

FOCUS

LEADING Indian environmental lawyer Mahesh Chandra Mehta seemed at ease with the young Bangladeshi lawyers bombarding him with questions about his work, his views and his life. The modest and unassuming man, responded freely to the eager enquiries from the workshop participants and endeared himself to his audience very quickly.

It was hard to believe that this self-effacing individual could be the target of threats in India. "I face threats everyday," the green lawyer said matter of factly. "People try to terrify me. I get called at one in the morning, two in the morning..."

The bearded Mehta is considered a "dangerous" man himself. He has almost single-handedly managed to change the Indian Supreme Court's attitude to environmental issues. He has thus found himself in direct confrontation with a powerful lobby of businessmen and bureaucrats. Mehta's legal victories have resulted in the closure of countless industries around the Taj Mahal which were turning the monument yellow. He is jokingly referred to as the "man with the affidavit face."

Mehta decided to plunge into the world of environmental issues after an encounter at a social gathering. "You lawyers are interested in making money. You don't do anything," one of the guests said bluntly. The then environmentally ignorant Mehta was told that the Taj Mahal was in danger and that he should do something about it.

In 1984 when Mehta embarked into environmental litigation, he was a "lone person" as he puts it. Hardly anyone understood the concept of environment. It took 200 hours of drafting to prepare the Taj Mahal case. After throwing out the case three times, the judges finally issued notice against the polluters. The Taj Mahal case is still heard every Friday with countless expert committees being formed to assist the court. One of the court orders resulted in the closure of 212 industries.

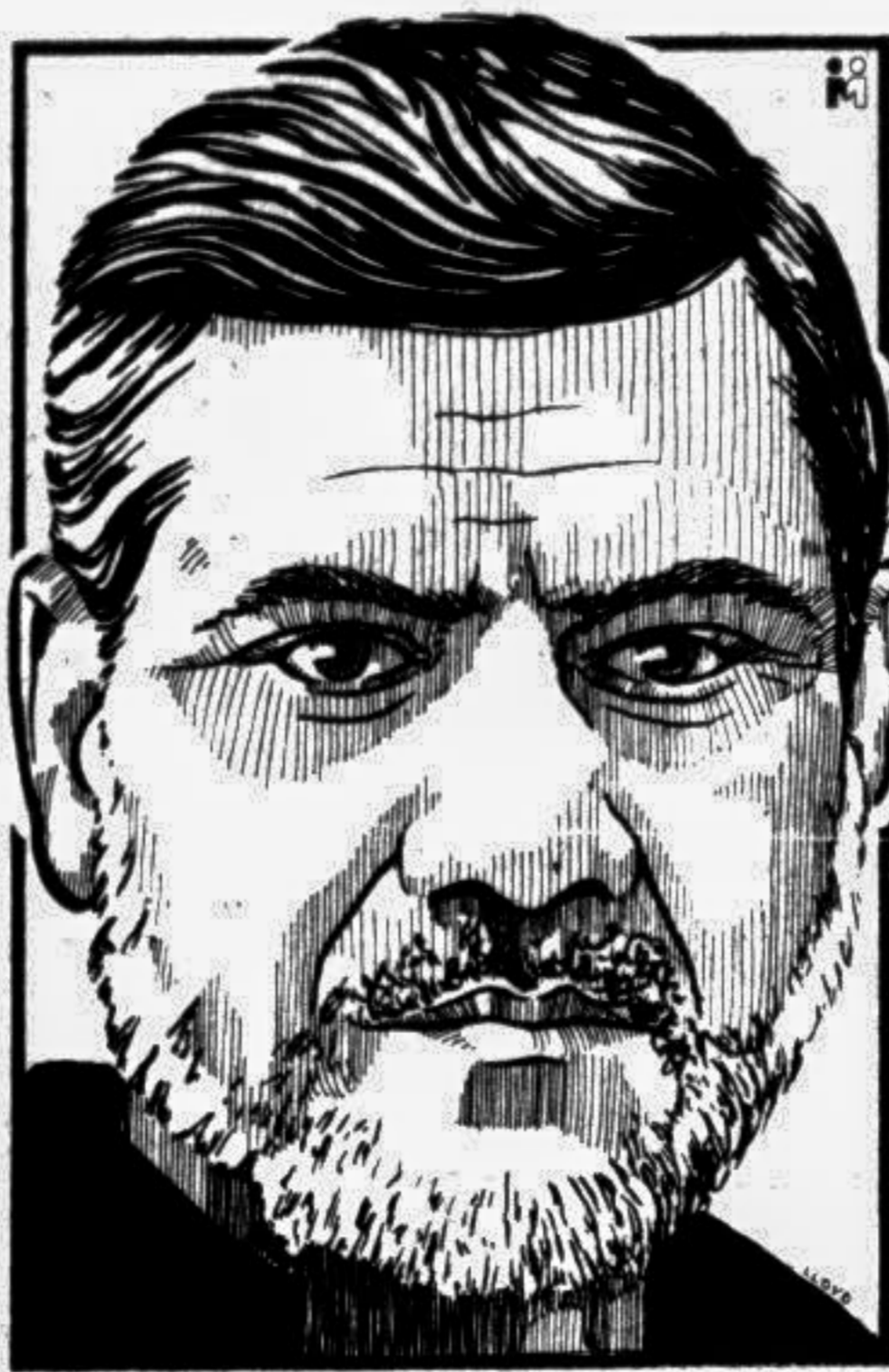
Before Mehta takes up an environmental case, he has to be absolutely convinced of its worth. "I go to the site myself before cases are filed," he informed.

"I once moved a petition saying that according to article 51 of the Constitution, every citizen of India should be duty bound to protect the rivers, lakes etc." Mehta then expanded this concept to 25 pages and secured a landmark judgement. Indian government run TV has now been ordered to run at least seven minutes programming on the environment everyday and broadcast one prime programme per week. Nationwide cinema halls and video theatres have also been directed to show two slides on the environment. As a result of such judgments, the Indian Supreme Court has been termed one of the most environmentally friendly in the world.

But obtaining a judgement in your favour is not the end. How can Mehta ensure that the law enforcing agents do their job? "In all my cases, not a single violation has taken place," Mehta stated firmly, "I become more serious after the judgement." Prospective violators know that he would not hesitate to lodge a contempt of court case. Mehta thinks that the court should set up commissions to

Fighting Legal Battles for Environment

Interview with MC Mehta, Environmental Lawyer
by Lamis Hossain



oversee enforcement.

He did admit that there was a "little problem" in monitoring the cinemas. He has sent letters to NGOs and asked his lawyer friends to go check out cinema halls and jot down the time and place of their visit.

"Law is a very important tool," Mehta conceded, "Without law we can't move." He himself has taken the refuge of the law. But he believes law should be the last resort as it is both time and resource consuming. One should take recourse of the law when other remedies are exhausted and when faced with a desperate situation coupled with government apathy.

What about the role of environmental legislation? Mehta answered that any legislation should cover environmental conservation from all aspects. However he added, "More than environmental laws, there should be political will to implement them." He doesn't think that lack of proper environmental legislation should be a bar to instituting cases: one can always invoke the inherent powers of the court under the Civil Procedure Code s.151 or move a writ petition. "In order to strengthen the legal system, we need people's support." It is impossible for the government alone to protect the environment without taking the people into confidence.

Mehta does not think that his actions are harming the Indian economy. "This is a wrong notion," he answered. His opponents argue that closing down polluting industries causes unemployment, but Mehta disagrees. Firstly, he points out that the court has ordered the workers to be paid during the time of the closure. "It is not the fault of the workers. It's the management," Mehta clarifies. It's an application of the polluter pays principle.

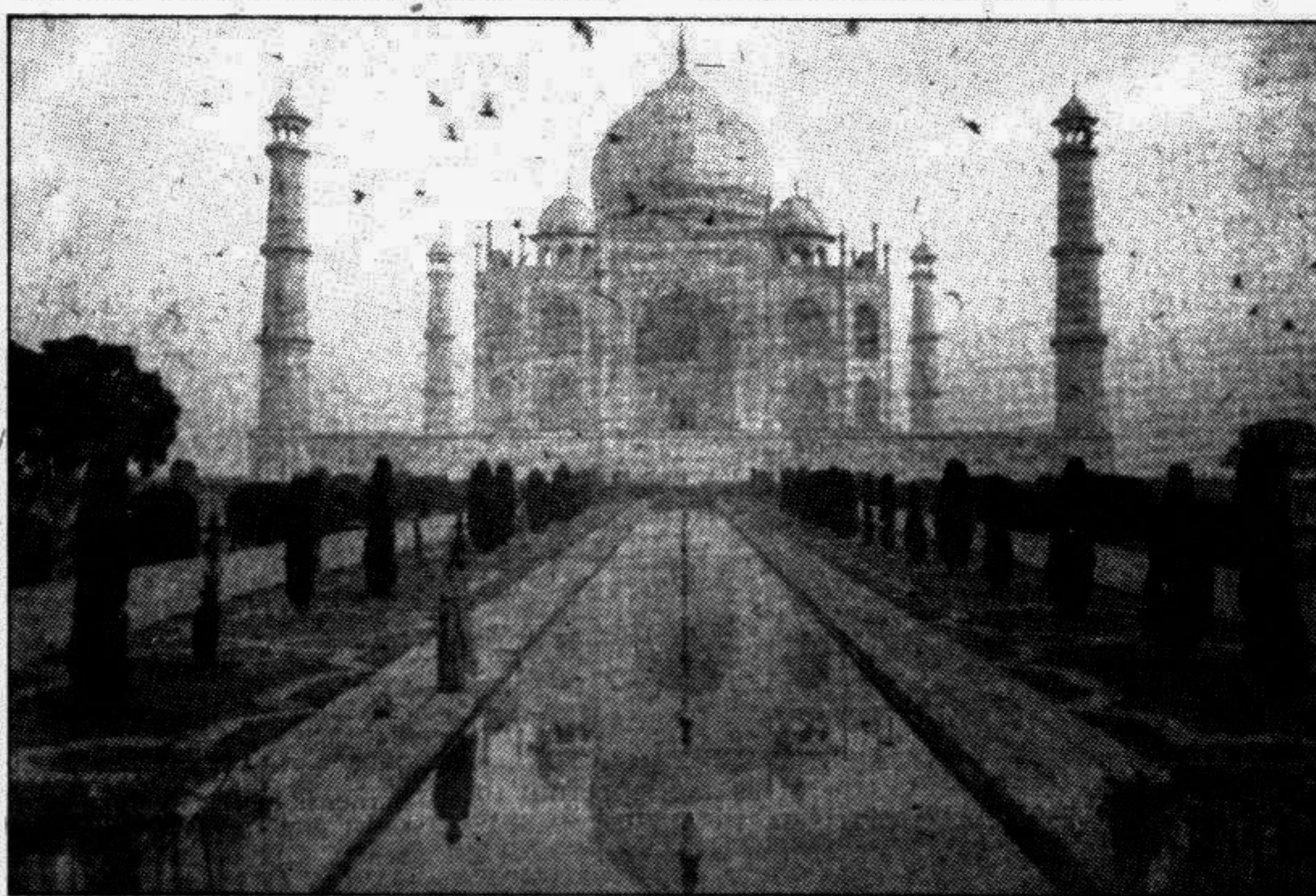
Secondly, he does not think that closing down businesses interested only in profit for themselves will harm the economy. What is the point of one business making X amount of money if it means people are drinking contaminated water, he asks. Only where business are willing to share their profits with society can one say that harming them is harming ourselves.

Mehta denies that he is making people hostile towards the environment. "There won't be any hostility if the worker is taught the dangers to the environment and is made aware that he's the first victim."

Environmental solutions cannot be reached in a vacuum and Mehta is a firm advocate of cross-boundary cooperation, especially between SAARC countries. "If something happens here, it's going to affect the

next city. Environment is a subject where there should be complete understanding. Not enough is being done."

Mehta suggests that SAARC identify some common issues such as forest, and air pollution to start with. "Air pollution travels 6,000 km per hour," he reminds us. He also believes that, in India at least, a lot of health problems could be solved simply by provid-



ing clean water, since seventy five per cent of diseases there are water borne.

There should be a SAARC commission on environment headed by a Supreme Court judge, Mehta recommends. It should be totally independent, supported by a scientific body and should travel around the region.

His other advice is that we learn our lesson from the mistakes of Westerners countries. "In the race for luxury, they have done irreparable damage." Having banned environmentally damaging processes in their own countries, Westerners are now attempting to dump their toxic waste in the third world and set up environmentally unfriendly industries here.

We should move away from becoming a plastic culture and turn to traditional means according to Mehta. Plastic becomes carcinogenic when recycled again and again. NGOs and activists, the affidavit man believes, should become involved in reducing the use of plastic.

Every culture has eco-friendly options. Bangladesh should turn to jute bags, Mehta pointed out. He also suggested that we should try cars with compressed metal gas. "It is very cheap fuel and there is no foreign exchange involved." Government owned vehicles should lead the way.

Did Mehta agree that Dhaka was a city littered with plastic bags and choked with noxious fumes? The bearded lawyer was extremely diplomatic. He hadn't seen enough of Dhaka, he replied, to comment on it (isn't one look enough?), but he thought Dhanmondi was beautiful.

The green lawyer from India has faith in his convictions. He does not use any foreign or NGO funds at all. He keeps more than a safe distance away from politics. He doesn't write press releases or seek publicity. He doesn't even hire security due to lack of money.

"If you do constructive work, there will be no protest," MC Mehta states firmly, "If you keep away from politics then you can do anything you want." Such as rolling back the tide of environmental destruction.

The Latest Colonialization of Bangladesh: Telecolonialism

by Andrew Robinson

It is hard to believe that in a country that supports a free press, free elections, and international standards of human rights, officials of the BTTB still consider the telephone a "luxury" item

FORTY-EIGHT years after the departure of the British Raj, 24 years after the war of independence against Pakistan and just four years after the installation of democracy, the 120 million citizens of Bangladesh remain mired in a form of colonialism as oppressive as any in the region's history. Telecolonialism — exclusive, ubiquitous, and almost impossible to combat.

Just as the British controlled tax revenue and Pakistan controlled the official language (Urdu as opposed to Bangla), the communication powers colonizing Bangladesh today control something equally important in the shaping of an independent country — information.

In early-century Bengal, not only luxury items — chandeliers, tea cups, face creams, cigarettes — but local attire such as dhotis and saris were made in England. In today's Bengal, not only luxury information — business management, computer programming, marketing, English grammars and GRE books — but ideas about justice, democracy, domestic development, the very concept of the modern world itself is made and controlled by foreigners.

"It's not uncommon," says a friend of mine, a local investigative reporter, "that in order to get important information about Bangladesh, I must call America. Getting information here is like pulling teeth."

Part of the problem is a lack of telecommunications infrastructure. The cost of a telephone in Bangladesh is much higher than it should be, as is the amount of time required for installation. It is hard to believe that in a country that supports a free press, free elections, and international standards of human rights, officials of the Bangladesh Telephone and Telegraph Board (BTTB) still consider the telephone a "luxury" item (Financial Express, May 1995) and insist that applicants explicitly state who will and will not use the device (an outdated mode of control).

The fact that it is easier to call the US than Rajshahi or Calcutta should not be shrugged off as a technological fluke. Such breakdowns of local communications are the hallmark of colonial rule. It even existed during the British colonization of America, when it was easier to send a message from Virginia to Britain and back to Maine than it was to send a message directly from Virginia to Maine.

Combine this lack of internal infrastructure with a powerful external mass media (from the New York Times to the BBC), the public relations departments of large international human development organizations (Amnesty International, UNICEF, CARE, the World Bank), and a plethora of foreign supported NGOs training the journalists, "empowering" the women, educating the children of Bangladesh, and you have an even greater problem: Telecolonialism.

A recent study of the Bangladesh media revealed that almost all of Bangladesh's visual comprehension, the outside world, a la the television set and published photographs, comes from foreign sources. In seven of the leading Bangla language newspapers, 88 percent of the information about America contains a Western media organization's return address on it.

And yet foreign funded development and media organizations — not their Bangladeshi counterparts — are the ones dissecting Bangladesh into bite size data packets for easy distribution, the informational equivalent of tax collection. They will be the first to tell the world about the "subjugated" status of women in Bangladesh, the employment of child labour, or the death toll of another cyclone (a clarification for more aid). Or if they want to sound positive, they will inform the world about the success of their own development projects.

"We get foreign reporters here all the time," says Tajul Islam, public relations director of the Bangladesh Rural Advance Committee, the largest foreign-funded domestic NGO in the world. "And ninety-nine per cent of the articles they write about us are positive." Not only do the telecolonial powers instigate the missions, but they successfully info-monopolize the global projection of that mission.

The effect of this information imbalance has most recently manifested itself in the trade debate over child labour. While such communication rich countries as France and the US try to persuade the World Trade Organization to withhold trade privileges from communication poor countries like Bangladesh because of its child labour practices, many international organizations are persuading consumers to boycott South Asian garments.

And yet it's virtually impossible for Bangladeshis to learn about the controversial practices of foreign companies — that Chase Manhattan Bank, for example, has been trying to influence politics in Mexico (Harper's Magazine, May 1995). Or that many foreign companies use objectifying sexual images of women to advertise their products (something forbidden in this country). Or that Nike shoes has been accused by many consumer rights groups in the US of exploiting disadvantaged inner-city youth.

Bangladeshis would never be able to boycott such companies, because they do not have access to such information, nor the means to publicize it.

It's a brilliant testimony to the power of telecolonialism that Bangladesh allows such an unfair trade of information to go on. To use the trade jargon of the Uruguay Round of the General Agreement on Tariffs and Trade, many western countries, especially the United States, are guilty of info-dumping in Bangladesh. So much information pours in from the outside that the Bangladesh's domestic media simply cannot compete. This country would be wise (but internationally chastised) to close down some of the more powerful sources of input and work to build up its own system of gathering international news.

In perhaps the ultimate conquest of telecolonialism, just as they joined the ranks of the British troops during the Raj and the Pakistani military after that, Bangladeshis will even be willing to fight the telecolonialist's wars. In fact, they already do.

With a ten-fold pay raise, perks, travel expenses, the rank of captain in two years, low-risk combat scenarios (although the risk has increased over the last four years), over 3,200 Bangladeshi troops are stationed around the world. They fought in the Gulf War, helped enforce impossible democratic elections in Cambodia, joined the aid parade in Operation Just Cause, accompanied the US into Haiti (and are still there) and held the frontlines in Bi-hac, not because of any ideological agreement with the cause but — as Nurul Momen, professor of the Department of International Relations at Dhaka University puts it — for "the money, the thrill of adventure and the opportunity to serve humanity."

And that's just it. In the age of telecolonialism, the telecolonialists provide Bangladesh the final definition of humanity, which is really the one thing Bangladesh, like any country in its battle for independence, has been struggling to achieve all these years — the ability to define humanity for itself.

(The author is a Fulbright Scholar from the United States affiliated with the Department of Mass Communications and Journalism at Dhaka University. He is currently working on a project with the Ford Foundation to raise awareness about the communications potential of the Internet.)

EBOLA. Five letters that have captured our imaginations for the ghoulish. The latest outbreak of this awful virus has been accompanied by a commensurate contagion of media hysteria touching on matters from the immediately relevant to the downright specious. We have watched pictures of Italian nuns in quarantine on our televisions. We have been regularly updated of the mounting death toll in Zaire. We have witnessed moon-suited medical personnel poke and prod at ravaged corpses. The Ebola virus has ever spread to the sports columns with newspapers reporting on Zimbabwe's difficulty in convincing foreign based players to appear in Zaire for a football match. Incidentally, Zaire won the game 5-0 with Zairean supporters chanting "Ebola, Ebola!" throughout play. Ebola has even elicited racist evocations of Africa as the unknown and uncivilized continent a la Joseph Conrad's "The Heart of Darkness."

None of this sort of coverage really helps us to understand what Ebola is actually about. Because of disjointed media coverage, we may receive detailed impressions of a part of the issue, such as in accounts of Ebola's horrific impact at the physical level, only to lose sight of the whole problem of which the virus per se is only an aspect.

One of the first things we need to know is that Ebola is not alone. It is one of a new generation of super-pathogens that derive their names from places of origin. Alongside Ebola (the name of a river), we have Lassa, Marburg, Chikungunya, O'nyong-nyong, Simliki and so on. Their numbers are sure to grow, just as the conditions fostering them expand.

What do I mean? The simple truth sits before our noses. The emergence of these deadly super pathogens is a direct consequence of the international economic order. Inferentially it is thus only fundamental change in the global social and economic system that will remove these blights. This would necessarily challenge the hegemonic interests of the North, the First World, Development Countries, Euro-America, Industrialized countries, call them what you will. Perhaps it is because of this linkage that the media does not dwell on fundamental causes. Instead, the more the North-dominated media spreads 'information' and 'news' of Ebola, the greater the dissemination of ignorance about the virus and its genesis.

AIDS, which is the consequence of that most infamous super-pathogen HIV, is slow acting but has become the world's number two cause of loss of life. Over one million of Uganda's 18 million people are HIV positive. Recent newspaper reports put the equivalent figure for India at two million. I have heard conservative moralists blame patterns of social behaviour, seeing AIDS as 'God's revenge' for sexual promiscuity. I have also deplored at confused leftists who have pathetically blamed the CIA for deliberately releasing germ warfare agents upon third world countries. The real causes have, however, escaped public notice.

Strong evidence suggests that the causes of Ebola, HIV and other super-pathogens lie beyond normal human-pathogen relationships. They have a mortality rate of up to 90 per cent and due to human social interdependence, 40 per cent is considered enough for

EBOLA, Environmental Change and the International Economic Order MAKING THE LINKAGES

by Abdul Hanman

extermination. The effects are ghastly. Ebola, for example, literally rots the body internally, causing massive haemorrhaging. Necrotic discharges stream from every orifice, including the victim's eyeballs and nipples. Ebola destroys all attempts to prevent its spread — first by overpowering the victim's immune system and then the doctors who come into contact.

In normal circumstances, diseases and their hosts co-evolve symbiotically, reaching a reflexive and ebbing near-equilibrium. In other words, being quickly lethal is as much contrary to the pathogen's interest as it would be for you or I to burn down our own homes.

Unfortunately, the delicate balance — arrived at over a period of hundreds of thousands, possibly millions, of years — no longer applies if a super-pathogen such as Ebola jumps suddenly from its once co-evolving host species to an entirely new one. These pouncing pathogens are called 'zootonic' organisms because, once introduced to a species that has no ecologically-developed safeguards, they can pose horrendous dangers.

Ebola and its cousins are zootonic. They have begun to operate outside an evolutionary relationship of cons against a new defenceless host-us.

But why? What is the source of these super-pathogens? Why do they appear to be emerging now? One proposition that has been forwarded but, as I say neglected until now, is that the international economic order is responsible by putting pressure on countries of the South to consume their natural resources, particularly forests.

When an ecosystem suffers degradation, some species become extinct while others increase rapidly in number. Viruses in such circumstances come under extreme selective pressure and adapt by mutating quickly. As forests are felled and cleared, the virus comes out of its natural habitat to search for a new host. Eventually this means us. These are the views of Richard Preston, expressed in the book "The Hot Zone". It is his proposition, and mine here, that the rum of the tropical ecosystem, where the bulk of the world's biodiversity exists, will result in the outbreak of more and more Ebola-like monstrosities in the future.

Environmental degradation therefore accounts for most emerging diseases. But the explanations do not end here.

The godfathers of development from Europe and North America have imposed on us an economic system based on austerity, privatization, escalating prices for finished goods and plummeting prices for raw materials. The result has been starvation destitution and North-sponsored war in the South. The eco-

nomie vice has the immediate medical consequence of throttling health services (Rip Alma Ata) and the resultant weakening of human immune systems. Increasing numbers of people are placed in this pernicious situation. Thus weakened, they become inviting, vulnerable hosts to homeseeeking super pathogens.

Is that it then? Is Ebola the nightmare spawn of an international economic order that is destroying our living standards and our ecosystem? If this is the case, then we may ask the question as to why super-pathogens have begun to emerge now and not in earlier phases of colonialism when imperial powers also oppressed people and destroyed ecosystems.

Drs. Andrei Sakharov and Ernest Sternglass

claim that the most widespread — but also the most underestimated — effect of low level radiation is a significant weakening of the human immune system. This radiation finds its way (after nuclear bomb testing and nuclear power plant activity) into the human population almost entirely through rain which falls in tropical areas where — you guessed it — super-pathogens like Ebola are emerging. It is these areas that have registered "the highest levels in the world of strontium 90 (found in human bone)".

Super pathogens may be the symptoms but the conditions — nuclear technology, environmental degradation, structural oppression of the South by the North — point to the real killer: the international economic order.

Have I simply confected these linkages between Ebola, the environment and the global economy? I believe not. What I have tried to do is reconnect apparently disparate events and processes, based on the principle that the global economic system and the global environmental system are interlocked. It is our misdeeds in the former that is unleashing murderous consequences in the latter.

If we do not learn this lesson, then we will have to brace ourselves for more and worse ecological fallout. It does not make for pleasant reading but Ebola could only be a taste of things to come.

Internet Plays Important Role in Fighting Ebola Virus

INTERNET BASED electronic mail is playing an important role in the identification, tracking, research, and discussion of the outbreak of the deadly Ebola virus in Zaire.

An electronic-mail-based discussion group called ProMED makes it possible for researchers, physicians and other health workers to study, monitor, and share information about the emerging disease in the developing world.

Anyone with e-mail can monitor late-breaking developments and contribute to the discussion of this emergency and other issues related to emerging diseases.

The Programme for Monitoring Emerging Diseases (ProMED) includes an e-mail conference of physicians, public health policy makers and other health workers.

Subscribers on ProMED include: — Dr Joseph McCormick — who is the only scientist to have witnessed all three pre-

vious known Ebola epidemics, all in Africa — in Yambuku, Zaire, in 1976, and in the southern Sudan in 1976 and 1979. He is now chief of infectious diseases at the Aga Khan University in Karachi, Pakistan.

— Dr Karl Johnson, who was the first doctor to describe Ebola virus.

— Dr C I Peters, who is in charge of the Centres for Disease Control and Prevention's lab which is currently working on the specimen from Zaire.

ProMED serves over 700 subscribers in over 70 countries and territories worldwide.

ProMED was established to identify and quickly respond to unusual outbreaks of infectious diseases and provide help to affected areas. This rapid response is essential not only to the region of origin but to the entire world.

Experts have warned of the need to respond more quickly and effectively to

emerging infectious diseases. ProMED is designed to meet the need for an effective global infectious disease surveillance system.

Anyone can join the ProMED electronic conference by sending an Internet e-mail message to majordomo.healthnet.org. The message must contain the "subscribe promed."

ProMED was created in September 1993 by the Federation of American Scientists at a conference in Geneva, Switzerland, and co-sponsored by the World Health Organization.

ProMED is made available through Satellite, a non-profit organization based in Cambridge, Massachusetts. Satellite operates HealthNet, a computer network operating in 16 African countries and 5 Asian countries. HealthNet provides communication links among physicians and allied health workers in the developing world, even in very remote areas. — USIS