

## Compte rendu

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*The Killing of Karen Silkwood: The Story Behind the Kerr-McGee Plutonium Case*, 2<sup>nd</sup> edition  
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***The Killing of Karen Silkwood: The Story Behind the Kerr-McGee Plutonium Case*, 2<sup>nd</sup> edition**

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Karen Silkwood was killed on November 13, 1974, at 28 years of age while driving to meet a reporter from the *New York Times* with documentation about plutonium fuel rod tampering at the Kerr-McGee uranium and plutonium plants in Cimarron, Oklahoma. Richard Rashke, an investigative reporter, has a clear purpose in telling Silkwood's story, a story about perilous working conditions and defective products at Kerr-McGee and her fight against the indifference of the Nuclear Regulatory Commission, the U.S. Justice Department, the FBI, and the Atomic Energy Control Board.

Rashke's account demystifies the U.S. nuclear industry by piecing together fragments from the debris of the official occupational health and safety (OH&S) establishment. The book upsets the conventional wisdom and challenges the taboos about OH&S in general, and in so doing elevates reason and under-

standing about OH&S public policy and practices. The author presents a chilling revelation about the coziness within a hazard-ridden industry of its managers, professional and expert arbiters, regulators and haughty lawmakers.

Kate Bronfenbrenner petitioned for a re-issue of this book on the occasion of the 25<sup>th</sup> anniversary of Karen Silkwood's death as a testimonial to a heroic activist for reform of working conditions. Silkwood is now firmly embedded in that part of the feminist tradition that links working and living conditions and provides OH&S with a class analysis that rejects the liberal trade-off between the integrity of the body and the economic considerations. OH&S emerged from the feminist social-work tradition of the early settlement houses, on the model of Jane Addams and Hull House in Chicago at the turn of the century. This tradition brought together women who were

highly significant in shaping OH&S: Alice Hamilton (the first industrial hygienist in North America), Florence Kelly (an early factory inspector in Illinois and crusader against child labor), and, later, Francis Perkins (Secretary of Labor in the Roosevelt New Deal administration). These women investigated and wrote about hazardous working conditions, child labor, and the need for workers' compensation.

Karen Silkwood represents a contemporary expression of this tradition. In her Foreword, Kate Bronfenbrenner refers to Karen as a "whistle-blower" against powerful corporations and their stable of obsequious, puppet-like allies. By uncovering corruption in the economic realm, she made it possible for civil society to deal with it politically. This is significant for OH&S is not on the political agenda in either the U.S. or Canada and remains a blind spot in the education of managers, in the curriculum of business schools, and in the study of industrial relations.

Regrettably, "whistle-blowing" has acquired a pejorative meaning for many that diminishes its significance in OH&S. Yet it is the last resort for OH&S activists under present conditions. As Bronfenbrenner, herself an acknowledged OH&S activist, states: "Today's heroes take on business and government at a time when capital has never been more globally connected and more effective in advancing its interests at the expense of workers and communities. With ever-expanding free trade legislation placing multi-national investment interests above national sovereignty, the citizens of every nation are vulnerable to the dismantling or outright disregard of workplace... protection legislation. Multi-national corporations have even more sophisticated leverage against those who dare to challenge them" (p. x).

Karen Silkwood's defiance is, according to Bronfenbrenner, "our first line of defense against corporate power"

(p. xii). And with predictable consequences. The dominant structure of K-M governance, a modern version of the divine rights of kings and their prerogative writs, deprived her of her civil rights through surveillance, wiretapping, and the bugging of her apartment. Karen lived in a feudal state, not a human community, ruled by a violent power more massive and dominant than naive students of OH&S and industrial relations have yet to acknowledge. She was troublesome property, ultimately disposed of without any "official" charge of murder in America's heartland.

Rashke deconstructs and reconstructs the Karen Silkwood story from 11,000 pages of trial transcripts, 6,000 pages of pre-trial depositions, 2,000 pages of FBI documents, and 1,600 pages of Congressional transcripts. The information and the menacing tone in these documents obstruct any attempt to fictionalize Karen's story, and we see the banality of so many bureaucrats: comfortable and educated people who want us to forget that this young woman was forced off the road and killed in order to prevent her meeting with the *Times* reporter about plutonium fuel rod tampering at Kerr-McGee.

Rashke's account of the massive documentation on the Silkwood case stands up to critical review and reveals the widespread superficiality of the OH&S establishment and its distortion of the facts: a collusion between the corporate elite, regulators, and their varied and diverse professionals and experts that permitted both the corporate elite and regulators to adopt a posture of "neutrality." The book also penetrates below the surface of practices that enable the collusive OH&S establishment to fashion the thinking and practices that shape OH&S policy instruments: standard setting, enforcement and compliance, and prosecution—the ultimate sanction.

The book is divided into several parts: The Killing, Investigations,

Courts, Trial, and an additional section updating the 1981 edition, entitled "The Legacy."

"The Killing" provides essential background information on work environment matters in a high-risk industry. The fundamental trade-off between the integrity of the body and the economic imperative reveals the politics of OH&S, the privileged status given to production and the impotency of workers and unions in shaping a work environment more congenial to human needs. Talk of "worker rights" in this area is but noise. Health and safety cost money, and economics always wins.

In "The Investigation," Rashke describes the uphill battle to extricate information from various government agencies. This lengthy section focuses on the frustrated attempts to get even public information that would allow the Silkwood estate to sue Kerr-McGee for negligence in Karen's contamination by plutonium, an ultra-hazardous material. The difficulties encompass company dismissals, political payoffs, and the involvement of secret intelligence agencies, special pro-nuclear interest groups and influence peddlars, senators, and sundry politicians and judges. Rashke's account will remind students of industrial relations of an earlier anti-union period, replete as it is with examples of coercion, espionage, cover-ups, and illegal wiretapping—even the bugging of Tony Mazzocchi, OH&S director of the Oil, Chemical and Atomic Workers, the union of which Karen was a member.

The investigation of the Silkwood case was brought to trial because of the remarkable efforts of Kitty Tucker, Legislative Coordinator of the National Organization for Women (NOW), and Sarah Nelson, NOW's National Director in Washington, DC. They lobbied vigorously for a congressional investigation into the plutonium contamination and Silkwood's death, even though the case had been closed by the FBI, the

Justice Department, and the Nuclear Regulatory Commission.

"The Courts" documents and assesses the role of the legal establishment in workplace health and safety. The reader will be reminded of the movie *Civil Action* or perhaps the appalling isocyanate poisoning of thousands of Indians by the Union Carbide plant in Bhopal on December 3, 1973. Both the Silkwood and the Bhopal "cases" were settled out of court without the respective corporations assuming any responsibility or guilt whatsoever. Why did the plaintiffs agree to settlements? Victims need money! Karen's parents were forced to accept a \$1.38 million settlement in January 1985 even though a court had awarded them \$10 million. Kerr-McGee, of course, was appealing and would continue to appeal this decision, forcing the out-of-court settlement.

In "The Trial," the reader is struck by K-M's defense: deny, deny, deny, then virulently attack. The company attacked Karen's character, accusing her of poisoning herself in order to embarrass the company. This Kafkaesque defense reads like a grotesque satire, or something in the realm of cold, dark fantasy.

Gerry Spence, the Silkwood lawyer, questioned the company's defense of conventional wisdom on the theory and practice of OH&S. Unlike the company, Spence called as witnesses K-M workers to tell of their workplace experiences. He cross-examined the company's expert witnesses and the scientists who defended existing standards, acceptable risk, and permissible levels and approved compliance with and enforcement of these standards. Spence's examination exposes the myths and dominant ideology that shape our thinking about work environment matters. This is essential reading for students of OH&S public policy, managers, and trade union members, leaders, and activists.

Throughout this book we are confronted with the general condition of workplace hazards and risks, not just an isolated case. For instance, the history of standard setting for asbestos exposure is similar to that for exposure to alpha particles at K-M. The relationship between “acceptable” standards and an industry’s economic concerns is also well documented. The book touches on varied and essential OH&S themes and offers the reader a glimpse of the greater and lesser bureaucracies and bureaucratism that affect human workers’ pain and suffering, human dignity, self-respect, and self-esteem. The death of Karen Silkwood reveals the dark side of the enlightenment and the economic realm. It is clear that present OH&S public policy, while necessary, is insufficient. Worker rights regarding workplace health and safety are effete. Management prerogatives remain a sacred fortress that protects authoritarian workplaces.

Finally, who was Karen Silkwood? She was a 28-year-old mother of three children; a lab worker at the K-M plant in Oklahoma; an intelligent woman who understood that she and her fellow workers were being poisoned by a carcinogen. She persisted in wanting to put things right at her workplace. In the last few months of her life, we can safely say, she was redeemed for any “ordinariness” or for anything she may have regretted in her life by her actions as “neighbour” in the tradition of the Good Samaritan and by her defiance of the objectification of flesh-and-blood human beings in their workplaces for a supposedly greater utilitarian good or economic virtue. She cried “No!” to evil without a hint of self-righteousness. It was a primordial “no” to the bevy of managers requiring obedient and docile conduct from workers who were being poisoned.

During the last few months of her life, Karen lived in fear and anxiety. But

she could not accept or bow to an authority that was killing her and her co-workers. She could not play it safe —“Yes, sir; no, sir!” She was unwilling to reap the wages of humility and take on a role created by managers who thought of her and her co-workers as erring children who required discipline for their own good.

What do we learn from Karen’s discovery and its aftermath? Is something illuminated? Is there something about “whistle-blowers” that takes on new meaning and gives us some new understanding? Martin Luther brought to the public realm certain information about corruption in the Catholic Church. Karen Silkwood brought to light certain truths about work environment matters. She is a beacon for OH&S activists in North America. Their consciousness of working life is heightened by people who have been killed at work and who need to be remembered.

The Karen Silkwood story also reveals a crisis in the conditions at our places of work and a failure of public policy to deal with the unacceptable frequency and severity of illness and accidents experienced by workers. These policies clamor for solutions.

Was Karen Silkwood murdered? Readers must judge for themselves based on the “relative adequacy” of the facts presented in the depositions, trial transcripts, FBI documents, and Congressional transcripts. For this reviewer, however, only the murderer remains unknown—except, perhaps, to the FBI. Coleridge said of workers in the early factory system in England, “they die so slowly that none call it murder.” But murder it is, whether sudden death as in the case of Karen Silkwood or death following a long latency period and long illness and disability, as for so many of our industrial workers.

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