an analysis of power and economy. As they observed:

It is past time in Appalachian Studies and other area studies programs to reconsider the links between corporate multiculturalism, a commodified monocultural consumerism, and the new transnational elitism. Appalachianists should steer clear of any cultural globalism that glosses [over] or conceals ways in which corporate globalization often severely damages the global/local commons and place-based forms of life while aggravating various types of socioeconomic inequality (Reid & Taylor, 2002, p. 9).

This kind of “corporate multiculturalism” echoes a distinction that Nancy Fraser develops. In her definition of participatory parity, she juxtaposed mainstream multiculturalism and cultural deconstruction. However, Reid and Taylor do not reject culturalism out of hand, but call for greater complexity of thought on the topic and particularly for viewing culture as a deeply political question. As they contended: “It is this global terrain of social, political and *cultural* conflict that must be *conceptualized* better” (2002, p. 10).

In attempting to disentangle culture from economics and politics, even for the purposes of examining the bases of cultural marginalization and resistance, I run the risk of rendering it meaningless. Indeed, it is difficult to parse those aspects that are purely “culture” from those that are “political”, and so on. Nevertheless, I begin by examining theories of culture, proceed to the purpose or idea of culture as a base of resistance, and then consider how culture is conceived and used by the residents I interviewed.

### **Cultural Debates.**

Chapter 2 discussed the history of the Appalachian region as a historic construction, arguing that the state has recognized Appalachian-ness in a way that persistently marginalizes the region. Commonly held stereotypes of Appalachians fail to fit the “norm” of progressive America, geared towards consumption and “growth”. The Appalachian connection with “history” and sense of place-connectedness, such as it can be said to exist, is viewed as peculiar, backward, and decisively at odds with progressive narratives of liberalism. It is these sorts of stereotypic simplifications that contribute to the marginalization of the region’s citizens and their culture.

However, in theoretical terms, a distinct dialectic of culture is at work. Some theorists of the region are concerned about simplification; witness James Scott’s sense of “state simplifications”, through which people are made “legible”, and thus more manageable politically (J. C. Scott, 1998). In such conceptualizations, Appalachians can be written off according to a prevailing stereotype, and thereby politically marginalized for their failure to conform to society’s expectations.

However, taking up Reid and Taylor’s challenge to better conceptualize Appalachia within a global terrain of social, political, and cultural conflict (2002, p. 10), I view culture as a far more complex, dialectical concept. Culture, as I see it, is “used” by a variety of parties in differing ways for differing agendas. I suggest, following Dirlik (1987) (echoing Marx’s Eleventh Thesis on Feuerbach), “an authentically radical conception of culture forces our attention upon the contradictoriness of this concept itself. Culture is not only a way of seeing the world, but also a way of making and changing it” (Dirlik, 1987, p. 14). Put differently, culture is another aspect of

“habitus” (alongside the economic and the political), a position from which people view the world, but through which they can also conceptualize change. It is, therefore, never a static thing that can be effectively captured, documented and “preserved”.

Habitus exists in a dimensional “space” or field in which people are positioned and in which they have the ability to change their place. Those stereotyped as “Appalachian” in a denigrating way are located from a dominant perspective in a cultural position in which their perceived level of education, “worldliness”, art, writing, and speech puts them at a disadvantage with respect to other Americans. They are positioned within this configuration not by choice, but by exercise of hegemonic power. A concept of culture that is limited to such reified categorization is certainly open to critique.

### **Critical Perspectives.**

Critiques of recognition stem from a central argument. In order to be recognized, one must acknowledge (and not question) the legitimacy of a recognizer. More than a singular recognizer, one tacitly gives legitimacy to a system, the very arrangement that engineers misrecognition. Such a system corresponds with Bourdieu’s (1969, 1975) notion of the field, in which varying groups are arrayed based on their cultural, economic and political characteristics. His concept of culture differs from that of Fraser’s or Dirlik’s in that primacy within the field represents distinction over others. In this meaning, Bourdieu was focused on the formally recognized accoutrements of culture, typically education, appreciation of the arts, etc. Such distinctions are part of the established recognition order. Bourdieu (among others) suggested it is that very order that should be questioned.

(In the scientific field as) in the field of class relations, no arbitrating authority exists to legitimate legitimacy-giving authorities; claims to legitimacy draw their

legitimacy from the relative strength of the groups whose interests they express: inasmuch as the definition of the criteria of judgment and the principles of hierarchisation is itself at issue in a struggle, there are no good judges, because there is no judge who is not also a party to the dispute (Bourdieu, 1975, p. 24).

Much like the economic field, Bourdieu's cultural field relies on the circulation of "cultural capital". It can be described through classic ways of attaining, consuming, or otherwise accumulating a surfeit of experiences. It can be linked to economic capital, in that such cultural currency is frequently both a product and indicator of economic status, that is, an advanced level of education, an appreciation for "fine art", etc. The key determinant of power is legitimacy, the judgment of a legitimating agent. Where Bourdieu focused upon legitimacy as an accumulation of signs and symbols of capital, it can also be viewed as constantly changing, and therefore attributable to the relative instability of the cultural field. For example, by virtue of being under consistent political attack in the US throughout the 1980s to the present day, currencies of art and education have changed, displaced by facsimiles of economic "having," residues of economic consumption. While many have argued that global capitalism has room for an infinite range of cultural expressions (defined primarily as articles of consumption), this claim, is based on a relatively thin version of "multiculturalism", specifically critiqued by Fraser, Reid and Taylor, and Dirlik above. For Bourdieu, culture was both a property of field, as the institutionalized realm within which one is arrayed based upon one's level of cultural capital, as well as of habitus the particular background and experiences that constitute one's level of cultural capital.

Thus, recognition is more like a secret password or handshake that allows admittance into the club, rather than a property with emancipatory potential. This construct contrasts with Fraser's notion of recognition as a condition for participatory parity. As Bourdieu argued:

This public and official space (as opposed to the secret, unchecked, and uncontrollable universe of alchemy) is at the same time increasingly more strictly

reserved to those who have met the requirements for admittance-that is, those who know and recognize the cognitive and evaluative, implicit or explicit, presuppositions that constitute the fundamental law of the field at the given moment (Bourdieu, 1991, p. 6).

Sheldon Wolin has articulated a very similar critique as well as a path towards revolutionary practice. Wolin has argued that the state, among other problematic yet legitimate cultural recognizers, needs to be re-recognized as a field of power. He believes this is the central mistake of groups seeking formal recognition. As he has suggested:

The implication is that somewhere external to the community there exists a "recognizer" whose acceptance is deemed important because behind the recognizer is some collective identity, some association that has resisted extending the sort of recognition that the denied groups want because they feel threatened, diminished, slighted, oppressed, or because of all of the foregoing (Wolin, 1993, p. 468).

Wolin's student, Wendy Brown, has offered a similar critique from a more Foucauldian viewpoint. She, too, critiques simple acceptance of the recognition order, arguing that this creates a circular path toward disempowerment:

As liberal discourse converts political identity into essentialized private interest, disciplinary power converts interest into normativized social identity manageable by regulatory regimes. Thus disciplinary power politically neutralizes entitlement claims generated by liberal individuation, whereas liberalism politically neutralizes rights claims generated by disciplinary identities (Brown, 1993, p. 393).

The recognition people seek is necessarily born of a comparison with the dominant class. As such, the identities they seek to have recognized have previously been excluded from that prevailing normative order, or as Brown puts it: "politicized identities generated out of liberal, disciplinary societies, insofar as they are premised on exclusion from a universal ideal, require that ideal, as well as their exclusion from it, for their own perpetuity as identities" (Brown, 1993,

p. 398). Vázquez Arroyo also has suggested recognition by the state, as legitimate recognizer, is a devil's bargain:

In doing so, it colonizes the radical claims of politicized identity, includes them within its own terms, which often entails not the abdication of structures of inequality and privilege but their insertion in the already manageable conceptions of difference that nowadays correlate the imperatives of the political economy (Vázquez-Arroyo, 2006, p. 10).

It is this established order with which the Coalfields Delegation had to contend. They were trapped within a position in the United States wherein their domination was mediated by their perceived class and cultural status. However, the Delegation members did not per se compare themselves with others and desire what those others possessed. It is difficult to view protest over the destruction of mountains, devastation of their homes, and illnesses caused by toxic chemicals as an appeal to any existing normative order. In addition, the very locus of their claims, the United Nations, suggests a reframing and re-ordering dimension to their appeal.

However, Wolin offers a way out of the circular appeals for recognition to a dominant recognizer. Rather than offering a reified form of stable identity, Wolin proposes that groups seeking change need to re-cognize (rethink) themselves—that is, exercise agency in shaping the manner in which they are recognized. He argued that successful struggles typically have been composed of differing parties who united under a common banner. The task of such groups is to challenge and re-cognize the means available for recognition. This is particularly important with respect to the international political, or transnational public sphere, which suffers for lack of a well-theorized cognition of what it could be (the subject of the following chapter). Concurring with Wolin, Vázquez-Arroyo has observed:

What is needed is to critically recast the role of politicized identity in light of the political identity of the collectivity in question, what it is and what it aspires to be. The critical import of the latter, however, entails re-cognition in yet another sense:

to re-cognize the role of politicized identities in the structures of power and dominance that imbricate politicized identities and thus assess strategies of action in light of the claims for recognition that the State, as actor and not merely an arbiter, demands (Vázquez-Arroyo, 2006, p. 12).

Re-cognition operates on two fronts. Identities can be re-cognized in terms of individualized differences that theoretically do not conform to a state constructed category. This would be consistent with Fraser's "mainstream multiculturalism," which accepts differences without questioning the prevailing recognition order. Bourdieu extends Fraser's distaste for multiculturalism, regarding it as a creation of the academic realm, more an abstract theoretical debate than a resolution to the misery suffered by populations throughout the world (Bourdieu & Wacquant, 2001). This sort of immiseration is born of structure, of an order that stabilizes and naturalizes inequity. Thus, for Wolin, Bourdieu, and Vázquez-Arroyo, re-cognition is not a simple matter of accepting individual differences, but must also entail re-conceptualizing the system of valuation itself. For Wolin the answer is not a form of radical individuation, consistent with liberal pluralism, but instead, recognizing power in similarity. This provides the grounds upon which coalitions can be built: Similarity is a moment when differences have been bracketed and their exploitive impulse suspended, when a commonality is forged. Commonality is, it needs to be emphasized, fugitive and impermanent. It is difference that is stable (Wolin, 1993, p. 472). This tension between individual difference and coalition building will re-emerge as I review Fraser's attempts to define culture without recourse to a form of normatively defined identity.

These discussions of recognition highlight the pitfalls for groups such as the Coalfields Delegation. They must appeal for justice within an unjust system (the state, in this case), a system that as illustrated in Chapter 2, created the terms of their marginalization as citizens of the "Appalachian region". In essence, the Delegation had already been slotted into a particular

place within the recognition order. For the group to achieve change, they had to re-cognize the terms of their acceptance.

### **Advocates for culture.**

Other authors are more sanguine about the concept of cultural recognition. Yet they also appreciate the context within which culture is formed. To the extent that culture is ascribed from the outside, and depends upon legitimate arbiters, it is an attribute to be questioned and challenged. However, for authors like Dirlik (1987) and Appadurai (1996), it is this form of cultural claimsmaking, this self-deconstruction of culture as difference that perhaps requires no outside recognition, that constitutes activism and struggle.

Appadurai (1996) argues that culture need not be simply an artifact of history. In this sense, history has repeatedly imposed a culture upon the Appalachian region that has been strongly intertwined with economic domination. Appadurai contrasts the historical discourse of culture with the futural discourse of development. As such, culture is also unfavorably counterposed to economics:

For more than a century, culture has been viewed as a matter of one or other kind of pastness—the keywords here are habit, custom, heritage, tradition. On the other hand, development is always seen in terms of the future—plans, hopes, goals, targets. This opposition is an artifact of our definitions and has been crippling. On the anthropological side, in spite of many important technical moves in the understanding of culture, the future remains a stranger to most anthropological models of culture. By default, and also for independent reasons, economics has become the science of the future, and when human beings are seen as having a future, the keywords such as wants, needs, expectations, calculations, have become hardwired into the discourse of economics. In a word, the cultural actor is a person of and from the past, and the economic actor a person of the future (Appadurai, 2004, p. 60).

He sought to re-situate culture as future-oriented, as a capacity to aspire. In this regard, he emphasized “Aspirations certainly have something to do with wants, preferences, choices, and



calculations” (Appadurai, 2004, p. 67). Although such a definition of aspirations seems unnecessarily economic, it says something about the propensity to advance needs. It also relates to the somewhat futuristic notion of deconstruction—that is, striving for or in spite of the unknown. Appadurai sees cultural aspiration as a capacity: “the exercise and nurture of these capabilities verifies and authorizes the capacity to aspire and moves it away from wishful thinking to thoughtful wishing” (Appadurai, 2004, p. 82).

On the topic of wishes and wants, both Appadurai and Wendy Brown observe a debilitating effect when culture or identity is associated with the past. For Brown, this results from an experience of rejection or harm that forms and foments an historical wound.

Enter politicized identity, now conceivable in part as both product of and "reaction" to this condition, where "reaction" acquires the meaning that Nietzsche ascribed to it, namely, as an effect of domination that reiterates impotence, a substitute for action, for power, for self-affirmation that reinscribes incapacity, powerlessness, and rejection (Brown, 1993, p. 402).

This injury binds people to their sense of cultural identity, and causes them to strive out of a sense of “ressentiment” (Brown, 1993, p. 391). By contrast, both Brown and Appadurai see the imagination and aspiration towards a future as a base of strength for cultural groups:

What if "wanting to be" or "wanting to have" were taken up as modes of political speech that could destabilize the formulation of identity as fixed position, as entrenchment by history, and as having necessary moral entailments, even as they affirm "position" and "history" as that which makes the speaking subject intelligible and locatable, as that which contributes to a hermeneutics for adjudicating desires (Brown, 1993, p. 407) ?

I believe there is a point to be made by placing culture within such a temporal context of past and present. A temporal notion of culture invests it with a lability and creativity that belies any sort of static nominative (as opposed to generative) sense. It also places culture in line with its parent notion of habitus, and emphasizes action. As McNay has contended: Practice, therefore,

generates time: `time is engendered in the actualization of the act. By conceiving of habitus as a temporal structure, the body is imputed a dynamism and mutability (McNay, 1999, p. 101).

Taken together, these cautionary arguments emphasize that culture is not an object (Appadurai, 1996, p. 12), but rather a changing property within a larger social context or field. A culture that operates within the logic of the field, appealing to the dominant definition of success, will remain a static property of that field rather than challenging its order. The Coalfields Delegation both acknowledged its “cultural origins”, and utilized them in a creative, performative fashion to challenge the group’s position within the US., as well as within the larger global order.

### **Fraser, Culture, and Recognition**

As a generative phenomenon, culture can be regarded as both a dimension and a strategy of counterpublics. Clearly, Fraser sees its importance as a property distinct from, yet deeply intertwined with the economic. She has highlighted the creative aspects of culture:

In fact, the possibilities expand once we acknowledge the complexity of cultural identities. Pace reductive, essentialist conceptions, cultural identities are woven of many different strands, and some of these strands may be common to people whose identities otherwise diverge, even when it is the divergences that are most salient (Fraser, 1990, pp. 69-70).

Here, she echoes a theme from Wolin that collectivities can and should be composed of different groups. Where aspects of culture may be viewed as foundational in the formation of counterpublics, these same dimensions also contribute to new and differing strategies, as well as the opening up to other, non-identical groups as a manifestation of recognizing the self in the other. These links engender adaptation of agitational practice by learning from and with others.

Understanding the remedy, however, does not negate the condition of being culturally

marginalized, nor does it provide an easy fix. Fraser's definition of culture as a form of injustice is instructive. It emphasizes active present insults such as

Domination (being subjected to patterns of interpretation and communication that are associated with another culture and are alien and/or hostile to one's own); Nonrecognition (being rendered invisible via the authoritative representational, communicative, and interpretative practices of one's culture); and Disrespect (being routinely maligned or disparaged in stereotypic public cultural representations and/or in everyday life interactions) (Fraser, 1995, p. 13).

The problem, in sum, is one of misrecognition in multiple forms. It is important to note the dialectic of misrecognition articulated above. For Fraser, it is an action perpetrated on members of a counterpublic. For Bourdieu, it is a failure to understand the nature and effects of the field that engenders culture. It is thus both a property of action and structure, not readily soluble simply by stopping unwanted insults. As Fraser has noted:

The problem is that not all misrecognition can be dispelled by eliminating prejudice, even in combination with redistribution. For one thing, misrecognition is not purveyed primarily through prejudice, if by that we mean derogatory attitudes and beliefs. Rather, it is relayed through institutions and practices that regulate social interaction according to norms that impede parity (Fraser, 2000a, p. 25).

She is careful in accompanying culture with the economic, in keeping with her dual systems approach. However, I often find Fraser too cautious in her use of the term "culture", perhaps in acknowledgment of the pitfalls and traps with which the term is laden. Interestingly, Fraser seems determined to straddle the structure/agency divide, and with this, to avoid the form of "vulgar Marxist" that thwarts robust conceptions of agency. It is a precarious tightrope, one that has resulted in numerous discussions and debates with other theorists (below) who wish to collapse the cultural into the economic and vice versa, or otherwise to define forms of domination and marginalization. These discussions are instructive in deepening the idea of

culture.

In determining how culture functions as a motivator of counterpublic action, I examine three key questions. First, how does cultural recognition differ from economic redistribution? Second, how, and of whom, are the entities that struggle for cultural recognition constituted? Third, what are they challenging in their quest for cultural recognition? These discussions lay the groundwork for better understanding how counterpublics pursue recognition.

### **Butler and Fraser, “Merely Cultural”**

It is useful to examine how Fraser defines “culture” when she conceives of counterpublics as striving for economic redistribution and recognition. In her earlier writings, she suggested that some groups are marginalized primarily economically, some on the basis of culture, and others on the basis of both. Those who are “both” include women and ethnic minorities, for example (Fraser, 1995, p. 78). But it is worth delving further into her conceptualization of culture as presented in her dialogue with Judith Butler. Butler took issue with Fraser’s characterization of some groups as de-valued solely on the basis of culture, particularly gay and lesbian groups. Butler stated “[T]he injustice they suffer is quintessentially a matter of recognition, (Fraser) claims, thus construing lesbian and gay struggles as merely matters of cultural recognition” (J. Butler, 1997, p. 271) In raising this point of contestation, Butler argued that the cultural, economic, and political are more deeply interconnected than Fraser allows, such that characterizing certain groups as disregarded primarily on the basis of “culture” overlooks the role of cultural marginalization in maintaining the dominance of hegemonic cultures. Again, with respect to heterosexism she stated “This is not simply a question of certain people suffering a lack of cultural recognition by others, but, rather, is a

specific mode of sexual production and exchange that works to maintain the stability of gender, the heterosexuality of desire, and the naturalization of the family” (J. Butler, 1997, p. 274).

Fraser must be given credit for articulating the intertwining nature of economics and culture, and would doubtless define “Appalachians” as an example of marginalization on the basis of both. However, Butler’s argument is important because of its specific recognition that the act of designating certain “cultures” as marginal is essential to perpetuating the cultural and economic dominance of other groups:

When new social movements are cast as so many "particularisms" in search of an overarching universal, it will be necessary to ask how the rubric of a universal itself only became possible through the erasure of the prior workings of social power. This is not to say that universals are impossible, but only that one abstracted from its location in power will always be falsifying and territorializing, and calls to be resisted at every level. Whatever universal becomes possible-and it may be that universals only become possible for a time, "flashing up" in Benjamin's sense-will be the result of a difficult labor of translation in which social movements offer up their points of convergence against a background of ongoing contestation (J. Butler, 1997, p. 269).

Butler emphasizes the field of recognition, and the problem of constantly asserting one’s place within it. But this “convergence” can also be a base of resistance, and emphasize the ephemeral nature of “culture” as a contested category.

Fraser’s response to Butler clarified her thinking concerning distinctions between the economic and cultural fields: the economic determines the regulation of production, while the cultural produces and re-produces the cultural valuation order.

What is institutionalized, moreover, as Butler herself notes, are cultural constructions of entitlement and personhood that produce homosexual subjects as abjects. This, to repeat, is the essence of misrecognition: the material construction through the institutionalization of cultural norms of a class of devalued persons who are impeded from participatory parity. (Heterosexism, misrecognition (Fraser, 1998, p. 144).

While the cultural valuation order may have material effects, its primary function is to classify

people according to cultural status (as in Bourdieu's cultural field).

In her dialogue with Butler, Fraser explored the concept of recognition further. However, she failed to place *recognition* in relationship to a legitimate *recognizer*. Instead, she attempted to particularize misrecognition as-it-occurs, based on actual instances. Likewise, she took a further step toward Bourdieu in viewing identity recognition as a matter of status. This is, at least in part, a mirror of Bourdieu's cultural field, indicating that cultural capital (Fraser does not use this term) will be the means to attain participatory parity. Mis-recognition is not accidental, but instead is the result of a valuation of certain cultural characteristics over others.

### **Culture as an academic construction?**

Richard Rorty (2000) commented on the Fraser/Butler debate with his article "Is 'Cultural Recognition' a Useful Concept for Leftist Politics?" In this case, he challenged the category of culture and identity movements as distinct from (and perhaps a distraction for) the quest for economic redistribution. In part, this is a definitional issue—Rorty charged that "culture" is a blander way to sell academic programs in African-American or gender studies. However, he also challenged the importance of culture as a category of struggle: "It is less clear, however, why recognition came to be thought of as recognition of culture or of cultural differences, rather than as recognition of a common humanity" (Rorty, 2000, p. 10). In this argument, Fraser is surprisingly sympathetic, concurring with the potential for identity, as a definition of culture, to *displace* economic concerns. Secondly, she notes (as do Wolin, Appadurai, Brown, and others) that identity (and indeed the word itself is problematic) is counter to a notion of complexity and difference. She refers to this as the problem of reification.

Rorty's argument bespeaks the difficulty in understanding the concept of culture, hence

raising the issue of identity movements. From a majoritarian point of view, he suggests that it should be sufficient to “just (raise) children to think that being gay or lesbian is no big deal” (Rorty, 2000, p. 16). But such an argument does *nothing* to address the problem that the status order is defined in comparison to whiteness, maleness, Eurocentrism, and other non-accidental qualities. Such children, as Rorty notes, and I am assuming by Rorty’s comment that these are heterosexual children, already take for granted the comfort associated with being a majority group. They, and their parents, and Rorty, and possibly Fraser, have no conception of what it means to experience injury on the basis of who one loves (or the color of one’s skin, or assumptions about one’s womanhood, or the nation of one’s birth). Thus they can take for granted the benefits of being in a higher position within the cultural valuation order.

Nevertheless, Fraser seems less comfortable with the idea of culture as opposed to economic class. Attempting to refine her critique, Fraser shifted her definition of culture away from identity in order to focus on status.

In general, then, the status model is not committed a priori to any one type of remedy for misrecognition; rather, it allows for a range of possibilities, depending on what precisely the subordinated parties need in order to be able to participate as peers in social life. In some cases, they may need to be unburdened of excessive ascribed or constructed distinctiveness; in others, to have hitherto underacknowledged distinctiveness taken into account. In still other cases, they may need to shift the focus onto dominant or advantaged groups, outing the latter’s distinctiveness, which has been falsely parading as universal; alternatively, they may need to deconstruct the very terms in which attributed differences are currently elaborated. In every case, the status model tailors the remedy to the concrete arrangements that impede parity. Thus, unlike the identity model, it does not accord an a priori privilege to approaches that valorize group specificity (Fraser, 2000b).

By splintering “culture” into “statuses” Fraser’s attempt at re-ordering is problematic in its attempt to deny common identity claims. It is certainly true that cultural identifications, such as “Appalachian” have carried with them a homogeneity that is too simple, and that simplification

has facilitated domination and dismissal. The term “Appalachian” is very much laden with status distinctions that are deeply enmeshed in all sorts of cultural values. For example, being “tied to the land” is definitely an oversimplification, but is also devalued in an increasingly mobile, urban, cosmopolitan society. The low educational attainment determined through Census studies produces the oversimplification that people are ignorant, but is also tied to a form of knowledge capital that unquestioningly associates years in school (but not necessarily quality of learning) with greater or lesser human value. But in stepping away from the idea of collective identity, Fraser places one individual’s status in relation to other individual statuses, attempting to demonstrate how cultures should be properly valued. In striving to individualize identity radically, Fraser has unwittingly liberalized it, reproducing a form of gain-seeking individual striving within, but not questioning, an established cultural economy.

### **Identity.**

Fraser has presented the problems of displacement and reification as inherent to the notion of identity. However, her charge of displacement (of identity over the economic) is unclear. For example what, if anything, about being a woman (as a cultural identity) among other women, virtually all of whom experience a difference in employment compensation *based upon* being a woman, displaces the economic as a focus? Rather than suggesting that “identity” means that all women are identical in every way, the problem could be framed differently: many if not most women experience identical forms of economic maldistribution based upon their gender, although they may not experience gender in identical ways. African-Americans are subject to identical placement in the status order, although they are not alike in many other ways. In other words, identity is intimately connected with recognition; it is the interpersonal outcome



of recognizing the other. Rorty also embraces this connection: “it is much more a matter of coming to think of previously despised people as like oneself in specific, concrete, banal ways: as bleeding when pricked, and crippled when shunned” (Rorty, 2000, p. 15). And, as Wolin and Appadurai’s careful use of the term culture suggests, such recognition can motivate political action. Wendy Brown, although skeptical of attachments to identity, does not call for doing away with it, but rather calls for “a recovery of the more expansive moments in the genealogy of identity formation ...” which “rather than dispensing blame for an unlivable present, inhabited the necessarily agonistic theater of discursively forging an alternative future” (Brown, 1993, pp. 407-408). Thus, it seems to me that the problem with terms such as identity and culture lies in the manner in which they have been appropriated. In short, the reification of identity is an act of the legitimated recognizer; the entity that holds power to categorize along lines that value or devalue particular groups. Fraser does not need to individuate people radically in order to do away with the problems of displacement and reification. Rather, she needs to disarticulate identity from the very structure and status order that reifies it.

The problem of identity is that it can be both true and false. Put differently, the problem might ultimately reside in our (rationally influenced) notion of “truth”. This view depends on statistical representations that demonstrate a preponderance (or mode) of a certain characteristic (pre-defined by an outside researcher). Statistically, then, that characteristic constitutes a norm. But a norm is not, nor has it ever been, a uniform characteristic of a population. Identity movements may be formed in the recognition of a single common characteristic, such as breast cancer, or set of characteristics, such as white, male, gun-owning militia members. They may even be formed in reaction to mischaracterization, such as brown-skinned individuals tired of being mis-identified as Muslim terrorists. Mis-recognition is similarly complicated. No one, for

example, would suggest that women with breast cancer are uniformly the same, nor that they possess a common set of socially inferior characteristics (although one should not overlook discrimination against women, nor the considerable differences in recognition between different forms of disease or illness). Many would, however, give unthinking credence to the sameness and social inferiority of Appalachians.

Rather than rejecting identity for status, culture could be viewed as a dialectic between individual status and group identity. This falls along similar lines with the tension between liberal individualism and social communitarianism. Both Fraser and Bourdieu are interested primarily in individual status within the cultural field, Bourdieu from the viewpoint that individuals collect “cultural capital” such as education, objets d’art, etc. Fraser wishes to avoid the problematic category of identity and instead advance a radically individuated form of status recognition. Certainly this focus on the individual can tell us (much along the same lines of the figure of the “rational economic man”) how individuals advance within the cultural order. Bourdieu is straightforward—they advance in competition with others through the accumulation of forms of capital. This is not to say that Bourdieu’s approach excludes other corporate entities, only that the logic model is the same. However, the principal theoretical lines of this research relate to advancement in the public sphere, which has less to do with the accumulation of things and more to do with the accretion of human capital, relationships, and voice. I believe that an individuated “status” model can tell us little about how counterpublics form and progress, apart from resorting to a “resource dependence” model, but Fraser’s definition of counterpublics does not support this view:

The point is that, in stratified societies, subaltern counterpublics have a dual character. On the one hand, they function as spaces of withdrawal and regroupment; on the other hand, they also function as bases and training grounds for agitational activities directed toward wider publics. It is precisely in the

dialectic between these two functions that their emancipatory potential resides (Fraser, 1990, p. 64).

Counterpublics serve as a space for collectively countering alienation based upon one's status in terms of economic/cultural marginalization. People do not objectively know they are part of a marginalized group until they experience active rejection (a friend once recounted his confusion as a child when he first saw a "whites only" sign. It was, he said, the first time he understood that he was different). Counterpublics further serve as a space for the development of a common language and strategies for challenging such alienation. It is this mutual recognition of similarity, coupled with developing common bases for resistance that provide counterpublics with their strength.

The Coalfields Delegation built power by identifying with others along lines of common experience or injury. This is not to say that they all saw themselves as having the same characteristics of "Appalachian-ness". I have already noted the problematic construction of "Appalachian culture" from the outside. However, in striving for public recognition at the United Nations, it was not their cultural status as Appalachians that they sought to have recognized. Rather, they sought recognition of the inflicting of disproportionate harms on a group of people who had been marginalized according to the dominant cultural valuation order. "Culture" has a place in this; for the purposes of this research, I insist upon a changing, expanding idea of "culture". In short, the notion of status strikes me as far too individualistic a basis upon which to build an expanding network of recognition.

### **The role of culture in the formation of counterpublics**

Where Marx's theories of capitalism have been labeled (rightly or wrongly) too

economically deterministic, a number of post-Marxist theorists have investigated the phenomenon of culture as a mechanism of either liberation or domination. Antonio Gramsci opened the possibility of other forms of capital, suggesting that cultural hegemony is carried within the institutions of a society. That is, the economic forms the base of a society, whereas superstructural elements (religious, social institutions *and* government) have the potential to change the existing hegemony. Just as certain groups can be hegemonic, counter-hegemonies can emerge, configured within the ambit of social movements and non-governmental organizations.

For my purposes, these shifting grounds of society are useful for exploring the movement of subaltern groups (counterpublics) from a position in which their interests are regarded as particularistic to one in which they become more broadly recognized in the public sphere. Influenced by Gramsci's work, Raymond Williams has defined three cultural spaces: dominant, emergent, and residual (Williams, 1977, p. 121). Residual institutions are the vestiges of formerly dominant groups that still have influence. Dominant cultural groups are in control of the prevailing hegemony and hence might constitute the bourgeois public sphere, as Eley (1999) suggests. It is the emergent cultural that draws my attention, in relation to how we understand the genesis of counterpublics.

This requires tracing the formation of counterpublics from what Fraser terms the "pre-political" to their emergence in the public sphere. This is one of the key critiques that theorist Axel Honneth raises of Fraser's work. Fraser argues:

Normatively ... it is doubtful that prepolitical experience really constitutes a better reference point than the social movement claims that Honneth dismisses. The latter, after all, have the advantage of being subject to critical scrutiny in open debate. Inarticulate suffering, in contrast, is by definition sheltered from public contestation (Fraser & Honneth, 2003, p. 205).

However, for Honneth

The danger I see in such an affiliation is an unintended reduction of social suffering and moral discontent to just that part of it that has already been made visible in the political public sphere by publicity-savvy organizations (Fraser & Honneth, 2003, p. 115).

Like Honneth, who follows Bourdieu, I share concerns about social struggle that takes place below the radar; in fact, this is the realm with which I am most familiar. Further, this subliminal portion of struggle is part of the story of the Coalfields Delegation. Bourdieu argues the political consequences of ignoring such pre-political concerns can be significant:

With only the old-fashioned category of “social” at their disposal to think about these unexpressed and often inexpressible malaises, political organizations cannot perceive them and, still less, take them on. They could do so only by expanding the narrow vision of “politics” they have inherited from the past and by encompassing not only all the claims brought into the public arena by ecological, antiracist or feminist movements (among others), but also all the diffuse expectations and hopes which, because they often touch on the ideas that people have about their own identity and self-respect, **seem to be a private affair and therefore legitimately excluded from political debate** (my emphasis)(Bourdieu, 1999, p. 627)

Fraser raises the same questions in her discussion of how groups must repeatedly make their concerns public in multiple venues before they can achieve the status of “runaway needs”(Fraser, 1989). Absent such unrecognized challenges, it is unlikely that groups will ever achieve “publicness”, let alone contest their cultural misrecognition.

Drawing upon Honneth, I argue that it is not so much a problem of identity and status, but rather the established valuation order that determines and defines categories of “culture”. Simply recognizing all cultures seems to me an “affirmative” remedy that leads directly to mainstream multiculturalism. Instead, challenging the systemic barriers to recognition, that is, the cultural valuation order, should be the basis of deconstruction and transformation:

There can, to be sure, be little talk here of social struggle in the real sense of the term, ie. everyday conflicts in which those affected attempt by their own symbolic and practical efforts to alter a distribution order they feel is unjust. To this extent, a concept of distribution struggles must be reconstructed that is not tailored to the level of state redistributive measures, but rather takes into account the non-state spaces where the initial efforts to delegitimize the prevailing distribution order are undertaken (Fraser & Honneth, 2003, p. 151).

The struggle, as Gayatri Spivak views it, “is to build infrastructure so that they (i.e. counterpublics) can, when necessary, when the public sphere calls for it, (characterize) themselves without identitarian exploitation (sometimes well-meaning but equally destructive), from above” (Spivak, 2005b, p. 482). The problem, as she sees it, comes from above when official recognizers try to draw the subaltern into a recognized metonymy (i.e. a data point in the cultural valuation order), rather than providing the conditions under which they can ‘self-synecdochize’ (i.e. claim their own categorization, rather than having it assigned by the prevailing order). That is, the cultural classification that animates counterpublics occurs as a result of “identitarian exploitation from above.” The task of re-cognition consists in groups actively striving to deconstruct the cultural valuation order in a manner that destabilizes “identity”. Thus:

If we grasp subalternity as a position without identity we will think of building infrastructure for agency. Ethical sameness cannot be compromised. The point is to have access to the situation, the metonym, through a self-synecdoche that can be withdrawn when necessary rather than confused with identity. (Spivak, 2005a).

The task is not to trade identity for status, but to deconstruct the valuation order that privileges some at the expense of others. Rather than contradicting my concerns about mutual recognition and identity, I wish to emphasize the imperative of “ethical sameness”, a concept that Spivak has referred to elsewhere as “the ethics of alterity” (Spivak, 1999, p. 72). This concept, however utopian, is an epistemological game changer. That is, qua Hobbes and a long line of

political thinking stemming from him, we have come to view the economic, the cultural, and the political as fields or spheres where parties *take from each other*. They compete for “fixed pies” subject to distributive justice. Adopting an ethic of responsibility would characterize these fields as spheres of abundance, not to be confused with a cornucopian ethic, a site of eternal use value. Rather, such an ethic characterizes a sphere of generosity and of giving (not granting, or deigning to grant). This is, in the final analysis, the ultimate transformation of Fraser’s category of recognition. In other words, it is the affirmative “mainstream multiculturalism” as opposed to the transformative ‘ethics of alterity’; the affirmative social welfare as opposed to the transformative responsibility; and finally, in Spivak’s terms, the affirmative multitude versus the transformative ‘planetary’. Put simply, it matters how we think. Although the effects are entirely material, the causes of economic maldistribution can be attributed, at least in strong part, to our belief in the reality and the power of self-interest.

### **Culture in Appalachia**

We can now explore how the struggle for recognition operates on the ground. Many of the Coalfields Delegation members went from being citizens who were not terribly involved in political activity, to offended individuals who did not know where to direct their protests, to members of organizations that validated and recognized their concerns. They formed “counterpublics”, in the sense that they met with others and began to find their voices and understand how to frame their claims. One member described his development as part of a statewide organization:

JEAN: at one of the first meetings ... you know I talk a lot and I ... I’m like “Hi I’m Jean.” And he (said) “I’m Johnny, and she does all the talking.”  
JOHNNY: Now I talk normally

JEAN: Every time we talk about the past and stuff like that, ... I'm really proud of (his growth).

JOHNNY: You know growin' up around here, you know a majority of the time uh, you speak when you're spoken to and you don't go against the grain (Branch, 2008).

From this point, they worked with community-based organizations to develop talking points and receive training in various political strategies, consistent with Fraser's definition of counterpublics.

But the delegates were (and are) keenly aware of how they are regarded by the rest of the country. And they have developed their response, in terms of action. The Delegation members both embrace and invert the category of "Appalachian" and its associated terms. On the one hand, being "mountain people" is a badge of distinction:

And we are, you know, the last people to resist homogenization, you know we are some of the last people to resist that. And for good reason! It's because, you know, the mountain heritage, and the mountain folk, and the mountain people. Because that's who we are! And, and we're used to you know bein' up in the head of a holler, you know, relying upon ourselves and ourselves only. And when the coal industry moved in, and the railroad companies moved in and, and took people's land here, it also stold from it our, our very essence of who we are, was the people that, that were self-reliant upon theirselves and only themselves. And that ... they kind of stold some of that, but there, there's still some of that here in, in these mountains in Central Appalachia. It still exists you know and, and it would be a shame to lose that. If you lose the mountains then you lose that mountain culture and that's, that's the problem, there, you know? (Poff, 2008)

At the same time, they are aware of the "cultural valuation order" and its consequences for them:

JEAN: They think they can get away way with it because it's, it's in these poor areas or these less populated areas ...

JOHNNY: Least populated areas

JEAN: You know? And, and that these people are stupid ... and we're uneducated and we're poor and we're ...

JOHNNY: That's a stereotype that's been in Appalachia for a generation you know, is that that we're illiterate.

JEAN: Dumb poor hillbillies, you know? (Branch, 2008)



“Culture”, however, as a creature of habitus, encompasses many things. It might involve a connection with the place where one grew up:

You, you understand the landscape and what landscape means to people and the sense of place. I, I do think that, that sense of place is something that is more instilled in Appalachians than it is anyplace else. Because the first question ... if somebody, if a stranger comes here to visit, the first question he's gonna be asked is, “So where are you from?” It's sense of place. You know, it's a strong sense that ... most Americans have lost that sense. It's hidden somewhere, but they don't know where it's at. And it's a strong pull, but they don't understand that pull. It's something they've lost. You know, and it's the sense of place, and it's something that Appalachians still cling to, you know, is sense of place, yeah, of who you are, where you belong, you know? And so that's ... that I, I've noticed that that is something that sets us apart, you know, from anyplace else (Poff, 2008).

It *might also* relate to commonalities developed on the job:

... I did a series of stories from coalminers ... there's a culture around it and people like it! They had their own buddies and ... they go to work, and uh they get close to their friends, have their own environment they control. They have their own stories, so they have their own life there. One of the organizers said, “Well you know it's like goin' to war. You get close to your comrades. You know your life depends on them.” And they get very close because of that. Coal miners really love each other, more than any workers I've ever seen! After they quit or maimed, they're still with their buddies, these guys up in this holler. They garden together... they fix the roof of the barn together ... I see them out in the fields together. And a lot of those guys are like that, they really have very close bonds and its ... but they're, you know I'm just, there's other ways to feel close ... without puttin yourself in that sort of dangerous situation (Miller, 2008).

It might involve, as it does for me, a sense of permanence:

And um, I 've never imagined that I would ever have to live to see mountains disappear! I grew up listenin' to John Lennon and Led Zeppelin and you know all them old songs where mountains meant forever. It's, it's lost all of it's impact now! Excuse me but they're blowin' the mountains up! Somebody tell somebody, hurry! You know? (Paterson, 2008)

It is true that a good many of these reflections fall right into a cultural stereotype. For example, I had a crisis of conscience in terms of choosing pertinent portions of interviews. Several delegates

mentioned owning guns and being willing to use them, if necessary. These sorts of statements feed directly into prevailing stereotypes. But despite a “trend” in their statements, this subject had little to do with my research. The fact that they may echo a common stereotype, does not make their views any less keenly felt, with respect to cultural valuation. And it is these feelings of violation that motivate struggle.

For the interviewees, culture was far from a reductive quality. Each person expressed their “culture” in different ways, nevertheless forming a common tapestry of many different threads. Likewise, their consciousness of “cultural valuation”, in terms of how their backgrounds are characterized and disrespected, was ultimately a tool in how they sought justice at the United Nations. For example, when interviewed, Alice advocated for the dignity of her own life experiences and those of others.

I think it was great when I grew up here ... it was awesome, I mean uh, and changed in 40 years as much as daylight to dark. And it ... they, they've literally turned paradise into hell. But uh, they, they can't continue doin' what they're doin' because it, they're people's running ... they backed the people in Appalachia into the proverbial corners. And we give up everything there is to give up, in some cases the lives of our family members, to coal mining, you know? And we give up our land, we give up our water, we give up our air, and you know, we give up our rights! And we, we're not bein' pushed any further. We've been pushed as far as we can be pushed now. And you know this has been, this fight's been goin' on 150 years! Coal is mean! And you know I've even heard em, heard coal industry representatives say that if it wasn't for the fact that they needed labor to get this coal out of the ground, there wouldn't be nobody at all live here. That's the arrogance of 'em! So you know I mean it's ... that's what you're dealin' with. And you know I'm, I'm more than a number. You know? (Paterson, 2008)

Meanwhile, Lisa, when interviewed, appealed to a sense of basic freedom from hazardous pollutants.

The ladies next door are elderly, they live with their mother, they're, they're clean fanatics. They wash their house down at least once a week. And you shouldn't have to get out at their age and do stuff like that. ... Um, another one of my neighbors down the street ... we used to meet in her garage. She had tears in her eyes, she said 'you know, every mornin' I sit on my front porch and I watch my,

oh I watch the birds.’ She’s got tons of bird feeders and bird baths and stuff in her yard. And she said, ‘I can’t now. I drink my coffee at the, at the front window and I watch them.’ And that’s just, that’s not the United States of America! (Atkins, 2008)

And Mandy embraced life in the face of tragedy when she shared her views with me:

... one of my friends at home says, “(Mandy) you can't run from death!” And I said “Well I can try!” You know, because everyone was dying around me, and it was, it was just extremely frightening. And then later since I moved here my sister ... she was home one day and she was diggin’ in my dad's yard ... and then um later on that evening she had an allergic reaction that put her into cardiac arrest and she died. She was about forty-three, forty-four .

... and it's like at the time I was watching the movie A Civil Action. ... and I was sharing it with someone and I said, “Have you ever watched this movie? Cuz it's like, my life, you know?” And I was watchin’ that movie and they (called and) told me she had a heart attack ... and I felt like OK there’s, there’s something here. And at that point I just didn't have the energy to go forward, because I always feel like that was some kind of message for me, because I was watching that movie when I got this call. So ... And then somewhere along the way I read Balancing the Scales, which is KFTC’s newspaper, and I thought, “Wow, these people think the same way I do! And I joined the organization and have been a leader in the organization ever since (Kilgore, 2008).

These heterogeneous, grounded, and basic human expectations motivated these activists to contact local, state, and national officials, to write letters and lobby for relief from mountaintop mining.

There is a constant temptation to oversimplify and categorize what people say in the course of an interview. We are trained to be excited and to regard it as significant when there appears to be agreement among two or more statements. That is an artifact of our profession. However, I did not observe such unity of perspectives among the people I interviewed. Each participant told different stories in different ways; there were commonalities, but also many divergent voices and lenses. Among the goals of the Coalfields Delegation was to bring citizens together from across the region who shared some common experiences, but expressed them

differently. More importantly, their perspectives *changed* over the course of the UN trip. Seeing and identifying with experiences of others around the world was a not-unexpected source of recognition.

The United Nations trip was a big step. From the time they were contacted by their respective organizers about going to New York, the Delegation met together to formulate its strategy. It was at these meetings that the group decided on its major goals:

- to work together across regional and organizational lines;
- to draw public attention to the issue of Mountaintop Removal; and
- to get an official statement about sustainable mining practices from the CSD.

They also were determined to get the message out that there is, in their view, *no such thing as “clean” coal*.

They planned numerous strategies to gain visibility at the UN. As a means of visibility, they all wore the same bright T-shirts, which decidedly set them apart from other delegates. They also strategized to divide up sessions to network with other attendees and spread their message. And they sponsored a side event, “The Sustainable Production and Consumption of Energy: Views from Civil Society.” They also requested and received a meeting with US State Department representatives, accompanied by members of the Youth Delegation to the CSD. All of these steps were within the typical actions of organizations at the UN. But in meetings, they also had a chance to tell their stories and express their perspectives as residents of the coalfields. Jean recalls that they attended a meeting about extraction:

JEAN: At the end there Chuck went up there and wanted to talk to one of the, the guys, and we were all upset ... Because you can get angry, you can get upset with these people, they don't know what we go through. And um, he the guy said somethin' like “you can't throw the baby out with the bathwater”, and I (said), “speakin' of babies and bathwater, Sir do you know that for the first three, three

years of my daughter's life I bathed her in water that was, had the 130 times the allowed levels of arsenic in our bathwater?"  
JOHNNY: that's EPA levels (Branch, 2008).

They brought posters and information, and they drew considerable attention, particularly from the youth members at the CSD.

... it's greed, we're all fighting against greed, um ... I sort of felt like they were shocked. I, I think that's why we were like the hit, we were like the hit! we wore, um, these little lime green t-shirts from Larry Gibson, you said you're met Larry ... lots of the kids there already knew him, like they were searching him out. People, we would go to the cafeteria and people would come to our table and just talk and say they were just shocked, so we were kind of, I felt like we were like the hit of the 2006 UN. They wanted our stories, they wanted to talk to people. Um, the youth caucus was ... it was just amazing. The energy cau- they were very polite to us and they listened to us and, and they were nice, you know? I'm not sure how much we contributed to their meetings or anything, but they were very nice they let us speak (Atkins, 2008).

They shared information about the implications of mountaintop removal outside the UN as well. They distributed flyers on New York City subways. They protested coal company owner actions. Luke Garvin and Donetta Blankenship visited Wilbur Ross, the executive chairman of the board of International Coal Group, Inc, to deliver a jar of water from Rawl, West Virginia to highlight its pollution. As Garvin recounted in an interview:

I went to Wilbur Ross's house ... which was a hotel trimmed in gold. Stretch limousines all the way around it. And he's the one who owned the Sago mine site where we lost 11 men four years ago in a mine there. ... And I took some poison water that came out of people's faucet with me ... and walked in to the lobby with this water. (accompanied by) reporters from the Washington Post ... and I said, "Is Wilbur home tell him his family's here." That's what I said. And I told em I said "I got some water for him. Water that he says we should be able, we're allowed to drink. I'd like to see him drink it." Of course he wouldn't meet with us, you know. And I got jumped on by one of his chauffeurs who told me not to lean on the limousine while I'm eatin a hotdog, you know. And then they jumped on me 'cuz I had my foot against the building, again I was eatin' a hotdog, you know. But these people who live so high and mighty! It was easy to find Wilbur's place on 5<sup>th</sup> Avenue and his hotel building trimmed in Gold, or gold paint, probably gold so you know, uh, How do we put ourselves so high above the

commodores of the land. Who does that? You know? (Garvin, 2008)

This sort of coverage earned Garvin a CNN hero nomination for 2006.

Bringing toxic water was but one example of using symbols from the Appalachian region in an effort to change minds about the perils people face due to mountaintop mining. In addition, they held a concert featuring speeches from Delegation members, as well as mountain music. The event drew a large audience and was a predecessor to what became the annual “New York Loves Mountains” festival. A regional artist brought one of his sculptures, “The Agony of Gaia”, described as “a life-sized, figurative sculpture that depicts Mother Earth suffering the abuse of strip-mining” (Pan Appalachian Defender, 2006). They also attracted a New York theatrical group, The Mummers, who produced and publicly performed a piece about mountaintop removal. These were all ways in which they utilized distinctly regional items and art to gain publicity. And while these drew upon Appalachian culture, they also were a part of the Delegation’s claims making, in efforts to re-cognize themselves. They drew upon both typical and a-typical art forms. They used facts about mountaintop removal to raise outrage among fellow delegates and other New Yorkers. They used culture in a two-sided manner, to gain publicity, but also to change minds.

We approached some representatives of various countries with pictures of MTR sites... and just raising awareness kind of thing ... and there were some people that were just aghast ... couldn't believe that we were blowing up mountains ... this one guy from south Africa I remember he went, he was like ... huh, I don't get it? (Echols, 2008)

Their minds were changed, as well. Much as the Coalfields delegates sought recognition, they engaged in reciprocal recognition as well. They shared their situation, learned about the issues of other delegations, and also began to engage in self-re-cognition. They began to see themselves in the context of other people in a similar plight.

... basically, the interactions that we had with the other folks that was there was getting involved in their issues, and they got involved in our issues. And we seen similarities in our issues. And since then, I mean ... it's, it's most definitely a social issue, a social justice issue. Mountaintop removal is most definitely a social justice issue. And when you start lookin' across the United States, you have social justice movements everywhere. I mean just everywhere you look. And that right there, just that alone compelled many people at the United Nations to get involved with mountaintop removal. And to be an outspoken opponent to it, if nothin' else. And we educated people that is extremely highly educated. They was a group of 25, basically hillbillies took off from Appalachia and went to New York, uh a- and went to the UN and educated the people in the UN about mountaintop removal, coal mining and energy issues across the United States (Paterson, 2008).

That ties in to what I learned at the UN it didn't matter if it was me in Eastern Kentucky fighting big coal or the people in Africa fightin' hydro. They would just come in and ruin your life ruin your home for a source of energy, you know? (Atkins, 2008).

They also began to see themselves in a different light, both in relation to each other, and with respect to groups seeking environmental justice across the globe. At the time of the initial trip, most of the residents from different states did not know each other (or knew of each other solely by reputation). Some residents less experienced with political advocacy felt intimidated, and wondered about their own importance. Organizers, such as Alice, emphasized the importance of "telling your own story". Getting to know each other by hearing each other's stories was an important part of the trip for members. BJ, Luke, Ron, and Lisa commented about the importance of the drive to New York.

I learned so much you know you're in a car together ... tell what you know that was great ... I learned so much about issues ridin' with people ... I'd get in a different car every time we stopped ... (Miller, 2008)

But many also realized things about themselves throughout the entire trip:

But it, it makes you realize ... when you come from the hollers here, I mean you, you tend to forget about the rest of the world. You know, you tend to forget that, you know, there's another side of the globe. Yeah, and you never ... nothin' ever happens here, we're the last place to get news, you know. And it helps you to realize that, that there's a whole nation, a whole globe, of people out there that's sufferin'. And it makes you realize, it reinforces how important what we do is. Because if we give up, not only are we giving up on our families immediately, but we're giving up on the future families that may be here, and the future families that may inhabit this globe (Paterson, 2008).

Such realizations included their capacity and right to be included in a global forum that they once perceived as inaccessible.

Um and it is, (laughs) to be completely honest with you, it is pretty cool to say that I was on a delegation to the United Nations. So my, my family thought it was neat! (Drew, 2008)

For the Delegation, recognition was about many things. It was about culture, artistic expression, re-cognition while connecting with the youth and with other delegations; developing relationships among delegates; residents working together; gaining national media attention; as well as getting language about coal in the final statement. The re-cognition that accompanied their experiences at the UN enabled them to affirm their mission.

## **Reflections**

In essentializing culture, we tend to overlook the bases upon which it forms. It is certainly attributable in part to being born in a particular region with a specific ecology, history, geography, form of linguistic expression, and cultural forms such as music, visual and performing arts. But it is inseparable from lived experiences from class, gender, ethnic origin, as well as tragedy, trauma, and loss. I argued above how part of counterpublic formation is attributable to one's habitus. Bourdieu has observed:



The structures of a particular type of environment (e.g. the material conditions of existence characteristic of a class condition), which may be grasped empirically in the form of the regularities associated with a socially structured environment, produce habitus, systems of durable dispositions 2°, structured structures predisposed to function as structuring structures, i.e. as the principle of the generation and structuration of practices and representations (Bourdieu, 1973, pp. 63-64).

Essentializing culture means approaching these manifold material conditions of existence in a reductionist fashion, separating elements from each other and positing these, in isolation, as cultural determinants. It is far more interesting and far more descriptive of delegates' lived experience to consider how potentially common life circumstances are inflected by individual experience, leading to a variety of expressions and descriptions of culture.

... visitors that come here, you know, are confused cuz they say "Do you go east or west on route three?" and I'm like, "I don't know. Talk up river down river. I can't tell you!" We don't ... you know, people that are, are resisting homogenization continue to talk ... I learned to talk directions ... our directions are in landscape, not in east, west, north south. That's the man's description. Local people talk, "You go up river, you go down river." You know, you, you don't talk, you know, north, south, east, west. Up river, down river. That's what makes us different! ... It's the way a body resembles your landscape. It's how you reflect and connect your body to your landscape (Poff, 2008).

... I thought, I always remember the first time I knew where I was from was when I went to West Virginia, and went more east in West Virginia. ... and the further east I got you know, it was beautiful ... the rivers clean, crystal clear and I, you know to me ... I thought at the time, "Now this is the mountains!" I am in the mountains here, but this is really different ... you know, and that, I think that helps you get perspective on who you are and where you're from when you travel and meet other people, and ... but I guess that experience, I knew I was still in Appalachia but I thought, "this place ain't tore all to hell, now why is that?" You know? (Miller, 2008)

Commonalities, however, also form the basis for recognizing the self in the other. While not all from the same geographic location themselves, members of the Delegation identified with people from other regions whose homes or local geography had also been degraded or devastated by

energy extraction. Although they have not been back to the UN since 2007, they began to form ties with people from other countries, some of whom even came to visit them in their homes. A reporter from Sweden and two representatives from Germany visited Johnny and Jean. Luke Garvin has had several international visitors at Kayford Mountain, although some of these individuals were not associated with the UN trip. The Delegation also made connections with people from the Navajo nation, who are experiencing problems due to mining; people from England who were advocating alternative energies, and most notably, members of the Youth Delegation to the CSD, who were extremely knowledgeable and enthusiastic about alternative energy technologies. Several Delegation members took hope and encouragement from these youth:

The education caucus was horrible! Just horrible! Nobody was there they argued for a good 30 minutes over who was goin' to chair the next day's, um meeting ... But now the youth caucus made up for it. Oh my god they were awesome! There was standing room only and sittin' in the floor to get in there. There were so many kids, they were so bright, they were so energetic. they also took turns. I don't know if that's a rule cuz you know that's the only, one and only time I've been. they also took turns chairing, and the day, the first day ... I was totally amazed, um the boy from Australia). And they had, he said, "and tomorrow I want, or when we meet back this evening I want poetry and I want ..." He wanted other fields brought in to emphasize the stuff. And they already had it done, one would hold up something before you even asked for it!

Bourdieu wrote of the functioning of a "cultural field" and the related circulation of "cultural capital". These are legitimated by outside forces; however, I address the functioning of two particular forms of cultural capital, and their role in re-cognizing Appalachia (the Coalfields Delegation). Cultural capital is complex in that it also forms a basis for publicity, in the form of written works, performance, and public expression. Following Bourdieu and Michael Warner—the cultural field would include the written, artistic, and cultural expressions of the Coalfields Delegation as forms of capital. Sculpture, music, and theater were used in support of its mission.

The Coalfields Delegation utilized these forms strategically during its trip to the UN, both to build relationships with groups from other countries and to challenge the legitimacy of those who opposed them.

Bourdieu viewed cultural capital as a matter of distinction, measured in education in terms of years and degrees. However, in terms of tactical mobility—knowledge that enables one to struggle for recognition—this is hard-won through years of grassroots activism. In their interviews, Mandy and Alice discussed educating people about the hazards associated with mountaintop removal. This type of knowledge stems from one’s situatedness in a region that has long been marginalized and exploited for the economic benefit of others. It is for this reason that the Coalfields Delegation pursued a deliberate strategy of re-cognizing their cultural status, the main strategy emphasized by grassroots organizers in preparation for the UN meetings was simply to “tell your story”.

This was, however, not the only strategy pursued, and it would be incomplete to ignore the role of professional organizers from KFTC and SOCM. These organizations equip coalfields residents with the political skills they need to advocate for political change. It is interesting to note, however, the differences in perspective between professional organizers and individuals with more classical “knowledge capital” on the one hand, and grassroots activists on the other hand. Organizers were much more concerned with preparation and capacity. These individuals talked about a lack of knowledge of the playing field, and how they could have approached the Forum more effectively with more preparation. By contrast, the grassroots activists spoke of the UN experience in largely positive terms, emphasizing the goal of exposing the United States, taking advantage of media opportunities, and presenting evidence of the devastation of mountaintop removal. Grassroots activists and citizens saw such opportunities for publicity as

critical to gaining ground in the fight against the coal companies.

Through its consciousness of media and development of resistance tactics, the Coalfields Delegation specifically set itself off as a counterpublic within a US public sphere that takes cheap energy for granted. The delegates did this through noticeable symbols, statements, public actions outside of the UN, planned events, and the arts. They went from being counterpublics at the local and state levels to being a counterpublic at the national and international levels. Their message was explicitly to challenge the US public characterization of itself:

Uh, anyway, when I went to the United Nations I kind of elected myself to the job of trying to embarrass the United States (Garvin, 2008).

what we wanted to do was essentially, “I’m tellin’ on you! You know, quit pretendin’ to be this socially, you know acceptable entity. You know, the good guy, when you’re abusing people in your own country! So, we was like we’re tellin’ we’re tellin’! (Poff, 2008).

They navigated the UN by building relationships with other delegates, building on lessons learned at the local, state, and national levels. And although many questioned the final outcome, they gained skills that would enable them to return. Through their stories, they were able to gain recognition, primarily from other delegates and through the media. But, and perhaps most significantly, the trip also changed the way they saw themselves.

## **Conclusion**

The concept of culture is contentious from a number of scholarly and disciplinary perspectives, as I have discussed. While some question whether there is such a thing as culture, others consider it reifying and reductionist, focusing on stereotypes that can be appropriated by dominant groups. Multiculturalism is regarded as a flat, unrealistic concept in which historic

differences in power are blithely glossed over. However, culture, as represented through personal history, tradition, geography of origin, connection to a particular lived environment, is part of Bourdieu's habitus, a set of characteristics through which one sees and operates in the world. At the same time, habitus is double-edged, capable of being used by powerful groups to subjugate others based upon stereotypes, or conceptions of relative cultural capital. It is therefore important to take seriously the cautionary perspectives of Reid and Taylor (2002), Smith (2002), and Fraser (2000a). The task of Fraser's counterpublics, therefore, is to destabilize the recognition order. Coalfields activists accomplished this by strategically using aspects of their culture to raise awareness about the travesty of mountaintop removal. In the process, they re-aligned their identification to include groups from other nations that are similarly exploited. As Appadurai, Brown and Spivak might argue, Delegates regarded their cultural identity in a future-oriented sense, using it to claim certain aspects of commonality as worthy of dignifying, but at the same time, maintaining control over their self-definition. This process begins prior to public recognition, as pre-political groups begin to organize themselves as counterpublics, yet continues to change as habitus evolves. Thus culture, as an aspect of habitus, is multi-faceted and changeable. Much as it can be used to stabilize one's position within a recognition order, based upon a historicism that valorizes dominant groups, culture can also be directed towards future change in the service of revolutionary practice.

### **Interlude: Coal Miner's Daughter**

Lisa Poff's family had been West Virginia coal miners for generations before her home was directly affected by MTR operations:

... As a coal miners daughter and granddaughter ... you know my ancestors – grandfather and father were coal miners, my brother and my family were all coal miners. But my ancestors dates back here in this valley in the late 1700s. And so we, we were mountaineers long before we were coal miners. And so, you know that's, that's something that some people forget. They forget the fact that, that these mountains were here long before coal mining was here, and they tend to forget that and, and need to be reminded of that.

... Basically, Massey Energy, a coal company, moved into my holler where generations of my family had lived, about 1995 or 1996, I think it was 1996 they moved in. And, they started to pollute the water. They had, there was a black water spill. It was very highly visible, the black water spills were. And, there were fish kills and my grandson stood in a stream full of dead fish when he was 6 years old. And um, there was coal dust all over everything in my home, outside my home, in my grandson's lungs, in our lungs. So, it, it was just a, a awakening of irresponsible mining. And I've never dealt, I mean, you know I've been, lived here all of my life and, like I say I have an intimate relationship with the coal industry. But this was ... different, it was very different to me in, in, in the way that Massey went about mining this coal and it's so openly, blatantly, irresponsible, in your face ... Um, didn't even try to hide it so ... So concern, anger, frustration, um fear made me an activist

When asked whether she had been politically active prior to the destruction of her property, Lisa responded:

No, but I'd always been vocal and opinionated, you know? And, and my mother you know, she was involved and during election time she would haul people to vote. My mother was very vocal about the coal industry and the abuses of the coal industry. And so, you know I had, I had to listen to her. And so I had been, always been a very vocal person. So it just ... everything clicked together. Everything clicked. I think the most ardent passionate activist is one who has just been blasted, flooded, dusted or has, has seen something horrendous. And so that kinda clicked with me. And then I found out that not only you know, was there coal mining. That's when I found out that coal owned the politicians in this state, from the dog catcher all the way up to, to the governor. Yeah, I found that out, yeah. (Poff, 2008).

## Chapter 6: Representation

*And then, personally, it was um, it was a good thing to see that there's a lot of other people that, that's basically fighting, basically the same thing that I am, only on a different level, maybe a different uh, fossil fuel, we'll say. But, and it, it makes you realize ... when you come from the hollers here, I mean you, you tend to forget about the rest of the world. You know, you tend to forget that, you know, there's another side of the globe. Yeah, and you never ... nothin' ever happens here, we're the last place to get news, you know. And it helps you to realize that, that there's a whole nation, a whole globe, of people out there that's sufferin' (Paterson, 2008).*

### Introduction

Arguably, the Coalfields Delegation formed due to a lack of representation at the local, state, and national levels, and thus sought to achieve that political standing at the global level. It is useful to consider what they were seeking, or perhaps more specifically, what representation means at the transnational level. Among their stated goals was to have the Delegation's needs represented in the final UNCSO document. As such, their actions constitute representational politics defined differently, within the context of global civil society. Implicitly, the Delegation was seeking to realign geographic space, such that the political was no longer defined in terms of nested political centers, each variously colonized by economic power. In the context of the UN, they found similarities with other groups seeking representation in their own nations. While these contacts have not yet resulted in active coalitions, the Delegation's members nevertheless began to identify with others whom they perceived as having similarly assigned cultural status and marginalization based upon economic power. This chapter explores the idea of transnational representation, considering the reasons why the Coalfields Delegation decided to pursue justice at the transnational level. I also analyze the Delegation's reception and experiences at the UN, and the trip's impact on their ongoing resistance strategies.

## Going Global

In many ways, the UN trip was a natural outgrowth of recent activism across Appalachia. The analysis presented in Chapter 3 concerning regional resistance movements suggested that area activists have developed a level of comfort with making appeals at the state and national levels. These advocates' consistent work over the past 5 years (2005-2010) to restore language to the Clean Water Act regarding stream pollution attests to the persistence required, as well as the strategies involved in representational politics. In lobbying US Congressional representatives, Appalachian activists have adopted a multi-spectrum approach that includes organizers providing training on message, distribution of information on mountaintop removal and its impacts, and finally, direct visits to elected representatives and their staffs. From working extensively at the state and national levels, the Delegation's process of "framing up" to the global level was not without precedent. There had been several past efforts to situate the plight of Appalachian citizens within a global context.

For example, in 1992, textile workers from Morristown, Tennessee made a trip to the maquiladoras on the Mexican border (Weinbaum, 2004). These employees from rural Tennessee banded together after experiencing layoffs due to job migration. Their attitude prior to the Mexico trip had been one of blame; they had adopted the position that Mexican workers were taking their jobs. Seeing the working conditions in the maquiladoras, however, changed their perspective:

The activists were again figuring out global political and economic issues that most of the country would take years to understand. They discussed the situation in Mexico and compared it to their own. The poverty among workers at American-owned plants was shocking. As one participant said, 'The whole thing shocked me to death. I had seen pictures, I had seen it on ~ but I never ever dreamed what I saw with



my own eyes.... I think my heart sunk to my stomach. I thought, 'This is not for real. They don't treat human beings like this. People don't do this.' But they do.... It's something you'll never forget.... It changed something inside me. We got to talk to some of the workers [in Mexico], and it made me realize, too, that we've got some of the same problems here that they have there' (Weinbaum, 2004, p. 236).

In addition to identifying with the Mexican workers' exploitation, these members of the Tennessee Industrial Renewal Network (TIRN) shifted their thinking from a primarily local level to a higher plane of analysis. Weinbaum (2004) has argued the trip and subsequent exchange caused workers to develop a more global analysis of their situation:

The workers from East Tennessee began to think in terms of a political economy. They began to connect economic exploitation and injustice with political decisions and government action. They developed an analysis that placed large corporations alongside the U.S. government in a regime that created and perpetuated great poverty and great wealth. This understanding was more grounded and sophisticated than almost any popular or intellectual analysis of the global economy in the early 1990s. ...As a result, the ... members became well informed about issues like NAFTA, trade policy, and fast-track authority, even before the subjects were debated prominently in national politics (Weinbaum, 2004, p. 237).

In 2003, Mandy Kilgore and Gerry Hart, members of Kentuckians for the Commonwealth, traveled as part of a larger US delegation to the World Social Forum in Brazil. They studied with the Delegation for a year, learning about international treaties such as the General Agreement on Tariffs and Trade (GATT) and the North American Free Trade Agreement (NAFTA) and organizations such as the World Bank and the International Monetary Fund. As Kilgore recalled in an interview:

One of my missions was to find out, 'Why do people hate us?' you know? And this was before the Iraq war. We know, so we know why they hate us now! But this was before the Bush ... war. And, and one of the things that I came out of it thinking was, most of the corporations are housed in North America, you know? ...And our Congress really has a little bit of say about it - a little bit of say. Moreso than anyone else. So you know, all of these corporations being housed in

North America and then they go into these undeveloped countries, and, and you know they say, 'Ok we'll locate our factory here but you have to cut funding for social services. You have to do this. You have to do that.' And you know most people don't know that the whole world is ruled by all these treaties. They have no clue that your life is ruled by GATT and NAFTA and, and all of these other treaties. And, and so they actually feel that it's the people from the United States or North America that's actually oppressing them like this. And they don't understand that, you know these corporations are oppressing our people just as well as they are your people. So, that's what I come out of, that's why they hate us so bad is because of, of the fact that most of these corporations are housed in North America. And when they found out that there was oppression, and social injustice, and environmental injustice in the United States, they were just totally shocked! It's like, 'Oh yeah! Come to Appalachia! We'll show you a little third world country.' (Kilgore, 2008).

Two other members of Kentuckians for the Commonwealth visited Colombia in 2008 as part of a delegation from the group "Witness for Peace." They visited the country's coalfields in order to "connect the destruction happening in Colombia with stories from Appalachian communities being devastated by mountaintop removal mining. ... The group visited several indigenous and Afro-Colombian communities ... displaced by coal companies moving in and mining their land" ("KFTC members return from coal tour of Colombia," 2008). But they also found key differences, according to one delegate:

Here in America, we're worried about our X-Boxes and what color our cell phones are. To witness what's happening in the rest of the world, to feel their words, their sorrow and despair wash over you—it changed me. I've already started doing things differently when it comes to what I buy and how I use electricity. I'm not going to do anything that fuels other people's despair and hurt. I've talked to my family and we're definitely going to ween (sic) ourselves off of what we don't need ("KFTC members return from coal tour of Colombia," 2008).

These sorts of observations show Appalachian coalfields residents making personal connections between their own plight and that of others similarly situated in other nations, as well as their shared experience of the exploitive conditions of globalization.

These global efforts attest to the perception that the "place" of Appalachia has historically

been ill served by local, state, and ultimately national legal authorities. At the heart of the cases discussed above is a deliberate challenge to the phenomenon known as “the state”. Much organizing has focused on working within established legal boundaries—petitioning local governments; lobbying at the state and federal level, and increasingly challenging the nation-state in a global forum.

For some time, a group of residents across the Appalachian region had considered taking their concerns to the UN. Two of them, Marie Cirillo and Steve Owen, had attended sessions of the UNCSD. Around the same time, a Berea College student, Danielle Jones, visited the World Social Forum in Brazil. In an interview, Jones expressed to me her horror at the lack of representation at the Forum. After she arrived, the event’s organizers announced that they could not accommodate all the people who had come to participate and that a lottery would be used to select some individuals to attend each day, while the remainder waited outside. Jones met people whose communities had saved for years to send them to the Forum, only to have them be required to wait outside for a possible turn to participate. This experience steeled Jones in her determination to facilitate global representation, particularly for the Appalachian region. A Compton Mentor Fellowship enabled her to work alongside Steve, Marie, Luke Garvin, and others to organize the Coalfields Delegation (D. Jones, 2008).

The call to “go global”, although noted by many scholars (Appadurai, 1996; Escobar, 1995; Harvey, 2005) is far from straightforward. This is due to both economic and cultural challenges, but also to a global terrain that is difficult to characterize politically. While intra-national politics has clear structures within which to make claims, and systems that ostensibly exist to respond to specific concerns and to enforce laws, such authoritative mechanisms are weak or non-existent at the global level. Where they exist, many have argued they are toothless

(as has been suggested in the case of the UN), or in service to the values of global neoliberalism (as has been charged of the Bretton-Woods institutions, including the IMF and the World Bank). While the Coalfields Delegation appealed to a particular transnational forum, the United Nations Commission on Sustainable Development, their experiences can, I believe, extend to other citizen-based groups and their prospects for political appeals in various transnational forums.

### **Theories of the Translational Public Sphere**

To understand better political claims making at the transnational level, I first explore selected theories of the transnational public sphere. In particular, I examine theories that:

- emphasize the relationship between the political, cultural, and economic in constituting habitus;
- demonstrate how struggles, animated by habitus, interact in a larger (global) field of contestation;
- examine political representation as a function of the local/global dialectic; and
- demonstrate interlinking between the local and global.

This analysis therefore tells the story of a journey from private and individual subject formation to the constitution of the political subject, to the formation of a common political counterpublic, to its eventual expression in the transnational public sphere. But what is the transnational public sphere?

#### **Fraser's theories of reframing and representation.**

On this subject, Nancy Fraser has been a key voice among scholars investigating the transnational public sphere (for example Brenner, 1999; Calhoun, 2002; Habermas, 2001).

Beginning with the elements of her dual-systems theory, she now includes a third dimension:

Henceforth, redistribution and recognition must be related to representation, which allows us to problematise governance structures and decision-making procedures. Explicitly thematising the problem of the frame, this notion points to yet another class of obstacles to justice: neither economic nor cultural, but political. Representation, accordingly, constitutes a third, political dimension of social justice, alongside the (economic) dimension of redistribution and the (cultural) dimension of recognition (Hrubic, 2004, p. 887).

I elaborate on this political dimension below. But first, I explore the relationship between Fraser's three dimensions.

Early in this research, I posed the problematic of whether the Coalfields Delegation could expect responsiveness from a state in which the sovereign is displaced to corporate, market-based institutions. It is easy to contend that these same entities have already colonized the transnational public sphere. Thus, at worst, the transnational may be no more nor less responsive than the state. And yet, the Delegation's concerns were already global. Under these circumstances, Fraser has argued that

(the) state is one frame among others in an emerging new multi-leveled structure. In this situation, deliberations about institutionalizing justice must take care to pose questions at the right level, (emphasis added), determining which matters are genuinely national, which local, which regional, and which global (Fraser & Honneth, 2003, p. 88).

The economic, the cultural, and the political are co-implicated in complex ways, Fraser argues, sometimes at the expense of each other. For example, she suggests that, with respect to the women's movement (and, by inference, other movements), the economic has been neglected to its own peril.

After all, this capitalism would much prefer to confront claims for recognition over claims for redistribution, as it builds a new regime of accumulation on the cornerstone of women's waged labour, and seeks to disembody markets from social

regulation in order to operate all the more freely on a global scale(Fraser, 2009, p. 113).

Fraser attributes the rise of global neoliberalism to movements' inattention to the economic dimension of the public sphere. I argue the origins of neoliberalism are as much systemic as they are a product of lack of agency; likely more so. But Fraser contends the women's movement has been unwittingly co-opted by neo-liberal forces. As Bourdieu might also argue, in Fraser's view activists have misrecognized global neoliberalism and have unwittingly strengthened and legitimated its structure. Reid and Taylor (2002) have contended similarly that Appalachian cultural concerns have eclipsed the global. The Delegation's problems are surely economic and cultural, but they also arise from global market forces and from the inability or lack of will of the US state to control or curtail the market.

### **Global economic versus cultural.**

Thus seamlessly knitting together the cultural, the economic, and the political is a delicate balancing act, particularly without neglecting any one concept. While his cultural field differs from Fraser's cultural dimension; Bourdieu nevertheless better emphasizes that the three are bound together in complex ways. Bourdieu would view Fraser's cultural field as a functional cognate to the economic and the political. That is, all three function together to produce a power structure. The Coalfields Delegation's struggles can be viewed in the context of these three dimensions:

- Redistribution: as Honneth (2003) suggests, cannot be simply a matter of a fixed pie, I gain, you lose mentality. Further, it is clear that the Delegation is not the only group that is losing, and they know that. It makes sense to see the delegation within the entire system of economic neo-liberalism, which is global.
- Recognition: at the same time, was multi-faceted when the delegation took the step to the global. 1) they sought recognition through cultural statements, but also

sought to re-cognize Appalachian; 2) in the process, they themselves began to re-cognize their struggle within a global context.

- Representation: involved targeting their claims at the *meta-political* level (Nancy Fraser, 2005, p. 86). Authorities tried to de-politicize the delegation by suggesting that they would not get anything accomplished at the UN, yet it is clear that extraction issues constitute part of the problem of creative destruction (Harvey, 2007, p. 22). However, they also saw the workings of the economic and the global as a direct threat to culture, in terms of seeing human concerns as an inconvenience and trying to depopulate the coalfields.

So viewed, each dimension, the political, the cultural, and the economic is tied up with the others and each is relevant to the overall struggles of the Delegation. Maintaining this delicate balance is part of the challenge articulated by Reid and Taylor (2002):

Or, are we capable of engaging the challenge of citizen action groups aiming at sustainable communities by helping forge a critical politics of place and region that refuses to allow the earth to be reduced to global economic space? It is this global terrain of social, political and cultural conflict that must be conceptualized better (Reid & Taylor, 2002, p. 10).

However, conceptualizing representation at the global level is difficult as one considers to what body or to whom one might appeal for representation. Fraser notes several examples of how this occurs. She cites the European Union as a transnational target of feminism. However:

Europe ... is by no means the only site for this third phase of feminist politics. Equally important are the transnational spaces surrounding the various United Nations agencies and the World Social Forum. There, too, feminists are joining other progressive transnational actors, including environmentalists, development activists, and indigenous peoples, in challenging linked injustices of maldistribution, misrecognition, and misrepresentation (N. Fraser, 2005b, p. 305).

For specific groups seeking representation at the transnational level, there are compelling reasons to go outside of the state to seek and take action on political issues. This is due to increasing awareness that, for many issues, injustice stems from entities operating outside of a single state (such as offshore powers, as Fraser states below) insufficiently checked by state authority and capacities:

As (feminists) see it, that frame is a major vehicle of injustice, as it partitions political space in ways that block many women from challenging the forces that oppress them. Channeling their claims into the domestic political spaces of relatively powerless, if not wholly failed, states, this frame insulates offshore powers from critique and control. Among those shielded from the reach of justice are more powerful predator states and transnational private powers, including foreign investors and creditors, international currency speculators, and transnational corporations. Also protected are the governance structures of the global economy, which set exploitative terms of interaction and then exempt them from democratic control. Finally, the state-territorial frame is self-insulating; the architecture of the interstate system protects the very partitioning of political space that it institutionalizes, effectively excluding transnational democratic decision-making on issues of gender justice (N. Fraser, 2005b, p. 304).

Clearly, certain states and corporations are instrumental in the plight of coalfields residents, both at the corporate level as well as at that of the end-consumers of Appalachian coal in the United States and Europe. Indeed, coal as a form of energy is implicated in transnational battles over reducing the levels of greenhouse gases as well as addressing human rights issues of environmental justice caused by fossil fuel extraction. These represent a few of the many issues that long have been transnational, but are only recently being recognized as overflowing state capacity to administer justice:

Faced with global warming, the spread of AIDS, international terrorism, and superpower unilateralism, feminists in this phase believe that women's chances for living good lives depend at least as much on processes that trespass the borders of territorial states as on those contained within them (N. Fraser, 2005b, p. 304).

Indeed, the sorts of issues I refer to are inherently transnational, yet the average citizen does not see herself within global webs of connections. Fraser raises two key problems that arise from the frequent failure to look beyond the state for justice. The first she calls misframing: "Misframing arises when the state-territorial frame is imposed on transnational sources of injustice" (N. Fraser, 2005b, p. 305).



The second is misrepresentation, which, for Fraser:

... occurs when political boundaries and/or decision rules function to deny some people, wrongly, the possibility of participating on a par with others in social interaction—including, but not only, in political arenas (N. Fraser, 2005a, p. 76).

One might ask whether both mis-framing and misrepresentation are applicable to the Coalfields Delegation. Because actors outside of the US are implicated in the extraction and consumption of coal, the charge of mis-framing applies. But misrepresentation also occurs, as Fraser observes: “Insofar as political decision rules wrongly deny some of the included the chance to participate fully, as peers, the injustice is what I call ordinary-political misrepresentation” (N. Fraser, 2005a, p. 76). Certainly such laws and procedures—that insulate corporations from the consequences of externalities, allow them to characterize slurry pond and fly-ash compound breakage as “acts of God”, and indemnify them from responsibility for property damage—deny full participation to coalfields residents. But misrepresentation can also arise when:

states and transnational elites monopolize the activity of frame-setting, denying voice to those who may be harmed in the process, and blocking creation of democratic arenas where the latter’s claims can be vetted and redressed (N. Fraser, 2005a, p. 85).

Together, these forms of political misrepresentation reinforce economic marginalization and cultural misrecognition:

Akin to the loss of what Hannah Arendt called ‘the right to have rights’, that sort of misframing is a kind of ‘political death’. Those who suffer it may become objects of charity or benevolence. But deprived of the possibility of authoring first-order claims, they become non-persons with respect to justice (N. Fraser, 2005a, p. 77).

That is, when their protests against the conditions of capitalist creative destruction are unsuccessful, coalfields residents are re-subjected to pity and characterizations of poverty and

lack of progress.

The problems of misrepresentation and mis-framing clarify two key features of this third, political dimension. Misrepresentation implies matters of procedure, policy, and lawmaking. Mis-framing, however, involves matters of space. In dealing with the transnational political, both must be addressed. It is true that national-level politics also involves the spatial dimension, in that representation occurs at multiple scales. Coalfields activists have raised their concerns at the local, state, and national levels. In seeking justice at the transnational level, not only did the Delegation appeal for policy change in the form of the official CSD statement on sustainability, but they also voiced a problem that, by implication, is politically relevant to other populations throughout the world.

### **Representation in the transnational public sphere.**

What is representation within the transnational realm? While there are many theorists who would do away with the Westphalian state, the governance problems that arise from that structure still demand attention. Fraser is also among those who would argue that the modern state is, empirically, an arbitrary container. However, she is not simply content to theorize assuming its absence. Rather, Fraser wishes to re-construct the concept of the public sphere *outside* of the nation-state.

Fraser argues that this is not a self-evident path. The phenomenon of the public sphere, as articulated by Habermas, assumes political claims are:

- 1) addressed to a Westphalian state;
- 2) advanced by members of a bounded political community;
- 3) located in a capitalist market economy that was legally constituted and is in principle subject to state regulation;
- 4) able to access a national communications infrastructure;

- 5) able to take place in a forum that was fully comprehensible and linguistically transparent; and
- 6) made by private individuals (who) envisioned themselves as members of a public (Fraser, 2007, pp. 9-10).

Fraser systematically addresses each of these conditions arriving at two ideas “essential to the concept of the public sphere in democratic theory” (Fraser, 2007, pp. 7-8) These are normative legitimacy and the political efficacy of public opinion (p. 7). Given the conditions above, she contends it is difficult to conceive of the functioning of these two dimensions in a transnational public sphere. However, this conclusion assumes these same conditions were applicable within states. I have already discussed the problem of misrepresentation above. Suffice it to say that people cannot take for granted they are members of a bounded political community when power-holders are free to define that community’s legitimacy as they choose. Thus, condition 6, private individuals who see themselves as a public, is likewise fallacious. The Delegation members decidedly envisioned themselves as legitimate when they approached the UN. Further, national communications infrastructures are now transnational and the Coalfields Delegation availed itself of such media. And conditions of comprehensibility and transparency arguably are not present in our national government today. More problematic is the question of how a group or individual gains legitimacy absent a legitimate (legal) recognizer. As Fraser has suggested:

More specifically, can we still meaningfully interrogate the legitimacy of public opinion when the interlocutors do not constitute a demos or political citizenry? And what could legitimacy mean in such a context? Likewise, can we still meaningfully interrogate the efficacy of public opinion when it is not addressed to a sovereign state that is capable in principle of regulating its territory and solving its citizens’ problems in the public interest? And what could efficacy mean in this situation? Absent satisfactory answers to these questions, we lack a usable critical theory of the public sphere (Fraser, 2007, p. 15).

Still, the nation-state is a leaky vessel, nearly deconstructing itself. As Brenner (1999) argues,

capitalism is always in a process of territorialization, deterritorialization, and reterritorialization (p. 64). Thus it is possible for non-national publics to affect national policy as perhaps occurred when Canada was the first nation state to provide relief efforts in the aftermath of Hurricane Katrina in the United States. And it is more than possible for nations to legitimate and de-legitimate publics in other states as, for example, via the slippery definition of terrorism. (I note that the impact of US characterizations of terrorism is certainly an open question). And, if left to the whims of a national or international news media that seems to find public appeals for justice far from newsworthy, many would-be publics are left voiceless. Further, such groups as the Center for Media and Democracy (<http://www.prwatch.org/>) and the National Conference for Media Reform ([http://www.freepress.net/get\\_involved/ncmr](http://www.freepress.net/get_involved/ncmr)) have critiqued the US national media.

Still, listing the holes in views of the national public sphere does not get us closer to a theory of the transnational public sphere. Fraser argues that many important questions have simply not been explored because the bounds of the state were taken for granted. Therefore, she proposes the legitimacy principle be broken into two separate concepts:

Inclusiveness - (who?) discussion must in principle be open to all with a stake in the outcome.

Participatory parity - (how?) all interlocutors must, in principle, enjoy roughly equal chances to state their views, place issues on the agenda, question the tacit and explicit assumptions of others, switch levels as needed and generally receive a fair hearing (Fraser, 2007, p. 20).

Fraser argues that the inclusiveness condition was regarded as a foregone conclusion within the nation state. Yet, I suggest, both in theory and in practice, the *who* is frequently restricted by the “who makes decisions”, the “how”, and the “how it has always been” (see, for example, Lukes (2005); for under-theorized concepts of the *who*, see Gray (1989), Weber (2000), Innes (1998),

etc.). It is also clear that while considerable theoretical attention has been given to matters of “procedural justice” (Rawls, (2000); Thibaut and Walker, (1975); Folger, (1977); Lind & Tyler, (1988); Shapiro & Buttner, (1988); Greenberg, (1990)); Fraser’s notion of justice also seems to imply distributive, restorative, interactional, and possibly other forms as well. She argues that Habermas may have already addressed the problem of inclusiveness through his “all affected” principle (Nancy Fraser, 2005, p. 82). However, it is difficult to imagine how such a concept might function at the transnational level.

In terms of her second concept essential to a democratic public sphere, that of efficacy, Fraser also articulates two dimensions:

Translation: the communicative power generated in civil society must be translated first into binding laws and then into administrative power. (This involves) the flow of communicative power from civil society to the public power.

Capacity: the public power must be able to implement the discursively formed will to which it is responsible. ...The capacity condition concerns the ability of the administrative power to realize the public’s designs, both negatively, by reining in private powers, and positively, by solving its problems and organizing common life in accord with its wishes (Fraser, 2007, p. 22).

Again, it is difficult to secure these possibilities at the transnational level. Whereas policy can be generated, there is no transnational force (conserving violence) that can enforce it. Likewise, entities operating at the transnational level have limited power to control private powers or capacity to address collective public problems. Fraser is well aware of these limitations.

However, her intent is to begin a discussion of the conditions that a transnational public sphere should meet. She observes:

The challenge, accordingly, is twofold: on the one, hand, to create new, transnational public powers; on the other, to make them accountable to new, transnational public spheres (Fraser, 2007, p. 23).

## **Bourdieu.**

In response to Fraser, Bourdieu might argue that publics are always already included, however, their efficacy and legitimacy are limited. For Bourdieu, publics are always present in the public sphere; however they are more or less represented based upon their level of power. It is not so much a matter of publics failing to prove their legitimacy and realize their efficacy. Rather, dominant groups determine the status quo for both concepts, to which groups of lesser power must compare themselves. To understand his argument better, I next analyze Bourdieu's concept of the field.

It is important to stipulate first that Bourdieu's economic, cultural, and political fields do not map neatly onto Fraser's dimensions of the public sphere. His economic field is the most analogous. However, while Fraser's cultural field contends with matters of identity and status, Bourdieu's field is constituted by signifiers of cultural distinction, including education, appreciation for the arts, etc. And his political field deals not with issues of representation, but rather in the circulation of legitimacy and political power that operate across all of Fraser's dimensions. In terms of the transnational, Bourdieu was highly skeptical of the idea of "globalization", arguing that it is far from a new phenomenon, and seeing it more as a case of misrecognition within the economic field:

'(G)lobalisation' is not a new phase of capitalism, but a 'rhetoric' invoked by governments in order to justify their voluntary surrender to the financial markets and their conversion to a fiduciary conception of the firm. Far from being—as we are constantly told—the inevitable result of the growth of foreign trade, deindustrialization, growing inequality and the retrenchment of social policies are the result of domestic political decisions that reflect the tipping of the balance of class forces in favour of the owners of capital (Bourdieu & Wacquant, 2001, p. 4).

My interest in comparing Bourdieu and Fraser is two-fold: 1) he is clear about the inter-relatedness of the fields he posits and 2) his fields are imbued with a certain logic from which

Fraser's three dimensions could benefit. Bourdieu's fields are specifically constituted by flows of capital, whether cultural, economic, etc. Bourdieu argues further that movement in fields is constituted primarily along two factors: the level of institutionalization of the field (i.e., its level of resistance to change); and the accumulation of relevant forms of capital among actors in the field. He contends resources *can* be transferred from actors with greater capital to those with less. However, Bourdieu's characterization of the field is an underlying condition in which habitus defines a person's position in the field, from which they are unlikely to move without acquiring more capital. Not only does this seem deterministic, but it also limits the amount and types of agency actors are likely to possess.

This is the field as baseline, before it is populated with actors. Bourdieu argues that the baseline field institutes a doxa, with respect to which there are two forms of response: orthodoxy and heterodoxy. The dominant positions within the field have the power to determine what constitutes orthodoxy, that which appears "natural" and taken for granted. As an ideal, social movements may adopt heterodoxy in order to challenge the order of the field. But Bourdieu argues that most practice tends to reproduce orthodoxy and that fields are not likely to change. However, movements can challenge a field through heterodoxy. The importance of the field cannot be overestimated for several reasons. First, many, if not most, people will not question the institutional ordering on a given issue or point of contention. This is not to say they are politically inert, but rather that their participation is likely to support, rather than challenge, the field. Secondly, there is significant social pressure against 'heretical' practices and heterodox actions, such that people who resist may sacrifice a great deal in doing so. Finally, fields are not easy to change. It requires repeated effort and great difficulty to achieve victories. As Friedland (2009) has argued:

“Space” is rather an aspect of all fields: Social structure is twice objectified: in the human body as habitus and in the spatio-temporal organization of persons and objects in the world (Friedland, 2009, p. 889).

These observations can enhance our understanding of the development of counterpublics. From their pre-political origins, their members recognize, implicitly or explicitly, the difficulty of realizing change and may or may not emerge into collectivities. As counterpublics they validate members’ concerns while providing a place for developing political capabilities. As they begin to articulate their concerns as “needs talk,” repeated failure and disappointment either defeats them or steels their resolve to push forward in the face of significant social inertia.

Returning to an argument considered in Chapter 5, while Fraser and Bourdieu both advocate for the formation of social movements (or counterpublics), I emphasize a different kind of practical currency, that of relationships. It is unclear where counterpublics arise from in relation to Fraser’s public sphere and Bourdieu’s fields. I restate the argument in a more Aristotelian form by envisioning the space of fields and public spheres as an amorphous terrain without beginning or end (metaphysics). It is only collectively constructed meanings that give rise to people and things within space. From this premise, it follows that ideas of the economic, the cultural, and the political help to form both individuals and structures. However, these axes of meaning are arbitrary and man-made.

I now turn to interactions between publics and political actors in such specifically structured subfields of capital. The Delegation’s story cannot be told simply as a tale of accumulating resources in order to succeed. It is instead a journey of the individual and collective habitus (habiti) with respect to a specific field, that of the transnational public sphere. As Fraser argues, a part of the struggle is the fight to determine the constitution of the transnational public sphere(s) itself; that is, actors are both creating the field *and* changing their



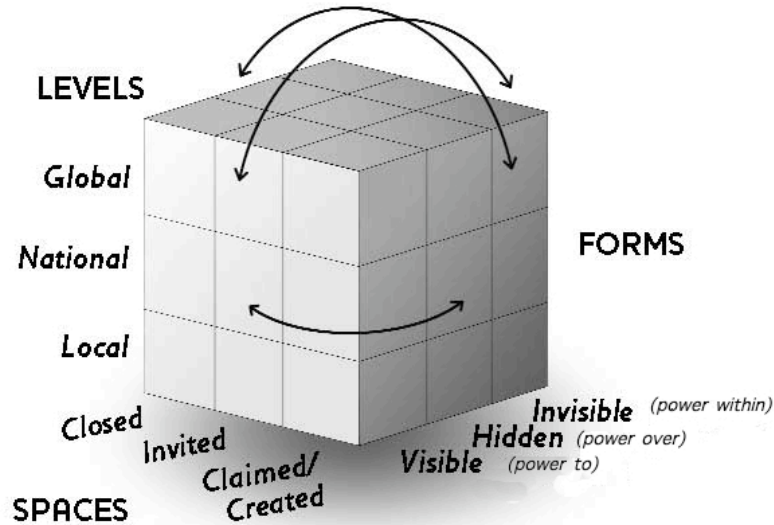
individual habituses simultaneously. But they do so in interaction (both dialogic *and* agonistic) with other individuals. They both constitute and are constituted by the field at once.

Again, my interest is in taking the field out of its specific ordering to focus on the actors themselves. But I also wish to characterize these collectivities (counterpublics) as a space of “imagination”, particularly with respect to the putative transnational public sphere. This is critical in defining the world today if we are to think in terms of transformational possibility. If we define the world according to “rational actors” behaving in their perceived “rational self-interest” in a constant pursuit of resources and primacy, we can expect little more than other countries following the US as it rapidly outstrips the earth’s finite resources. If, by contrast, we view networks of political actors of varying motivations, cognizant of the perils of climate change and the flows of borderless externalities, it is easier to envision building relationships towards sustainable societies. However, the precise nature of neoliberalism was never a foregone conclusion, but rather a creation of actors and structures of power. The recent re-distribution of wealth from the poor to the super-rich should in no way be taken as the natural order of things. In re-ifying that particular structure as *realpolitik*, we willingly submit to it, just as we accept to structures of cultural valuation and political Westphalianism. Fraser’s goal of “transformation” depends upon deconstructing just these sorts of assumptions.

To consider how the Coalfields Delegation reflected the development of political networks that challenge the neo-liberal order, we can turn to a model advanced by John Gaventa (2006, p. 25), who has argued that political struggle takes place in three dimensions:

Figure 6.1

The 'power cube': the levels, spaces and forms of power



**Source:** Gaventa, J. (2006). Finding the Spaces for Change: A Power Analysis. *IDS Bulletin, Institute of Development Studies*, 37(6), 23-33.

Delegation members clearly sought to address all three of these dimensions: the local, the national, and the global. It can also be argued that in the process of participating in the UN-CSD, they also encountered and addressed Gaventa's three forms of participatory power. These included the visible, in which they were directly rebuffed by the official US delegation, and the invisible, the structure of the CSD that had heretofore resisted direct representation from community groups, and whose process was opaque even to more experienced organizers. Finally, they encountered hidden power, in the form of institutionalized norms and tacit acceptance of the 'true costs of coal' that rationalize exploitation due to extraction as "acceptable collateral damage" (Garvin (2008)). What is particularly interesting, however, is how the group navigated varying forms of participatory settings. The Delegation overtly protested the closed forums in which a utilitarian calculus predetermines outcomes. Members worked with the non-

governmental organization CitNet to become invited participants to UN-CSD, which restricts attendees to official delegates and NGO representatives as opposed to grassroots activists. Ultimately, they claimed their place at the UN-CSD by creating a visible presence, hosting side events, courting publicity, employing the arts as a mechanism for awareness of MTR, and sponsoring public events.

Honneth (2003) has argued that all struggles begin as pre-political, traverse varying levels of invisibility, and then may or may not burst into a noticeable public sphere. The Delegation, and the community-based organizations from which it was constituted, achieved a modest measure of public visibility. But building and maintaining a public profile demands continuing active struggle. This sustained effort has a great deal to do with framing political space. Where these groups might be known primarily on a regional scale, and perhaps with certain types of publics (such as university students), building their political profile to a national and/or transnational level implies unrelenting effort. This effort consists not only of appeals to legitimate recognizers (elected officials), but perhaps more importantly to relationship building across counterpublics and in increasingly wider public spheres.

## **Structure and Movement**

I now turn to the spatial characterization of the transnational public sphere, particularly the dialectic between “place” and “space”, as articulated by several theorists below. Brenner (1999) has pointed to a multiplicity of conceptualizations of space:

... a remarkably broad range of studies of globalization have devoted detailed attention to the problematic of space, its social production, and its historical transformation. Major strands of contemporary globalization research have been permeated by geographical concepts - e.g., "space-time compression," "space of flows," "space of places," "de-territorialization," "glocalization," the "global-local nexus," "supra-territoriality," "diasporas," "translocalities," and "scapes," among

many other terms. Meanwhile globalization researchers have begun to deploy a barrage of distinctively geographical prefixes - e.g. "sub-," "supra-," "trans-," "meso-," and "inter-," - to describe various emergent social processes that appear to operate below, above, beyond, or between entrenched geopolitical boundaries. The recognition that social relations are becoming increasingly interconnected on a global scale necessarily problematizes the spatial parameters of those relations, and therefore, the geographical context in which they occur. Under these circumstances, space no longer appears as a static platform of social relations, but rather as one of their constitutive dimensions, itself historically produced, reconfigured, and transformed (Brenner, 1999, pp. 39-40).

Fraser (2005), for example, draws upon Castells in noting the dialectic between “the place of spaces” and “the place of flows”. These theories can assist in characterizing the transnational as a space of communication and information transfer. Castells emphasizes, however, that the space of flows is a new phenomenon, facilitated, although not solely constituted, by electronic communications.

The space of flows links up electronically separate locations in an interactive network that connects activities and people in distinct geographical contexts. The space of places organizes experience and activity around the confines of locality (Castells, 2004, p. 55).

While electronic communication certainly took place among delegates prior to the UN trip, and apparently between some Coalfields delegates and representatives of other countries after the trip, it is not a central element of their story. What was significant was the growing network of relationships that prompted Delegation members to re-frame space from the local to the global.

Castells, like Bourdieu, conceives of the space of flows as a sphere of communication and interaction between elites. Elites, traveling through exclusive spaces that systemically shut out “the people” (Castells’ term), structure the system of valuation in the space of flows. Bourdieu might argue that Castells’ elites dominate in social, cultural, and economic capital. Thus, at the top of the “food chain”, they determine and model the valuation structure for the field. Non-elites are “imprisoned in localities, condemned only to negotiate new local meaning in the

interstices of that flow” (N. Smith, 1996, p. 69).

However, other theorists posit far greater potential for mobility, field-movement, for non-elites. Liberal and Marxist theorists tend to focus on movement as a directional notion of progress. And at times it is difficult to disentangle Fraser’s redistribution, recognition, and representation from just such a logic. Indeed, in attempting to describe each element, she tends to emphasize one-way interactions—redistribution as a function of elevating the class status of the world’s poor as a means of “social justice”. Recognition presumes an unnamed but omnipresent “recognizer”. And representation entails moving from a negative valence or lack of representation to a positive one. I am not arguing with these as desirable ends. I am rather citing them as examples of “affirmative” movement, in Fraser’s terms. The relevant analytic question is unpacking what constitutes “deconstructive” movement for Fraser.

Deconstruction is not movement, *per se*, but rather the elimination of “mile markers”, or even roads. It is ultimately disavowing the logic of the field, although Bourdieu viewed Derrida as one of the elite in the scholarly field. Thus, where affirmative movement obeys the gradualistic logic of progressive social change, deconstructive “movement” follows the logic of punctuated equilibrium of periodic rupture, or catastrophe, but without the assurance of a return to equilibrium. Indeed, it is difficult to envision an actually existing social movement that has achieved such a deconstructive rupture that does not leave the pre-existing order intact (the closest possible example may be the Holocaust surviving Jews, who presented the world with an inconceivable example of man’s inhumanity to man). I certainly cannot make such an assertion about the Coalfields Delegation.

What interests me instead is the extent to which the actions of the Coalfields Delegation were heterodox. Bourdieu’s concept of heterodoxy suggests that certain actors may challenge the

logic of the field (heterodoxy), rather than contest within its logic (orthodoxy). This division can be superimposed upon Fraser's 'affirmative' or orthodox and 'transformative' or heterodox positions.

Connolly (1991) has suggested that attempting to break out of the nation-state frame, to assert true democracy, is a revolutionary practice:

Democracy, moreover, is a form of **rule or governance**, but it is much more than that as well. It is an egalitarian constitution of cultural life that encourages people to participate in defining their own troubles and possibilities, regardless of where these troubles originate and how narrow or broad they are in scope. It is, moreover, an ethos through which newly emerging constellations might reconstitute identities previously impressed upon them, thereby disturbing the established priorities of identity/difference through which social relations are organised. It is, therefore, a social process through which fixed identities and naturalised conventions are pressed periodically to come to terms with their constructed characters, as newly emergent social identities disturb settled conventions and denaturalize social networks of identity and difference (Connolly, 1991, pp. 476-477).

These propositions are consistent with Fraser's concept of transformative representation. The delegation has sought such standing by challenging boundaries that had been impressed upon them. They are in a process of defining and redefining mountaintop removal and its relationship to the problems of other world communities. And in "cultural" terms, the Coalfields delegates are reconstituting—re-cognizing—their place in the cultural order. But perhaps most importantly, Delegation members are redefining relationships and building networks of action and interaction on the foundation of newly discovered bases of identity.

### **Place and space.**

I earlier argued that cultural similarity can serve as a basis for mobilization. Place plays a critical role in the idea of culture. But it is also a crucial terrain of the economic *and* the

political. After all, it is land ownership that allows for extraction and conversion to money, and in this case, the Appalachian region is the beginning node in a larger supply chain that ends up with the flip of a switch (hence, Appalachian activists say “Every time you flip a switch, you blow up a mountain.”) However, that switch could just as easily be in the United States as in Europe, both are key consumers of coal from the Appalachian region. And this is but one line of transit between the local and the global. Place is clearly implicated in the political as well as the cultural and economic. Following Bourdieu, place is a creature of habitus, a factor that positions the Coalfields Delegation with respect to a larger structure of energy extraction and usage. How many of us misrecognize the problem of global energy usage, and take steps not simply to reduce our consumption of fossil fuels, but to extract ourselves from this dependency altogether?

Ecology and nature are inseparable from place, and also are components of habitus. Man and nature are intimately bound together as common victims of extraction. In this particular case, place and nature, in the process of coal extraction, are easily traceable as a site of injustice. Again, as with the concept of culture, I need to be clear. It is not the case that all Appalachians are “tree huggers.” Coal mining, particularly MTR, represents a specific site of natural and human exploitation and environmental injustice. Nature is part of all of us. However, some of us are able to enjoy a cleaner, healthier version of nature than others. And this unexamined sense of entitlement is reflected in the habitus—our relationship to nature ultimately becomes a subtext in our lives that formulates our individual and collective outlook.

Place is thus an element of habitus, arising from the particular combination of history, family, environment (broadly defined), relationships, politics, etc., that one does not necessarily choose, but with which one is equipped to approach the world. Thus as Escobar (2001) has observed, “Persons and their environments, places and identities, are thus mutually constituted”

(Escobar, 2001, p. 146): Harvey, 1999, p. 146). In keeping with the idea of fields as both produced and producing, it follows that space, geographically defined, is in a constant dialectic with place as a position within the larger field. I have already discussed the interconnections between Appalachia and the global realm, as well as authors (Dunaway, 1996; Reid & Taylor, 2002) who have characterized Appalachia as a global region. I wish to explore further how space can be conceived thought of as a field in which place is determined and located.

In *Modernity at Large*, Appadurai (1996), argued the concept of locality has become unmoored in the modern era. He asked a question central to this research: “My concern is with what locality might mean in a situation where the nation-state faces particular sorts of transnational destabilization” (Appadurai, 1996, p. 178). Appadurai approached the issue as an anthropologist. While I am not presenting the Coalfields Delegation from this perspective I believe his logic can help to describe the Delegation’s journey. Appadurai separates the idea of locality (a structure of feeling), from a neighborhood, a physical space. In so doing, he challenges “... the idea that group identities necessarily imply that cultures need to be seen as spatially bounded, historically unselfconscious, or ethnically homogeneous forms” (Appadurai, 1996, p. 183).

Appadurai also emphasizes that locality is produced “through complex and deliberate practices of performance, representation and action” (1996, p. 180). The author’s frame of reference is that of post-colonial India, and specifically not Western civilizations, so I utilize his arguments advisedly. Nevertheless, I have already emphasized how the Delegation strategically performed “Appalachian-ness” at the UN.

The content of locality is always in motion. Appadurai suggests that local actors are always expanding their range:



They contribute, generally unwittingly, to the creation of contexts that might exceed the existing material and conceptual boundaries of the neighborhood. Affinal aspirations extend marriage networks to new villages, fishing expeditions yield refinements of what are understood to be navigable and fish-rich waters; hunting expeditions extend the sense of the forest as a responsive ecological frame ... And all of these possibilities contribute to subtle shifts in language, worldview, ritual practice, and collective self-understanding (Appadurai, 1996, p. 185).

In other words, locality as part of habitus is constantly changing. In many ways, the locality of the Delegation was and is context produced. In Appadurai's terms, the group has limited control over its their own production and reproduction of locality. Rather, the United States and by extension, the corporations whose rights supercede those of citizens, set the terms of context production. Further, as Alice, a delegation member, suggested, these forces are inconvenienced by the presence of citizens and their homes. Thus, mountaintop removal is profoundly *detritorializing*; citizens are being forcibly evicted from place or, in 1960s urban terms, subjected to 'neighborhood removal'. A further factor in deterritorialization is the lack of economic opportunity that again may result from collusion between corporations and the state, producing the inconceivability of other economic opportunities. This lack of opportunity has resulted in significant outmigration of youth from Appalachia, threatening the ability of the region to reproduce itself.

If, however, as I have argued with respect to the economic and the cultural, habitus is changeable, so too is place. Counterpublics are produced by, but also *produce* space: the Delegation has produced a pan-Appalachian movement that has extended nationally, and is now entering the global arena. Appadurai states:

Locality production is inevitably context-generative to some extent. What defines this extent is very substantially a question of the relationships between the contexts that neighborhoods create and those they encounter (Appadurai, 1996, p. 186).

This argument is especially interesting in light of the Delegation's continual "framing up". Each movement produces a place and a context. In their interviews, several Delegation members pointed to the relationship building that occurred during the van ride on the way to New York City. On that trip, a different kind of "locality" was formed, linking people from across Appalachia who held in common some form of deterritorializing experience. Further, the nationwide networks that members of the Appalachian Alliance are developing are new "places", both virtually and interpersonally. The Alliance has a presence on the Internet via Facebook communities, the "I Love Mountains" website and multiple listservs. Interpersonally, they have made connections with Native American groups in the West who have been similarly violated and displaced by extraction, as well as people from New Orleans who experienced deterritorialization in the aftermath of Hurricane Katrina. I argue that the UN trip, in very tentative, preliminary ways, represented yet another site of locality formation. As Connolly (1991) has observed:

The extra-state pluralisation of democratic spaces stands to the state today as state-territorial organisation stood to city-states in sixteenth century Italy or feminism stood to the structure of gender relations as late as the early 1960s. It is protean, unformed and unrealistic when viewed from the perspective of fixed identities and conventional boundaries. Epistemic realists may find it difficult to conceptualise such energies if they demand the solidification of possibilities into fixed objects prior to representation in their theories (Connolly, 1991, p. 481).

Escobar (1995) has previously referred to local cultures that come into contact with other cultures as "hybrid". This need not necessarily be the case, but it is clear from the actions of the Coalfields Delegation members that they were involved in an active project of re-cognizing themselves as they "framed up". Following Escobar, I note the contacts achieved at the global level constitute a whole new basis for cultural hybridity; just as activists are now developing commonalities with indigenous peoples, the UNCSD provided them with opportunities to reflect

upon their circumstances within a global context of oppression. This hybridity can be marshaled for different purposes as activists continue to learn in the transnational public sphere. As

Escobar has explained:

Hybridity entails a cultural (re)creation that may or may not be (re)inscribed into hegemonic constellations. Hybridizations cannot be celebrated in and of themselves, to be sure; yet they might provide opportunities for maintaining and working out cultural differences as a social and political fact. By effecting displacements on the normal strategies of modernity, they contribute to the production of different subjectivities (Escobar, 1995, p. 220).

The differing perspectives realized when the TIRN workers traveled to the Mexican border, when members of KFTC traveled to Brazil and Colombia, and the experiences of the Delegation all suggest a kind of hybridity in terms of how those individuals thereafter related to and thought about the world.

### **The Coalfields Delegation: Representation at the UN**

The Coalfields Delegation arrived at the United Nations with great fanfare. Prohibited from bringing banners or other overt political signage, they literally “wore the issue on their sleeves” in Luke Garvin’s neon yellow ‘Keepers of the Mountains’ shirts. Although there was some discussion about the shirts, particularly in advance of the second delegation, group members said they felt this was an important means for putting the mountains front and center. After feeling somewhat out of place at the beginning of the meetings, one Coalfields delegate took comfort in wearing the shirts:

Things got warmed up because 1) We were wearing these bold fluorescent T-shirts reading “We are the Keepers of the Mountains.” 2) We weren’t wearing suits and ties. People noticed us. They started coming up to us. They asked questions. We told them our story (Miller, 2008).

Some said that other delegates looked askance at them, but possibly more because they were

American:

... I must say that when I went to some of the small group caucuses ... I felt like there was some resentment against Americans. ... there was one ... woman, she just didn't try to ... you know, when our group tried to say something, she'd some comment like, "oh you know Americans, trying to take over and run the show again." She was really rude. She just, you know she just thought all Americans ... (Echols, 2008)

However, Delegation members quickly made connections and began to navigate the UN.

Security guards now screen incoming visitors at a new entrance on one side of the United

Nations building. The bold yellow shirts identified the Coalfields Delegation immediately. The

guards were tickled with them and greeted them with enthusiasm every day. Within the UN,

others also felt they were well received:

We were like, the hit! ... People, we would go to cafeteria and people would come to our table and just talk and say they were just shocked, so we were kind of, I felt like we were like the hit of the 2006 UN. They wanted our stories, they wanted to talk to people ... (Atkins, 2008).

Danielle Jones, a Delegation organizer, believes their warm reception was, at least in part due to the idea that they were a delegation of actual citizens, as opposed to policy savvy representatives.

She noted: "other groups (were) saying you know that they'd like to see people from their

communities there and really this discussion of taking back the process" (D. Jones, 2008). That

said, once inside, the delegates found the process of transnational sustainable development

advocacy rather opaque. They had been to state capitals, and to Washington DC, and understood

the "rules" of those trips. Having attended a lobbying trip to Washington with the group I

observed a well-oiled process in which politicians were contacted in advance to set up meetings.

For each meeting, a citizen of that office-holder's district, a coalfields resident, and an outside

activist were typically recruited, with emphasis on the first two. Prior to lobbying, all attendees

were given a thorough overview of the issue of mountaintop removal plus talking points and an information packet. Members also left information packets with office holders. Thus, the state and national lobbying sessions were carefully targeted, appropriately scheduled and well scripted and planned.

The UN process, in contrast, was much less clear. There were no elected officials to approach or to target for advocacy. However delegates were supplied with a booklet identifying potentially important individuals to meet. They observed that most people were in suits and seemed to be insiders to the process:

There were people from all over dressed in suits reading short papers full of bureaucratic gobbledy gook. I said later that if I heard them say “modalities” or “amenities” or “corporate governance” another time I was going to throw up (Miller, 2008).

Thus the UNCSD process was not exactly grassroots friendly. The CSD, as a forum set up 14 years ago for civil society actors, only accepts NGO representatives. As a result, the Delegation attended as an affiliated group of CitNet, a nonprofit organization.

The UN meetings were organized according to demographic and functional working groups such as the women’s caucus, youth caucus, education caucus, etc. Each delegate was provided with an orientation booklet, developed by Steve Owen, who had previously attended UNCSD meetings. In advance of the sessions, delegates divided up according to which working group meetings they would attend. The organization of each team was essentially left up to its members. Apparently, many of the group sessions were uneventful, as delegates barely remembered which ones they attended. However, there were a few that resonated with Delegation members, either because of how they were received or because of events that occurred during the sessions. The youth delegation, in particular, was highly supportive. One of

the delegates made a particularly strong connection with it:

... he was, he was um taken over by the youth caucus cuz I guess he was about the youngest one with us, and they just ... They wanted to talk to him. They invited him to their meetings. They would, they would literally run to you in the hallway and ask you questions and say, "I'm going to put this in my newspaper, and I'm doing this." And they were just so enthusiastic ... (Atkins, 2008).

At a meeting with the US Department of Energy, Lisa recalls:

... we went to that, and like I said a lot of the youth caucus people were there. And again, you know I'd never been involved in anything like this and I slipped Tricia a note and said "well, should I invite them to a Mountain Witness Tour? (Ft. Tour of mountaintop removal sites) And um, one of the youth caucus girls was across and evidently she looked at it cuz she slipped me a note and it said "Don't just invite him. Make him set a time and date so that he'll be there!" I thought, wow these kids are on the ball! (Atkins, 2008)

On the other hand, conflict erupted during a few of the sessions, where delegates contested some of the claims made by speakers.

... energy was, was another one that we got in on! As a matter of fact, we made the man that was facilitating this meeting a very nervous individual! He was really, really scared of somethin'! You'd a thought we all had guns! ... He said somethin' about uh, clean coal technology or something like that and (Luke) stood up and said ... "there's no such thing," you know, "and if you think for one minute you're gonna clean up coal you need to trade then you need to trade me places", you know? And this guy just goes, "Huh?" And all, everybody in there in suits but me, Larry, and probably five other people that was with us and we had on the neon yellow Mountainkeeper shirts. (laughs) So we was ... it looked like a gang walkin' in, anyway (Paterson, 2008).

One of the Delegation's messages was to tell people that there is no such thing as clean coal by talking about the impacts of coal extraction on their lives.

Meetings were also arranged with US representatives at the UN, and Delegates also sought officials out. Many described the US reception as rather negative. Yet this was not something they had not encountered before; in both state and national lobbying sessions, a few

elected officials had been downright rude. At the UN, Coalfields delegates were able to capitalize on some of these incidents as opportunities for publicity as, for example, when Luke Garvin approached coal industry representative Wilbur Rice with a jar of contaminated water. Danielle Jones noted that by the second year, the Delegates had developed good connections with the press, some of whose members facilitated getting language into the final CSD declaration.

Still, while not unprepared for the unfavorable official US Government reception, delegates were shocked by the tacit and overt messages sent by US representatives. In the first year, the US Representative John Margolis ceded the floor to a Pfizer Pharmaceutical executive, who gave the initial address. This turn of events left several delegates dumbfounded:

... Then they introduced a representative from the US, and he says “I have asked a representative of Pfizer Pharmaceutical Company to speak for us.” Half my kin are trying to get off their drugs and they’re speaking for us? (Miller, 2008).

Danielle Jones echoed:

... he gave up his, his ... however many minutes he had to address the assembly to the Vice President of the Pfizer Pharmaceutical corporation you know? So you’re in the commission on sustainable development and this ... executive is standing up speaking on behalf—you know his introduction was on behalf of the United States of America ... a corporate executive ... it was scary! ... And that was our first, we just walked in, we sat down and that happened like in the first five minutes we were there! It was an eye opener, and I think that’s part of the power of it too to really see that we can’t put our trust in these huge bureaucratic institutions to take care of us (D. Jones, 2008).

For the delegates, it attested to an unmistakably pro-business environment from the US Delegation. This in addition to the formalized, “insider” nature of the UN-CSD, as the coalfields delegates perceived it, suggests a political field that is difficult for new actors to penetrate.

Still, among other delegations, the Coalfields group was quite popular. Identified by their

T-shirts, many people sought them out, particularly during breaks in a central coffee area. They were able to make connections with people from the UK, Bermuda, Nepal, Singapore, Ghana, Pakistan, and many other nations. A transformational moment came when Donetta Blankenship, a member of the Coalfields Delegation, addressed one of the caucuses. As B.J. Miller recalled:

We finally got a chance to talk in a caucus at the end of the day. Donetta riveted their attention. She told of living below a slurry pond. Her water ruined, bathing in filthy water ... and serious physical ailments. She said "I may be a nobody to you, but ..." When she said that it was as if she brought everyone who felt like a nobody into that room. The caucus members identified with her. They told of people in their own countries who were treated like nobodies by coal or nuclear industries. They gave us the entire time for the caucus. They gave us resources for information. They gave us addresses. They gave us alternatives. They gave us their stories. They gave us hope (Miller, 2008).

But what was perhaps unexpected was the extent to which they began seeing themselves and the issue of MTR within a global context. As Laura Poff proclaimed: "... we're adding our voice to the other, you know, communities of extraction areas" (Poff, 2008). Two delegates were struck by the photographic displays in the main lobby of the UN:

And there was ... this one Nigerian man in all his colorful garb, standing in his village that was on fire, because someone had pillaged the oil line ... so the village was destroyed. It was torn apart, and there's this guy, this indigenous person with this most colorful outfit, just standing there just ... with the deepest of sorrow on his face ... I just sat and looked at that photograph. It was like 8 by 10 feet or something, just 'Wow this is really, this, this abusing fossil fuel thing is really an international issue!' (Echols, 2008)

As the Delegates began to see the issue of mountaintop removal in a more global context, they identified with other delegations and their stories of deterritorialization: being moved out of their lands for dam building projects, having their homes destroyed by oil extraction. In communicating and finding commonalities with other delegations, and coming to realizations about the US Government's priorities towards global sustainability, they began to reframe their



experiences as by-products of a global energy regime. Many of them used global language in their interviews, speaking of mountaintop removal as an issue linked with climate change, as a human rights issue, and as cultural genocide.

But in the end the Delegates questioned their overall impact. The CSD turned out to be an established field, and although they broke the norms as a group of grassroots actors, they nevertheless felt they did not know how to make a difference in this forum. In discussing the negatives of the UN visit, Laura observed:

Where's the hope? I mean, we came here, you know, to talk to you, and thought that you were the people to talk to about this and ... to tackle these issues with, about what's happening to people in communities all over the place. ... And where is, where's the hope that we came looking for? We, we couldn't find it. That was the down part was tryin' to find that hope, you know of, of the world coming together to fight global warming uh, to quit using fossil fuels, you know? (Poff, 2008).

Loretta said she felt a similar sense of dismay: "I mean I guess that seeing international people is always kind of cool, but I was kind of depressed. It depressed me ... I wasn't really sure how effective we were being, I guess ... " (Echols, 2008). And Joe, an organizer, said he wasn't sure how to approach the CSD, strategically:

JOE: I think the biggest negative for me was not understanding the process and I think the folks we worked with, for them to have really been able to convey to us what was going on.

MARCY: How does one understand the process?

JOE: I don't know! I would want to spend a lot more time understanding the process and prep time like trying to contact delegations, why we needed to talk with them. To really try and get ... get our members in at the table because I never felt like ... (the) lobby in Frankfort, the goal is to get people to the table. I don't know where that table was (Fines, 2008).

Apart from being a forum with limited policy-making ability, the UNCSD was also not perceived as a grassroots friendly environment. In the end, these comments reflect doubt as to

whether they were really represented, especially in terms of *efficacy*, as Fraser has defined the term. The delegates could not see that the CSD had the ability to *translate* its concerns into binding laws and policies, nor *capacity* to implement such policies. Apart from getting specific language into the 2006 declaration, they did not have a sense of how to formulate a clear strategy.

That is not to suggest that the Delegation's efforts were ineffective. They were able to increase their profile in order to build their group's legitimacy as they and their issue were recognized by many of the other delegates. And they experienced some sense of participatory parity in claiming their place at the UN, and beginning to link their concerns with those of other similarly situated groups. The Delegation's experiences represented a worthwhile foray into building solidarities with other global civil society groups. However, the Delegation's efforts raised larger questions about the potential for global governance to redress environmental and energy justice concerns that become more and more pressing with increasing evidence of climate change, and increasing civil society efforts to make change on such issues.

## **Interlude: “I Know I’m a Nobody”**

Donetta Blankenship told her story to Debra Schwartz of *Appalachian Voices*:

From there, Donetta Blankenship kicks back at life. At 39, her failing liver struggles to eliminate the toxic levels of heavy metals in her system. Courage, John Wayne said, is being scared to death—and saddling up anyway. This Christmas, that’s exactly what Blankenship is doing. “With my liver problem, I just wonder if I’m going to be there for my kids, and it really scares me,” she said. “I just want to make sure that they get a few things that they would like to have. I would like to be able to figure out some way of getting them what they want. Right now, I don’t see how I could.” Among other things, she’d like them to have their health. Blankenship would like hers, too.

Hospitalized twice this year with a liver ailment that almost killed her, since moving to Rawl, West Virginia, five years ago her immediate family has been continuously sick. Her ailments include difficulty breathing, rashes and boils, stomach trouble. All her husband’s teeth have fallen out. Migraine headaches, nausea, and sleeplessness persist in their household. Blankenship contends it is due to hydrogen sulfide gas coming into the house, and contaminated water from her faucets.

“Back when I was in the hospital this last time, they found out that I had so much copper in my body. Now, I know I wasn’t sitting around eating pennies,” she laughed.

Blankenship became an international legend last May when she went to the United Nations in New York City to tell its Commission on Sustainable Development about the effects of mountaintop removal and valley fill from coal mining. It was her first time outside of West Virginia.

Just as Rev. Dr. Martin Luther King, Jr. had his “I Have a Dream” speech, Blankenship in New York City delivered what has been talked about around the world – yes, around the world – as her “I Know I’m A Nobody” speech.

According to Gunnar Boye Olesen, co-secretariat for the International Network for Sustainable Energy based in Denmark, it is still talked about with pride and affection.

“It was a defining moment for me,” said Steve Owens, president of Appalachian Coalition for Just and Sustainable Communities, located in Boone, N.C.

Blankenship said, “I just went there to tell my story, and to tell them what the coal mining and slurry stuff can do,” she said.

“It definitely raised awareness, especially among non-governmental groups,” said political strategist Jeffrey Barber, executive director of the Integrated Strategies Forum in Rockville, Md.

The legend goes like this: When it was her turn to speak to the UNCSD’s energy caucus, Blankenship stood up and said, “I’m a nobody compared to all of you in this room, but this isn’t right,” referring in part to mountaintop removal and related waste disposal. Everybody froze and Chairwoman Annie Wilson interrupted. “Everybody in this room is somebody,” she said, stunning Blankenship. Until then, Blankenship felt invisible in the crowd. Regaining her composure and thinking of her family, Blankenship spoke quietly.

“If it weren’t for the grace of God I wouldn’t be here now,” she said, pointing to pictures of her children screened onto her t-shirt. Then she told about her failing liver, that her doctors say she has too much metal in her system and her liver can’t clear it out.

The metals are from coal sludge laden with heavy metals including lead, arsenic, manganese, barium, and magnesium, which were introduced into Rawl’s water supply by local coal mining operations, she says.

The water in her toilet is often black, and the air in her home is saturated with hydrogen sulfide, a gas the International Programme on Chemical Safety has reported can lead to excess fluid in the lungs, respiratory failure, collapse, headache, nausea, sleeplessness, grave illness, and potentially death. The IPCS is a collaborative venture of the United Nations Environment Programme, the International Labour Organization, and the World Health Organization.

This story is also known as The Liberation of Donetta Blankenship because the booming applause after her speech gave her the courage to deliver a jar of Rawl water to Wilbur Ross, Jr., non-executive chairman of the board of International Coal Group, Inc. at his apartment in New York City. Until then, she would have let someone else do that (Schwartz, 2007).

## Conclusion

From the outset of this project, my concern has been to understand the phenomenon of justice in an increasingly globalized world. I share an interest with scholars such as Nancy Fraser and Pierre Bourdieu in the plight of under or poorly represented individuals who seek redress of “human wrongs” (Owen, 2003) and I have drawn on their theories to help make sense of this concern at the transnational level. Like these social theorists I have argued such cases raise questions of the capacity of economically, culturally, and politically marginalized groups to achieve an audience for their claims. I have sought to use Fraser and Bourdieu’s theories, which draw on their activist backgrounds, to develop a model that is descriptive of the work of professionals in the field and can be used by scholars to explore how such groups can raise their profiles and thereby attain greater governance attention to their concerns. Fraser, among others (Calhoun, 2002; Nancy Fraser, 2005; N. Fraser, 2005b; Fraser, 2007; Habermas, 2001; Keck & Sikkink, 1999), has explored the transnational sphere as a level to which aggrieved groups may recur to secure justice. This narrative of the actions of the Coalfields Delegation to the United Nations Commission for Sustainable Development has offered insight into how actors, failing to achieve redress of their concerns at the local, state, and national levels in the United States, sought to advance their concerns in the transnational sphere. The case not only helps researchers understand more deeply the context in which such efforts occur and perhaps what aims animate such initiatives, it also has presented the strategies of the Delegation so that they may inform other actors engaged in such advocacy.

Fraser has argued that three types of social change are necessary if otherwise marginalized groups are to achieve parity of participation: economic redistribution, cultural recognition, and

political representation. For her, it is insufficient simply for individuals to achieve their goals while the conditions of marginalization are left unchanged. Therefore, she has advocated for deconstruction of each of the above three categories. It is unclear however from her analysis how such a challenge to the status quo might be accomplished by persistently marginalized groups. For this reason, I sought guidance from Bourdieu's Field Theory, which posits an imbalanced set of conditions against which low-power groups must contend. Bourdieu has argued that low power actors must pursue heterodox means to challenge the existing status order thereby deconstructing the conditions of their marginalization. I have suggested that together, Fraser and Bourdieu's theories provide a stronger characterization of the forces against which low-power groups, counterpublics, must fight to achieve just redress of their concerns, and the many stages through which they must proceed to do so.

In advancing this argument, I have proceeded in two parts. The first examined the structure and putative nature of the transnational public sphere as outlined by Fraser, and the need for deconstructing the nation-state and the structures within it that sustain inequitable treatment of aggrieved groups. Conceived as a counterpublic, the Coalfields Delegation sought to address its claims outside of the state, within a specifically transnational public sphere. The actions of the Delegation members were grounded in activist traditions that have been made "public" by generations of scholars, each bringing a different paradigmatic and theoretical lens. Activist efforts, however, cannot be viewed apart from a scholarly "public sphere" that influences, and is influenced by, their actions.

In Part Two, I reviewed the Coalfields Delegation's specific actions toward redistribution, recognition, and representation, with an eye towards understanding the extent to which agency can lead to change in each of those dimensions. Considerable obstacles stood as barriers to their

efforts. I have contended that the Delegation's United Nations trip is best understood as a dialectic between structure and agency. Following Bourdieu and Fraser, "success" comes as the result of heterodox actions that specifically challenge the status quo in the public sphere. Almost by definition, these heterodox actions have unpredictable outcomes and, depending on the level of institutionalization of the field, varying levels of impact. I have argued that this kind of oscillation, understood by activists as "one step forward, two steps back," is poorly represented in scholarly research that instead has tended to focus on more visible, late stages of social movements that have already won a measure of success. The experiences of the Coalfields activists illustrate well the challenges facing pre-political groups as they strive to change the economic, sociocultural, and political conditions that mediate against their efforts.

## **Part I**

The Coalfields Delegation formed from a base of Appalachian activists in four states. These individuals represented groups with a background in petitioning the local, state and federal governments for solutions to the damages being caused by mountaintop removal. When such efforts did not yield the urgent actions and changes in policy desired it seemed logical to the group's members to pursue their concerns at the transnational level. In the Delegation members' view the necessity of this step made a statement about the legitimacy and efficacy of the state in ensuring democratic representation for exploited groups. I utilized critical, post-modern, and post-colonial perspectives to explore the question of state efficacy and legitimacy. Exclusion of certain populations and inequity has accompanied the U.S. government from its very founding. But this critique is not limited solely to our nation. All nations contain the historical roots of oppression, enslavement, and marginalization that render suspect their abilities to ensure equal

representation. Power differentials have become part of the status quo of democratic governance, and thus are difficult to root out. Those possessing political power have little incentive to change the order of things. I therefore questioned whether the concept of a transnational public sphere could represent an improvement for national governance and concluded, with Nancy Fraser, that it may be the most appropriate arbiter of concerns that exceed the bounds of a single nation. Fraser provides a useful framework for how legitimacy and efficacy can be conceived outside of the nation-state. The story of the Coalfields Delegation illustrated the actually existing process of transnational governance.

Still, this does not mean that the transnational realm is immune to the effects of power. Far from it. The work of the Delegation demonstrated the dynamics of group formation, contestation, and achieving social change in that domain. As a counterpublic, the Delegation provided a nurturing space in which members developed their transnational political acumen, regrouped to examine their approach, and perhaps most importantly, affirmed the importance of each participant's story. The last is an important function in providing a safe space for activists whose lives have been deeply affected by the extraction-related practices of the coal industry. In keeping with the nature of counterpublics as "public", the Delegation demonstrated tenacity in employing multiple public strategies in various arenas, in order to achieve Fraser's posited end-result of defining its claims as "runaway needs". Finding ways to bring concerns to public consciousness is extremely difficult, as is garnering public understanding of alternatives.

I employed the concepts of habitus and field to make clear that counterpublics are pre-positioned within a field of power. That status, based upon habitus, provides the seed of counterpublic formation and action, and emphasizes an important pre-public stage in political



efforts to bring one's cause to public light. But to do this successfully requires adopting a heterodox stance intended to challenge the structure of the field.

This pre-political habitus, in the case of the Coalfields Delegation, arose in part from a long historical tradition of resistance. The groundings of such efforts rely, however, upon the motivated actions of authors and actors who choose to notice Appalachian political struggle. The actions taken by activists and scholars are paramount in raising the concerns of those seeking redress from a broader audience and therefore in addressing injustice. But I argue that what we know is necessarily limited by the habitus of the researcher herself, and thus, key aspects of pre-public and early public struggle remain obscure. I outlined a history of scholarly interest in Appalachian publicity, and then contended that activist efforts that drew attention from scholars represent a key part of the story of making struggles public. But as with achieving a broader popular salience, this standing is not easy to attain and must be strategically sought with perseverance and skill.

## **Part II**

It is far from a straightforward assumption that the conditions confronting Delegation would lead its members to the United Nations. The trip was the outcome of a particular confluence of circumstances, beginning with support from a young organizer, several years of "scouting" the UNCSD by Delegation members, and the emergence of a nonprofit sponsor, which enabled their attendance. But I cannot overemphasize the importance of activist experience and adaptability to the unfolding of this story. Delegation members created public opportunities by drawing on the experience they had gleaned from prior efforts petitioning policymakers in their home states and nation and training from community organizing groups

from each state. They seemed well aware of the power of personal narratives as well as the strengths of a multi-focal approach that included protest, information sharing, print publications, and arts events. As they became more familiar with the UN setting, they were able to express themselves and build alliances with other delegations. In short, they were able to effect some level of redistribution, recognition, and representation through alternative means.

Nancy Fraser has emphasized the need for the above three elements in achieving participatory parity at the transnational level (Nancy Fraser, 2005). These are easier said than done, and the Coalfields Delegation's journey is illustrative of the forces that such struggles must confront. Economic redistribution occurs in the United States, counterintuitively from the lower to the higher echelons of society. From the perspective of Bourdieu's field, this result is unsurprising. This uneven distribution of resources and power facilitates domination of coal regions, and the visiting of pollution, toxic waste, and property damage upon residents by coal extraction. This commonplace is maintained in part, Delegates argue, due to persistent characterizations of the Central Appalachian region and its residents as "backward." Achieving redistribution is not simply a matter of balancing who possesses wealth, but rather of disrupting the economic paradigm and social construction of the Appalachian population that is taken for granted. Such a heterodoxy would take externalities into account, thereby reducing the economic capital of corporations, but would also reflect the considerable material value of activist efforts. The efforts of the Coalfields Delegation and its allies at the local, state, and national levels are achieving change. As the anthropologist Margaret Mead famously observed: "Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it is the only thing that ever has". Still, activists and academics must work together to loosen the grip of neo-liberal economics on the national consciousness.

While the economic field seems rigidly institutionalized, the cultural field may be more susceptible to change. To consider that question in the Coalfields case, I combined both Fraser and Bourdieu's conceptions of "culture". I also examined numerous scholarly perspectives attesting to the complexity and contentiousness of the concept. The term can be used both to reify stereotypic conceptions of marginalized populations as well as to serve as the base for forming common bonds among activist groups. Appadurai (2004), Spivak (2002) and Brown (1993) have argued for a more futural concept of culture that looks towards a destabilization of the concept while it allows for marginalized groups to claim their own bases of solidarity. The ultimate goal of such efforts is not a bland multiculturalism, but rather a deconstruction of the bases of identity, status, and culture that together allow for the development or emergence of new forms of shared social consciousness.

Attaining this end requires changing the nature of the habitus, of which the cultural is a part. The Delegation members understood this imperative. The group strategically utilized culture in the form of arts, music, photographs, and personal testimony in order to challenge and hopefully encourage change in people's conceptions of Appalachia and its residents. At the same time, the UN trip exposed the group to the experiences of other exploited people, and allowed them to see their struggle in a more global light. This realization points to the possibility of future activism framed around "Appalachia as a Global Region".

Still, the UNCSD is but one forum for transnational participation, and a limited one at that. Activists found the CSD meetings to be unclear in purpose; expert dominated, and unsurprisingly dominated by the goals of the very nation states whose policies the Delegation was protesting. In meeting with representatives of the U.S. State Department, they determined

the official American agenda was one that relied on coal for the foreseeable future so as not to foreclose any energy prospects. Still, Delegation members were able to make headway with certain other delegations, most notably the youth, who shared similar aspirations for sustainable energy. Still, their ability to formulate and carry out a purposeful change-directed strategy was hindered by the unclear path offered by global institutions. The Coalfields Delegates nevertheless saw the trip as an opportunity to expose energy-related injustice in the United States.

Overall, they were able to establish and increase their global profile. It is unclear at this writing whether such efforts can be sustained. Still, the Coalfields Delegation's efforts provide a view into the earliest stages of transnational activism, a force that has become increasingly visible in the late 20<sup>th</sup> and early 21<sup>st</sup> centuries. These transnational movements have claimed and created their own spaces for contesting injustice and, as the Copenhagen Climate Conference illustrated, such groups can work together in contesting the unequal global and class distribution of environmental harms. Such efforts begin with groups like the Coalfields Delegation.

## **Final Thoughts**

Regarding the overall challenges that face activists in seeking transnational justice requires theorizing on the dual fronts of structure and agency. Fraser has suggested the need for both in her early "dual systems" theory that viewed the economic as more structural and the cultural as more agentic. And Bourdieu's thinking, while highlighting the significance of unequal power relationships in determining the outcomes of social change efforts, nevertheless aligns with Fraser's argument in advocating for deconstruction of the status quo. Bourdieu's fields, superimposed on Fraser's economic, cultural, and political dimensions suggests the

workings of power that can vary from situation to situation, yet invariably face any activist movement. The chances of achieving public salience along Fraser's three dimensions must be weighed against such structural barriers as groups devise strategic actions to secure salience for their concerns.

Put differently, I have argued that combining Fraser and Bourdieu's theories allows researchers and activists alike to chart their place in dynamic terms in the evolving social structural conditions they seek to challenge. Where Fraser provides a useful analysis of the dimensions at play to secure justice as participatory parity, Bourdieu's insights into the need for heterodoxy if the prevailing status order is to be challenged suggests the means for analyzing justice as deconstruction of the cultural, economic, and political order. The case of the Coalfields Delegation provided an example of the advantages of this combined theoretic frame, even as it also highlighted the enormity of the challenge implicit in evolution of counterpublics, from pre-political stages to achieving visibility to petitioning at the level of the transnational sphere in efforts to right material injustices.

The story of the journey of the Coalfields Delegation, from separate representatives of experienced pre-existing activist organizations across the Appalachian region to a cohesive, confident group well-schooled in finding multiple avenues and media through which to press its case, illustrates how Fraser's and Bourdieu's combined theories can contribute to the study of transnational advocacy efforts. The Delegation arguably adopted heterodox approaches towards economic disparity and cultural underestimation via a panoply of venues, means, and actions to secure publicity. The transnational dimension represented an untried next step that tested, and ultimately proved their grassroots expertise. While the Delegation demonstrated agency at the UN, structure, in the form of visible representation of corporate interests in the official U.S.

delegation and a forum largely comprised of professional advocates experienced in UN procedures, was another matter. Still, the Coalfields Delegation had an impact on the UNCSD, and the CSD, as a transnational venue, definitely affected Delegation members. Delegation members' habitus now included transnational experience and a global perspective. In a very real sense, these individuals came to grapple with the much-used, but often poorly defined, phrase of joining the global and local.

I believe that theory serves its most valuable role in conversation with lived experience, that of research participants, but also researchers. Where Fraser considered, but ultimately discounted the efforts of "pre-political" (read, the millions of everyday political efforts that fly below the radar screen), I contend that this represents a largely unexplored frontier. In exploring the actions of such heterogeneous groups, using Fraser's idea of counterpublics and Wolin's definition of the political, I have resisted to the extent possible the language of "progress." In doing so, I by no means wish to characterize activist goals as retrograde, but rather in opposition to a telos of change justified by a utilitarian calculus that proceeds blindly in the name of anticipated human prosperity while ignoring the present and future costs to local communities. Political change begins with the smallest of efforts, and proceeds on a largely non-linear course dotted with intermittent satisfaction of particular justice claims. In my view, Fraser's hope in the possibility of participatory parity through economic, cultural, and political change is usefully coupled with Bourdieu's nearly rigid fields in mapping these complex paths. Their imperatives towards heterodoxy and deconstruction resist the easy satisfaction attributed to the often-temporary victories in a longer battle. Together, I believe these theories contribute to a deservedly richer study of the Coalfields Delegation experience than either alone could provide,

and more generally a more nuanced analysis of counterpublics within an increasingly complex transnational public sphere.

## **Appendix**



## **Appendix: Methodology**

### **A Qualitative Research Approach**

This study is ultimately about how the Coalfields Delegation approached and developed and played a role in the United Nations Commission on Sustainable Development. It employs Bourdieu's field theory, which posits a reciprocal relationship between actors and fields that influences issue definition. Apart from its possible theoretical utility, field theory may be viewed as an interesting analogy for democracy. Democracy certainly can be conceived as a political system. But it can also encompass the range of behaviors and actions of the people who constitute it. And, in its current international manifestations, democracy barely merits the name; so imbalanced is the distribution of money, education, and representation. Given this difficult reality, the question becomes, "why do we play"? I undertook this study to learn more about the motives, expectations, goals, and strategies of the Coalfields Delegation as a means by which to explore how and why low-power groups seek to participate in public decision-making concerning issues that deeply affect them. I was likewise interested in understanding more fully the challenges and barriers that they face in decisional venues that at least aspire to open participation. Players and game are inter-dependent and inseparable. Systemic forces, barriers, and challenges influence agentic meaning-making and vice-versa. I set out to study the Coalfields Delegation journey to examine that dialectic as it played out in the transnational public sphere.

Nancy Fraser's theories of the transnational public sphere provide ideal forms of actually existing democracy and participatory parity. She points up the fallacy of seeking a pure form of democracy. Like Fraser's work, this study attempts to avoid both facile explanations that only

work under aseptic circumstances and offer little analytic purchase on critical matters. Thus, my theoretical underpinnings serve more as snow poles along a putative road. And this is only fair, because democracy does not come with a road map. This makes the how and why questions that frame this study even more interesting than they might otherwise be.

Because I am interested in how low-power groups experience participation, my study uses qualitative research methods. Qualitative research supports the *inductive* approach I adopted (Bailey, 2007; Merriam, 1998; Taylor & Bogdan, 1998). I began with a loose set of research questions and relevant theories understanding that these would only take me part of the way toward my research aims, even possibly to a dead end. But as a researcher, I wanted to explore the experience of transnational participation from multiple insider (*emic*) perspectives, and as a result, develop a richer, more complex description of how and why people play the democratic game in the international context.

I began with the assumption that there are many paths to social struggle, and we can learn as much from outliers as we can from norms. Generalizability is one way of knowing the world, but it exhibits decided limitations in identifying, let alone understanding, the conflicts, experiments, successes, failures, strange bedfellows, fortuitous circumstances, good and bad timing, unfair calls, and rules that no one knew about until they broke them ; in short, the circumstances that constitute many peoples' experience of democracy.

In qualitative research, the researcher is the instrument (Bailey, 2007; Creswell, 1998; Merriam, 1998) and an inexact one at that. For this reason, I attempted consistently to be reflexive, conscious of my impact and of the reasonableness of my interpretations of the responses offered by the people I interviewed. My activist background gave me a unique preparation for field research. For one thing, I was comfortable talking with activists and had an

appreciation for their challenges. Another way to say this is to note I am not a neutral instrument. I come with biases and assumptions, which I sought to address reflexively at various points during the conduct of this research. I am most drawn to researchers whose work is animated by their own community engagement. For example, the social theorist Nancy Fraser, from whose work I draw extensively for this study, is very clear that her research commitments stem from her feminist activism. The same can be said of Pierre Bourdieu on whose work I also rely. He was always clear that his research arose from his work with impoverished groups. Similarly, Sheldon Wolin, whose research I also employ in this study, was active in the Free Speech movement.

My experience working with several community-based organizations and with people living in difficult circumstances underpins my scholarship. Bailey (2007) has emphasized the importance of the status characteristics of researchers. It is reasonable to think that an investigator's characteristics would influence their data collection, particularly in the social sciences. The researcher experiences the community, but the community also experiences the researcher.

Definitions of qualitative research often emphasize that it is conducted "in the field," or in a "natural setting." Denzin and Lincoln (2005) argue that "all settings are natural—that is, places where everyday experiences take place" (p. 27). This is chiefly intended to distinguish such research from laboratory or quasi-experimental research, where efforts are made to control the setting and other variables. According to Bailey (2007), the qualitative researcher "attempts to become part of the setting, with the goal of providing in-depth descriptions and analytical understandings of the meanings participants in a setting attribute to their interactions and routines" (p. 3). Indeed, I felt part of the settings in which I met with and interviewed people,

except for those I met at Starbucks, or talked with over the phone. Telephone interviews or coffee shop meetings lacked the context of meeting with people in their homes, organizational offices, or at the brink of a mountaintop removal site.

Like the behavior of actors within fields, qualitative research is not constituted by a standardized set of procedures, and this fact can call into question whether the process is inordinately subject to challenges to its validity. Creswell (1998) has argued that “Qualitative research is an inquiry process of understanding based on distinct methodological traditions of inquiry that explore a social or human problem” (p. 15). But he has also suggested it “does not have firm guidelines or specific procedures and is evolving and changing constantly” (p. 17). For her part, Bailey (2007) has stressed the messiness of qualitative research. She also addresses values in field research, noting that “moral neutrality is not always a methodological requirement” (p. 7), but ethical considerations are paramount. In no event should the researcher sacrifice or otherwise subvert the subject’s voice. Due to this wide array of practice and non-standardization of techniques, some authors, such as Flick (2002) and Miles and Huberman (1994), for example, have called for still more systematic attention to issues of validity and generalizability. Miles and Huberman (1994) have likewise called for a dialogue on qualitative methodology and the development of good practice. I make no claims of generalizability, but I did employ specific procedures for data collection, sampling, and analysis that address validity issues. I discuss those further below.

My goal was to produce a detailed and descriptive picture of a particular case and, as per Creswell (1998), to “(build) a complex, holistic picture, (analyze) words, (and report) detailed views of informants” (p. 15). Other authors have treated this capacity as an advantage of qualitative research: Merriam (1998) describes this type of analysis as “richly descriptive” (p.

11). Bailey (2007) suggests that such inquiry “can help illuminate the life experiences of groups who are absent from much research” (p. 7). I intentionally explored the phenomenon of participation from the perspective of marginalized groups, believing that such a view can enrich our understanding of theories of the public sphere more broadly.

### **Paradigm**

I approached my research from a critical post-modern perspective. I assumed an imbalanced playing field, and that approach is no doubt obvious in my research. For me, social injustice is patently evident. Therefore I have perhaps not gone to sufficient lengths to justify some of my statements. A post-modern view emphasizes particularity among individuals and groups. I focused on examining the particularities among Coalfields Delegation members and the complexity of their actions, their variety of tactics and strategies, and their evolving consciousness when engaged with global realities and conditions. I constantly looked to research exemplars such as Melissa Checker’s “We All Have Identity at the Table” (2004) and Nesbitt and Weiner’s “Conflicting Environmental Imaginaries” (2001) as I strove to write without reducing people to a seemingly homogeneous category or group.

A field is a network of relationships and parties in contestation that each bring their own historically and culturally situated perspectives, I placed this insight at the forefront of my field research. I focused on exploring the concept of habitus or the grounding experiences of the Delegates that caused them to become activists in the first place.

## Strategy of Inquiry

I undertook an ethnographic case study for this research. Field theory focuses on the progress of an agent (in this case, the Coalfields Delegation) through a field, suggesting a case study approach. Case analysis focuses on a single organization, object, event, i.e. a case. A case study involves “exploration of a ‘bounded system’ or a case ... over time through detailed, in-depth data collection involving multiple sources of information rich in context” (Creswell, 1998, p. 61; see also Stake, 2004). Field theory expands the lens of a single case, to include configurations of actors, and the system in which actors are embedded. This particular case was also bounded in time as I studied the actions of the Coalfield Delegation over two annual trips to the UN Commission on Sustainability in 2005 and 2006.

Critics cite limitations to case study methodology, including perceived lack of rigor and generalizability (Yin, 1994). However, Yin contends that a case study “does not represent a ‘sample’, and the investigator’s goal when undertaking such research, “is to expand and generalize theories (analytic generalization) and not to enumerate frequencies (statistical generalization)” (p. 10). Schwandt (2007) has defined analytic generalization as similar to theory elaboration:

... a type of generalization in which the inquirer attempts to link findings from a particular case to a theory. (Here theory means something more like a set of theoretical tools, models, or concepts rather than a formalized set of propositions, laws, and generalizations comprising a systematic, unified causal explanation of a social phenomena (*sic*)). A study of some phenomenon in a particular set of circumstances (ie. a case) is used as evidence to support, contest, refine, or elaborate a theory, model, or concept (note that the case is never regarded as a definitive test of the theory). (p. 5).

My study was also informed by the idea of *testimonio*, a short narrative “produced in the form of a printed text, told in the first person by a narrator who is also the real protagonist or witness of

the events he or she recounts” (Beverley, 2005). Testimonio is considered democratic in that it legitimates the voice and provides recognition of individuals who might otherwise be ignored or silenced (Beverley, 2005). While a full testimonio implies the complete recounting of participant narratives, I selected passages from my interviews and incorporated them as interludes following each chapter to provide a context of the experiences and range of motivations that animated those I interviewed.

### **Data Collection**

I conducted in-depth personal interviews with 14 of 22 delegates who participated in the 2005 and 2006 UN trips of the Coalfields Delegation. I also included news stories on a 15<sup>th</sup> Delegate, Donetta Blankenship. She is named specifically in the research because of the public source of her account; other delegates are identified only by pseudonyms. One of the individuals with whom I spoke was not an “official” delegate, but a volunteer who helped with staging events during the second UN trip.

Despite my use of pseudonyms, I suspect that the identity of these individuals interviewed will be apparent to other Mountaintop Removal activists. Most of them maintain a high public profile within the movement, have strong personalities, and frequently employ the same messages in public speeches and media interviews. Indeed, some of the responses I received in my interviews indicated that they were accustomed to answering similar questions.

In fact, while I assured study participants confidentiality of their responses on my Consent Form, several Delegates verbally either waived confidentiality, or asked that I use their names. Nonetheless, for the purposes of this dissertation, at least, I employed pseudonyms as officially documented on signed consent forms. Two interviewees, however, did ask that I not use their

names. One respondent's job had been threatened due to a published news article; the other requested that a pseudonym be used out of concern for the safety and welfare of family members.

I also recorded all interviews digitally. These are stored on compact discs in a locked location; however, they also remained in a password-protected file on my personal laptop for frequent consultation during writing. As an auditory learner, I found that their voices and inflections caused me to remember more of the interviews than I was able to document in field notes.

*Sampling:* I chose the Coalfields Delegation as my focus for a number of reasons. First, I had met members of the Delegation at several meetings over the past several years and found their journey to the United Nations fascinating, so the group was a convenience sample of a sort. Second, as my specific interest is in how small grassroots organizations function in a policy field, the Delegation definitely fit that bill. Third, there are several excellent historical studies of grassroots struggle in the coalfields region (see, for example, Fisher, 1993; Gaventa, 1980), that permitted me to triangulate historical analysis with my emergent findings. Finally, the Delegation raised interesting questions about the role of the public sphere in issues that transcend state boundaries, and the operations of a putative "global public sphere" often defined in civil society terms alone.

The Coalfields Delegation (or delegations) consisted of 22 individuals who participated in either United Nations Commission for Sustainable Development session 14 or 15. Although I strove to interview 75% of the delegates, I fell somewhat short of that aspiration (with 14 interviews and articles about a 15<sup>th</sup>). Two additional delegates had agreed to be interviewed, but



due to difficulties in scheduling, as well as personal illness, I was unable to arrange interviews with them.

I followed a modified snowball sampling technique to select my interviewees. The original list of delegates that I had turned out to be somewhat inaccurate. I first interviewed a particularly charismatic gentleman, who also held legitimacy with the rest of the Delegates. From there, I was able to meet additional group members and facilitate connections by mentioning the name of my initial subject. I was initially intimidated about contacting people to interview. From conversations with my committee, I keenly felt that they had more to offer me than I did them. However, I found the majority eager to talk with me, entirely hospitable and kind, in addition to being insightful and informative. I have come to realize, both from my activist background and from working with university outreach, that outside volunteers and educators are often regarded as vectors for publicity as well as potential funding sources. Whatever their reasons, almost everyone I talked to was very motivated to tell me his or her story, and many emphasized that this was also their goal at the United Nations. As they saw matters, their narratives are part of a larger political message of the importance of stopping mountaintop removal. Also, as matters evolved, I barely had to ask formal questions as most Delegates answered all of them in the course of sharing their narratives.

I note that my mood and personal health were definitely a factor in interviewing. During the several months in which I met with Delegates, I didn't realize that I was quite ill, with an extremely low blood iron level. In at least one case, this caused me to believe that certain interviews went badly, yet after consulting tapes, I found that my impression was mistaken. I had emergency surgery towards the end of my interviewing, and ended up conducting three additional interviews several months after the first ones.

I should add a note about trust. I tried very hard to listen and respect everyone I interviewed. However, I believe that my activist background was the greatest factor in facilitating trust. I was able to understand certain perspectives and respond in a way that perhaps other researchers could not. One person commented that I “got it” or understood what this issue meant to them. Obviously this is evidence of bias, but adopting a neophyte, neutral, or opposing approach would certainly have resulted in different interviews. This is characteristic of qualitative research. I did try not to come across as a conventional researcher, instead falling back on my community work. I have come to realize that my perspective and language have changed dramatically since entering graduate school, which has created a split between my “community” self and my “academic” self, and these two do not always talk with each other. In that sense, my fieldwork yielded a trove of unexpected insights.

### **Data Analysis**

Data analysis was the single most difficult element of this research. Quite frankly, I wasn't sure where to begin. I began by transcribing my interviews, which I found to be extremely time-consuming, and as indicated, I consulted recorded interviews frequently. In utilizing portions of the interviews, I was careful to keep them faithful to the transcriptions, to include the particular grammar, syntax, and pronunciation of each Delegate. I did, however, often edit out words such as “um” and “you know” in order to improve the flow of the text. This was the sole alteration I made.

For interview field notes, I found my laptop computer became my auxiliary brain, and so I either typed them immediately following interviews, or rehearsed them in my head on the (sometimes long) drives home from interviews and typed them up later. I had a difficult time

coming up with an organizing systems for interviews, field notes, and reflections, until I discovered the “Scrivener” software package, which operates like a virtual system of file cards, which enabled me to move files around as my research developed. I did not use qualitative research software and instead coded and analyzed my research by hand. This consisted of highlighting transcriptions iteratively and highlighting concerns, themes or topics that later became headings or themes of my writing. These evolved jointly—my theories and research questions guided the major framework of my dissertation, and interviews guided headings and subheadings concerning findings. Thus, there was a constant interplay between reading and listening to interviews and writing.

I should finally note the impact of several personal tragedies on the conduct of my research. The mass murders of April 16, 2007 leave me stunned to this day. Since that time, five family members have died and three have been afflicted by major illnesses. In addition to my own surgery, this left me constantly distracted and certainly delayed my writing. Many things I wrote during this time were helpful, but not usable as originally written.

### **Quality – Evaluation of the Research**

In efforts to sustain the quality of my research, I used several means to substantiate findings: triangulation with other written sources including historic studies, rich description, and ultimately, outside review. I was able to triangulate findings among several interviewees, news accounts, and members’ personal reflections upon returning from the UN. I also gained access to Delegate notebooks from the two trips. These contained publicity, orientation materials, information on the UNCSD, information on Mountaintop Removal, meeting minutes, and lists of

Delegates. The notebooks were an invaluable resource in reconstructing the UN setting, as well as putting member comments in context.

I used rich description to the extent that my personality allows. My initial training as an undergraduate student was in the natural sciences, and my writing has been praised for being terse, organized, and to the point, which does little for contextualization. For these reasons, my rich descriptions may seem awkward or out of step with the rest of my writing. I did not make use of outside review until I had produced at least early drafts of my effort. And, of course, I received feedback from my advisory committee members on the soundness of my analysis.

The projected outcome of this research is somewhat difficult to evaluate by conventional standards. In my view, the “credibility” of the study rests on its presentation of multiple viewpoints (some of which, as indicated above, can be triangulated through the use of other sources, and some of which cannot). This approach is more consistent with “reality” and the nature of community conflict. Halldorsson and Aastrup (2003) ask “how do we determine *truth-value* in a situation of disagreement between respondents’ interpretations and the researcher’s interpretations?” (p. 330). In this case, and consistent with my methodology, I suggest that each respondent’s testimony had truth, in that it represented a viewpoint that exists among a community. As a researcher, I did not attempt to challenge their statements, but only to clarify differing points of view. This strategy of conveying diverse viewpoints is referred to as “fair dealing” by Mays and Pope (2000, p. 51)

### **Implications of the Methods Employed**

Reliance on a single delegation as a lens into a larger phenomenon represents a deliberate choice, consistent with field theory. This choice is influenced by my prior research on

humanitarian relief in Kosovo (Max Stephenson & Schnitzer, 2006) which identified a tendency in networks of large NGOs, government agencies, and U.N. programs (in this particular case) to foster systemic conditions that marginalized the very interests that they were there to serve (the refugees). Curiosity and sympathy for this perspective informed my interests in this particular organization, and the challenges it faced in taking its concerns to a global venue. This is also a perspective rarely adopted, as systemic power structures, issues of representativeness, and legitimacy of larger, more established organizations tend to render these small organizations invisible. For this reason, and consistent with my critical leanings, I believe that it is an important perspective to share.

It is not my purpose here to develop an ideal model of the public sphere or to privilege the particular goals of the Coalfields Delegation. It is, rather, to challenge the theoretic basis for researching public participation with a basis that provides specific ways in which to examine the effects of power. I intend to extend this approach into other instances of transnational participation.

### **The Delegation**

I have shared the perspectives of eight of the Delegates as “interludes” between chapters. The selections were my own choice, but are not intended to privilege those perspectives over other Delegation members. Below is a list of activists interviewed (all in 2008).

#### Kentucky: Members of Kentuckians for the Commonwealth (KFTC)

- Lisa Atkins, community activist
- Jean Branch, community activist
- Johnny Branch, community activist

- Loretta Echols, community activist
- Joe Fines, organizer
- Mandy Kilgore, community activist and organizer
- BJ Miller, community activist

Tennessee: Members of Statewide Organizing for Community empowerment (SOCM)

- Bonnie Drew, community activist
- Elizabeth Brandon, organizer

West Virginia: Members of Coal River Mountain Watch and Ohio Valley Environmental Coalition (OVEC)

- Luke Garvin, community activist
- Laura Poff, community activist and organizer
- Ron Randall, community activist and organizer
- Alice Paterson, community activist and organizer
- Danielle Jones, organizer

I provide brief information on each person not included in an interlude below.

**Bonnie Drew** is a volunteer and former board member of SOCM (Statewide Organizing for Community empowerment) in Tennessee. She became involved when a large strip mine began operations near her new home.

Uh, it started right around 2000 ... um, actually 99. I brought land up in the Campbell County, which is coal ... one of the coalfields areas of Tennessee. And I knew nothing about coal mining and I was aghast when I found out that there was gonna be the second largest ever permitted strip mine in the State of Tennessee right next door to me, pretty much, and started uh, uh kind of researching a little bit and found SOCM, and it just kind of snowballed from there (Drew, 2008).

Luke Garvin's family property is right next to a mountaintop removal site. Profiled for a website and book project, his plight is described further below:

The property he owns, a few acres with several small buildings and the family cemetery, is the only green spot amidst a desolate landscape. He refuses to sell to any coal company and leave his home, though his land has rich beds of coal beneath it. This refusal comes at a cost. Miners, told that (Garvin's) decision not to sell is an attempt to put them out of work, have shot at his very modest home (where bullet holes are visible as evidence), and set fire to another building. Two of his dogs were killed, and he was run off the road in his truck. The stress of living in these conditions has taken its toll on his marriage; still, he won't give in, saying, "If I stopped fighting for the land maybe we'd have a chance. But this is my heritage. How can I walk away from that?" (Shetterly, 2006)

I also interviewed B.J. Miller, 2005 Coalfields delegate, who is a native of Kentucky, member of Kentuckians for the Commonwealth, and a musician. Johnny and Jean Branch, whose home is surrounded by MTR, attended in separate years. In 2006, Miller's wife Dr. Loretta Echols attended, along with Joe Fines, an organizer with Kentuckians for the Commonwealth, and Elizabeth Brandon, a community organizer with SOCM.

Each person spoke from her/his own rooted experience, as a means of connecting with others and making real the problems that underlie our unquenchable global thirst for energy. Among their clear goals was to demonstrate, through multiple creative outlets, that there is nothing "clean" about clean coal. Their stories are grounded in their lived experience of coal, as well as about place-based identity. But they are in no way the same. The voices, the perspectives, and the experiences of the storytellers vary, but together weave a fabric that can be knitted into a global narrative. As one Delegation member put it, when thinking about the problems of energy extraction:

Nobody has answers for something this huge! And most people can't even think this big. They, you know I mean, really they can't. I mean, and even the people

that work in the fuel industry, they have no idea of the impact of what they're doing to our ... to our planet, basically. And for people to think that big is just too much, you know? It's too complicated! I don't want to think that big! So, you got to kind of make it ... you got to put a face on it and you gotta make it small (Paterson, 2008).



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