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"I find it not only ironic but tragic that the very process that is supposed to resolve the social impacts of the

Mike Webber, a 47-year-old Native Alaskan artist and fisherman from Cordova, said his marriage did not

Washington this week with the 7-foot carved piece of cedar, which depicts former longtime Exxon chief

executive Lee Raymond with dollar-sign eyes and a Pinocchio-like nose. An oil slick pours from Raymond's

survive the strain. Webber carved a "shame pole" last year to commemorate the spill and will be in

Exxon Valdez spill—that is, litigation—has, over time, become a source of stress and disruption itself," Picou

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mouth along with the words uttered by a top Exxon official soon after the spill, "We will make you whole."

"Well, they didn't," Webber said, his voice breaking. "They just put a hole in us is what they did, right in our hearts and it hurts. And they took part of our soul.

Exxon's negligence the real culprit

The case centers on whether Exxon is liable for the actions of the ship's captain, Joseph Hazelwood. Prior to the accident, Hazelwood had maneuvered the vessel out of the shipping lane to avoid ice. He subsequently left other crew members in charge with instructions on when to return to the shipping lane—a violation of

"If you look at ... all of the tradition and maritime law, is that the captain or the pilot, anyone on board the ship, does not implicate in punitive damages, the company, or the shipowner," said Walter Dellinger, Exxon's

Justice Ruth Bader Ginsburg noted that Dellinger was largely relying on the 1818 Supreme Court's case known as The Amiable Nancy. In that decision, the court held that the owners of a U.S. ship could not be held liable for punitive damages stemming from the illegal activities of its crew.

Ginsburg said it was "an exaggeration to call it a long line of settled decisions in maritime law."

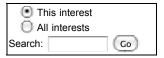
Stanford law professor Jeffrey Fisher, representing the plaintiffs, said Exxon had failed to show any legal basis for overturning the lower court's decision. He said punitive damages are clearly allowed under maritime law, arguing that Hazelwood was in charge of a "business unit" of Exxon. Exxon knew that Hazelwood was an alcoholic, Fisher said, and did nothing about it.

drunken master in charge of a supertanker was a potential for disaster and incalculably raised the chances of

"In the wake of the spill ... Exxon fired one person—Captain Hazelwood," he said. "Everybody else up. further up the chain of command, who allowed this to happen received bonuses and raises. They have taken no action inside the company to express in any meaningful way that they've been deterred by what happened in

Even a ruling for the plaintiffs will have little effect on ExxonMobil. Like the whole of the oil industry, the corporation is reaping super-profits. In late January, ExxonMobil posted the largest annual profit ever by a U.S. company—\$40.6 billion. Lawyers for the plaintiffs have noted that the \$2.5 billion figure is "barely more

is exceptional only in its scale. A system built entirely on the creation of super-profits for corporations cannot possibly accommodate human needs, much less protect the broader ecosystem. Only socialism affords the promise of life in meaningful harmony with the world.



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company rules. Hazelwood also admitted to drinking alcohol prior to the incident.

Exxon's lawyer told the court that two centuries of maritime law precluded punitive damages against the company for Hazelwood's mistakes.

lead attorney in the case.

"It was also common knowledge in the organization, and this came out at trial, that the idea of putting a a disaster and a catastrophic spill occurring," he added.

this incident and the amount of money they've had to pay."

than three weeks of Exxon's net profits." Environmental destruction, like war and racism, is a direct outgrowth of the system itself. The Valdez disaster

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