



Connections: Key Themes in World History

Series Editor: Alfred J. Andrea

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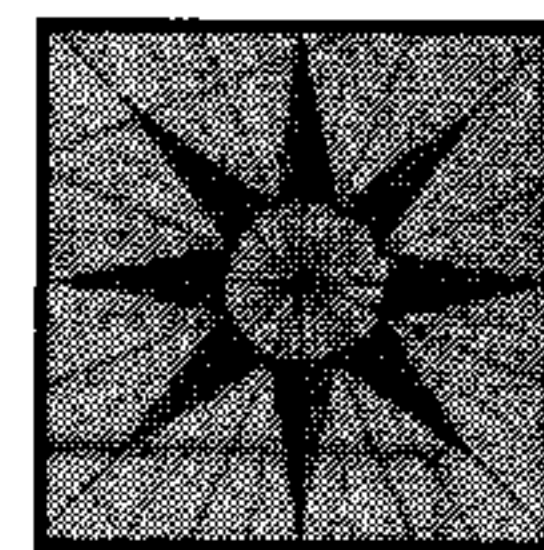
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ABOUT THE SERIES EDITOR

Alfred J. Andrea, Emeritus Professor of History, The University of Vermont, is author or editor of twelve books and numerous articles, pamphlets, and miscellaneous works on a variety of topics, many of which deal with aspects of world history before 1500. His most recent publications are *Contemporary Sources for the Fourth Crusade*, 2nd ed. (2009) and *The Human Record: Sources of Global History*, 6th ed., Vol. I (2009). He is currently vice-president of the World History Association, and in January 2010 will assume a two-year term as president.



PERILS OF PROGRESS

Environmental Disasters in the Twentieth Century

Andrew L. Jenks

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payments to their constituents. Others wondered if it was good for India's future to have nearly an entire city's population designated as "victims" dependent on handouts from the state—almost a quarter century after the leak. Wouldn't that cheapen the suffering of the supposedly real victims?

Debates over cleaning up the remaining 420 kilotons of toxic wastes at the former Union Carbide plant provide another case in point. In the summer of 2008, bags of toxic chemicals and mounds of toxic sludge were overgrown with weeds and trees, home to cows and the homeless, but essentially untouched since the night of the disaster. With every summer monsoon season that brings with it heavy rains, the chemicals strewn all about the area leach into the surrounding water systems that supply drinking water to thousands of residents in Bhopal's slums, slowly poisoning those not already poisoned by the gas leak in 1984. More than fifty victims and activists in the summer of 2008 staged a protest march from Bhopal to New Delhi, where they set up an encampment outside the seat of India's government.

Dow Chemical, which bought the remains of Union Carbide in 2001, has refused any responsibility for cleaning up the site, claiming that Union Carbide's earlier settlements covered its liability for the disaster. The problem, said the company, belonged to the Indian government, which seized the Indian assets of Union Carbide to build hospitals. In doing so, it took possession of the Union Carbide site and thus responsibility for its cleanup. The Indian government, meanwhile, in a rare instance when it agreed with many radical activists in Bhopal, has argued that Dow Chemical must clean up the waste and haul it back to the United States—to be dumped, no doubt, somewhere near a place like Love Canal. An Indian billionaire in 2008 offered to clean up the site, but Bhopal victims groups and the Indian central government rejected the offer. One group of Bhopal activists insisted that Dow Chemical clean up the toxic wastes and filed a suit in court to prevent the state government from remediating the site. Union Carbide created the mess, and Dow Chemical must clean it up, they argued. Never mind that until Dow cleans it up (hardly likely) the toxic wastes will continue to kill Bhopal residents. The political utility of the toxic waste problem in Bhopal, as often has been the case, took precedence over the suffering of the victims.

SOURCES

■ Profit at All Costs?

A U.S. Congressional hearing on Bhopal, held just nine days after the disaster on December 11, 1984, in Washington D.C., underscored the global nature of the Bhopal disaster. Like a Tsunami, what happened in Bhopal reverberated all the way to the shores of the Atlantic and up the Potomac River to Washington, D.C. Two factors drove Washington's interest in Bhopal. First, it was clear that Union Carbide, a U.S.-based corporation with powerful allies and lobbyists in the Capitol, was facing a public relations and potential legal nightmare that could severely damage the company's bottom line—at a time when the chemical giant was already facing financial troubles. Second, India was a key battleground in the Cold War. Since India's emergence as an independent state after World War II, the Soviet Union and the United States had fought a constant battle for the hearts, minds, resources, and loyalties of the Indian government. Both sent technical advisors, industrial equipment, and money to India to help the country industrialize. Both claimed to represent the only viable path to development. Both claimed a superior command of science and technology to legitimate themselves before the Indian government. Since the Bhopal plant ultimately belonged to the American capitalist side in the Cold War, the disaster at Bhopal constituted a major setback for the United States in the Cold War, just as Chernobyl, less than two years later, was a dramatic blow for Soviet prestige around the world. An intensification of the Cold War by Ronald Reagan, who in 1983 had referred to the Soviet Union as the evil empire, also raised the political stakes. Now many around the world could point to Bhopal as proof that the United States was the truly evil empire—a sponsor of toxic terrorism. For instance, six days after the disaster, the Soviet news agency TASS concluded that Bhopal was the inevitable by-product of a criminal policy of "profit at all costs" by Western businesses—and supported by their lackey political stooges in Washington, D.C.

Source: *The Implications of the Industrial Disaster in Bhopal, India. Hearing Before the Subcommittee on Asian and Public Affairs of the Committee on Foreign Affairs. House of Representatives. Ninety-Eight Congress, December 12, 1985* (Washington, D.C.: U.S. Government Printing Office, 1985).

The following document consists of two excerpts from hearings that were held by the House of Representatives Committee on Foreign Affairs on December 12, 1984. Officials from the U.S. Department of State, Union Carbide, and an official from the World Resources Institute (an environmental think tank based in Washington, D.C.) came to speak before the committee and answer questions. As you read the following two excerpts (the first from a representative of the U.S. Department of State and the second from the Union Carbide's chief lobbyist in Washington, D.C.), identify the various implications of the Bhopal disaster. What legal issues did the disaster raise? Based on the questions and answers, what problems do you think multinational corporations posed for regulators in national governments? What was at stake for the United States—politically and economically? What do those answers tell you about the way multinational corporations, based in the United States, operated in other parts of the world?

Robert A. Peck, Deputy Assistant Secretary, Bureau of Near Eastern and South Asian Affairs, Department of State, responds to questions from the House of Representatives Committee on Foreign Affairs.

Committee member Solarz: Is anyone here from the administration today in a position to testify as to whether the safety and environmental standards in India with respect to this plant in Bhopal were less strict than the comparable environmental and safety standards with respect to similar facilities in our own country, or whether they were comparable to the regulations we have here?

Mr. Peck: No, sir, we do not have that expertise available now.

Committee member Solarz: I gather we have no extraterritorial application of American environmental law to the operation of American corporations or subsidiaries doing business abroad?

Mr. Peck: Generally that is the case, yes, sir.

Committee member Solarz: Let me ask you a question of national policy. If we come to the conclusion that an American firm is engaged in a potentially hazardous enterprise abroad, and if we determine that the safety and health and environmental standards and regulations of the country in which that firm is doing business, or in which it proposes to do business, are substantially less than here in our own country, and that as a consequence of the inadequacies of the host country regulations, there is a potentially

serious hazard to the health and the safety of the people of that country or those who live or work in the vicinity of the facility, do you think we have any kind of obligation here to . . . restrict the operations of that subsidiary . . . ? Or do we take a kind of laissez-faire attitude and say . . . that is their problem, not ours . . . their responsibility, not our responsibility? Do you think we have a larger responsibility here . . . to impose certain restrictions and requirements on . . . American multinationals doing business abroad . . . ?

Mr. Peck: Let me say, Mr. Chairman, that we do not have a general policy today to exert that kind of control.

Mr. Solarz: I gather from what you said . . . that American companies are perfectly free to operate foreign plants . . . abroad . . . without regard to regulatory controls required in this country. Is that the case?

Mr. Peck: That is generally the case, sir.

Ronald Wisehart, vice president for Government Relations, Union Carbide Corp., responds to questions from the committee.

Committee member Solarz: Would you agree that you have . . . the kind of moral obligation to meet the highest [safety] standard possible, regardless of whether it is required by the host country law or not?

Mr. Wisehart: Well, I think the record of Carbide and of the whole chemical industry indicates . . . the chemical industry is the safest industry in the United States.

Committee member Torricelli: . . . it is my understanding that in fact in India there are no provisions in the law for class action suits. It is also my understanding that there is no strict liability under Indian law. And it is also my understanding that there is a \$300 filing fee for an individual claim, which of course is larger than the annual income of almost all the people who are affected in the area. And there are no provisions for waiving those fees under Indian law . . . that would mean for all practical purposes the affected thousands of citizens in India, and their heirs have no recourse in India under current law, meaning that their only opportunity for compensation is in the courts of the United States. . . . I wonder . . . whether your company would in fact oppose jurisdiction requests for the courts of the United States?

Mr. Wisehart: . . . we cannot answer this.

Committee member Torricelli: You are vice president of a company, and no doubt influence policy in the company. Wouldn't it be your own personal moral judgment that it would be an error to try to stop jurisdiction? That, in fact, there is no legal resource for the victims in India? The only assets that could be found . . . were in the United States, would that be your personal moral judgment?

Mr. Wisheart: I really don't know.

■ Safety First?

Once a disaster ends, the blame game begins, as various interested parties (government officials, workers, and corporate officials) attempt to fix blame—and receive (or avoid paying) compensation. Within a week of the accident, lawyers for victims filed the first of many lawsuits in U.S. and Indian courts. Invariably, however, those with the most resources—Union Carbide in this instance—had the advantage. Union Carbide staged press conferences and used public relations officials to push stories in the media and vilify the victims, and it put lobbyists in both India and the United States into action. One study found that by far and away the most cited sources by American newspapers—and to a lesser degree Indian newspapers—were Union Carbide officials and American government officials. When it came to communicating and interpreting the disaster, Union Carbide controlled the message. Union Carbide, for instance, initially blamed the accident on worker sabotage—a disgruntled worker according to some accounts and in others a Sikh separatist with an agenda of independence from India. The account, despite the absence of evidence, was dutifully reported in numerous media outlets and Union Carbide continually promoted the “sabotage” theory in its legal defense. Rarely did mainstream American or Indian news accounts cite workers, victims, local officials, or doctors.

The truth about the accident, however, was far more complex—and damning, at least from Union Carbide's position. Union Carbide's pesticide operations, which were part of the company's agricultural products division, were losing money. The company had

Source: Excerpts of interviews with Union Carbide workers in Bhopal, published in 1994: T. R. Chouhan and Others, *Bhopal: The Inside Story. Carbide Workers Speak Out on the World's Worst Industrial Disaster* (New York: Apex Press, 1994), 86, 90–93, 94–96.

engaged in relentless cost-cutting measures, and the Bhopal plant itself was for sale. According to the calculus of most corporations, safety was figured as a cost—and not a benefit. And so safety became a secondary concern, as suggested by a 1982 internal Union Carbide safety inspection report, which emerged only years after the accident. The report noted that “operator turnover appears to pose a serious problem in the plant. . . . personnel were being released for independent operation without having gained sufficient understanding of safer operator procedures . . . there is some question about the adequacy of the tank relief valve to relieve a run-away reaction . . . no water spray protection has been provided or vapour cloud suppression in the MIC . . . storage areas.”¹¹ This information was almost completely absent in versions of the disaster that emerged in the weeks after the accident. It took much longer for a more balanced account to emerge—one that included the point of view of victims and workers rather than press releases from Union Carbide and government officials. The following document contains excerpts from Bhopal workers who were interviewed after the accident. Their account was published only in 1994.

Why do you think that it took so long for the worker's version of the disaster to emerge? What picture of the workplace emerges from the testimony?

About September 1983, I was sent to the MIC unit for on-the-job training. There they told me that I must learn about the MIC plant from my fellow workers. When the plant was running, it was difficult to take on-the-job training, but somehow I began to learn about the MIC process. My demands for assistance were always refused. . . .

I joined Union Carbide on 5 November 1979. . . . During a one-year training period, I was given two months of classroom training and three months of on-the-job training; and in the remaining seven months, I worked as a regular operator, per management orders. The plant was ready to start but there was a shortage of trained manpower. Trainees were thus used as operators but only paid the wage of a trainee. . . . The treatment of operators by management was in all ways similar to unskilled workers . . . nine of my colleagues had resigned by December 1984 due to bad treatment by management,

¹¹Internal Union Carbide memorandum, “Action Plan—Operational Safety Survey, May 1982.” I found a copy of the document in the library of the Sambhavna Trust Clinic, Bhopal, India.

dangerous working conditions and lack of job security. . . . In my plant, there was no alarm system for automatic detection of a carbon-monoxide leak. . . . Leaks were common . . . I was, along with my colleagues, exposed to various chemicals . . . Initially, our factory had a loud siren and a public announcement system to warn outside public and plant personnel, but in 1983, our management modified the loud siren into a muted siren [which] could not be heard outside the plant. . . .

I joined Union Carbide in 1978 . . . Chemical leaks were common . . . throughout the plant. I was repeatedly exposed to various chemicals . . . The facilities provided for worker safety were not sufficient; even work clothes were not provided. [Right before the disaster as] we heard about the corroded pipelines, faulty pumps and valves, faulty instruments and gauges and untrained personnel in the MIC plant, there was more and more panic among us. . . .

I joined the Union Carbide . . . plant in 1973 . . . management only provided me soap and a cotton mask as safety equipment. No clothes were provided to protect me from toxic dust particles. When I went home, my family could clearly smell the insecticides. . . . There was no job security; any demand for extra safety led to warnings that we would be terminated. . . .

I joined Union Carbide . . . 28 March 1977. . . . They started training first in the classroom for two months without ever providing individual copies of the process and safety manuals.

■ A Medical Professional's Perspective

Dr. N. P. Misra, Emeritus Professor of Medicine, Gandhi Medical College, Bhopal, Physician, Governor of Madhya Pradesh, was the Dean of the Gandhi Medical College in Bhopal at the time of the Bhopal tragedy. He directed medical services in the aftermath of the disaster. He also was the chief investigator on the effects of the Bhopal leak for the Indian Council of Medical Research and he testified in New York City on behalf of the Indian government in 1986. His testimony was a centerpiece of the Indian government's legal argument that the case against Union Carbide should be tried in U.S. rather than Indian courts—a strategy based on the assumption that U.S. courts would award higher damages than Indian courts. The Indian government lost that argument. Dr. Misra provided the

Source: Interview conducted by the author in Bhopal with Dr. N. P. Misra, July 10, 2008.

following recollections on Bhopal in an interview conducted by this book's author.

[On the night of the disaster] I got a message at about midnight from some of the authorities of Union Carbide that the gas [methyl-isocyanate] has leaked and it is likely that some of the patients might come to your hospital for treatment. I asked [Union Carbide] what sort of toxicity studies they had carried out and what can you tell us about treatment. They had no information. . . . the only advice that [Union Carbide] gave me was that people should cover their face with a wet cloth. . . . But they had no idea about the toxicity except that it produces irritation to the respiratory system. We started getting patients by past midnight. They were very sick. They were having a lot of distress in breathing. Vomiting. Eyes were also red. And they seemed to be quite unwell. Because MIC is heavier [than air] it settled like a cloud over the area and engulfed all the people who were living there. I got two children who slept on a bed. One put his head outside his cover . . . he was affected by the gas. The other child was cold [and kept his head under the cover] and didn't get affected. . . . the leaves in the direction of the wind were totally charred and became yellow. And those that were away from the direction of the wind, nothing happened. I had another instance where the goods train [was stopped and] waiting to come into the station. All the cattle tried to run away from the gases. Those cattle which could cross to the other side [of the train] survived and those which were on the side [of the train facing the wind] all perished. I put tables and chairs around the roads we have at medical college and put some junior staff and students there to take care of these patients who come. . . . we put mattresses in the area which was available there . . . and on the roads. I knew that some of the persons might not reach the hospital. So I went across the street near Union Carbide and picked up people who were lying on the road . . . There were no ambulances available. There was no help from the other agencies. The total mortality that we recorded was approximately 400 for the first day which seems to be too meager concerning the episode, which involved approximately 200,000. Total deaths within the first 48 hours were approximately 2,000. I can't give you the exact figure. . . . we brought persons who were lying on the road. Medical examiners determined they were dead. So they were put in the morgue. Because we did not know the families who could come over and try and pick up these people we got them photographed and prepared a big sort of poster containing photographs of all these patients which were put not only in Bhopal but also in neighboring places. Some people never came [to claim the dead] . . . if the whole family perished there was nobody to claim them.

While Dr. Misra coordinated treatment of the victims, he also gathered data on the gas victims to be presented on behalf of the government of India in U.S. Federal Court. Dr. Misra recounts his encounter with the presiding U.S. Judge Keenan. In the following excerpt he recounts how he appealed to the judge's emotions. Why was this approach ultimately ineffective in swaying the judge's final opinion? Do you think the judge's rationale for not allowing the case to be heard in U.S. courts makes sense, even though Union Carbide is based in the United States and not India?

I presented the case on two consecutive days . . . and showed him about 600 slides. So I showed [Judge Keenan] about 600 slides which I carried with me from India to make him appreciate what had happened. . . . When I told him here are ten young children . . . can anybody ever compensate for their loss, that no amount of money can give them back the love and affection of their babies, he started weeping. [After he composed himself] he [asked] me who has advised me to come to New York for this case. This is not sound legal advice, he said. He said I will explain to you. You purchase a Ford car through their agents in Bombay. And that car meets with an accident because of some fault at the time of manufacturer. Where would you file a suit? In the United States or in India? I kept quiet. He said you do not want to speak but I will tell you I would file it in India. You have competent judges who can deal with these cases so why have you come here to present this case? I will throw it back to you. And he did. When I told my Prime Minister [about this], the late Rajiv Gandhi, he told me that this cannot happen . . . but I said the judge's remarks are final, he said that in this case the jurisdiction is not the United States, that you should try this case in India in the city where [this happened].

As you read the following excerpt, try to examine the tension between Dr. Misra's professional obligation as a medical professional and his legal role as an advocate for the Indian government's case against Union Carbide in U.S. courts. Were those two roles compatible? For instance, because Dr. Misra was testifying on behalf of the Indian government, he had to limit public remarks on the nature of the disease. At the same time, however, many victims and their advocates were upset that the government was withholding critical medical information—for supposedly nefarious reasons, many claimed, or to cover up the state's supposed complicity in the disaster.

[Those who claimed we deliberately withheld information] did not understand. The data was confidential, confidential because we were going through the court system. If the opposite party comes to know our data, they would misuse it and decrease the amount of compensation. Let me also tell you that I magnified the effects of the gas [to maximize compensation claims in the court] . . . But I said that most of these people who don't have symptoms today will have it tomorrow. And we will have a city of graves in Bhopal. That is the exact phrase I used although it is not true. . . . I knew that it was not [in order to get] maximum compensation. I told Rajiv Gandhi also that we must try to get an [out of court] settlement because if the court insists on asking me to prove each part of what I have said in the court I will not be able to do it. Well I said that many people will suffer from cancer. Almost all people who have been exposed will die, their life span will be shorter. So they must all be compensated according to that law of torts. But I said that if they ask for proof and they really argue it out, I would really not be able to prove it. It's very difficult [to prove such claims] because they will [ask] what is the scientific basis?

During his testimony in New York in 1986, Dr. Misra told the American judge that "Union Carbide owes a responsibility to . . . create a medical institution, a state of art medical institution and run it for the next twenty years." The comment initiated a discussion with Union Carbide and the Indian government over creation of a modern medical facility in Bhopal—the Bhopal Memorial Hospital, which was finally opened in 2000.

"[Following the accident, Union Carbide CEO Warren] Anderson met us and he was prepared to give us the money [for a hospital] and we were very sure that we would get this money. . . . but Rajiv Gandhi said nothing doing, we are not going to accept any money. [He refused the money because of] his sense of pride, that we are not going to accept anything as a gift from them who are the real culprits . . . [Gandhi] called me into his chamber in parliament, so I told him the case was likely to be shifted [to Indian courts] and I also mentioned about this money and he said, it can never happen and see that the case runs in the United States. Our prime minister was young, naïve and really did not understand the implications for courts. What should I do under these circumstances? I could understand the prime minister had not been able to appreciate what I had told him." Misra suggested a way out of the dilemma, which was ultimately followed—to confiscate the

property of Union Carbide in India and sell it, "as a punishment from our side. Whatever money accrues out of that sale, that entire money should be used for medical compensation . . . so that's how this hospital came into being . . . I said there should be a silver lining out of this which is the hospital."

The resulting hospital is an impressive facility, but it is also a source of great controversy among many victims. Critics, meanwhile, have used charitable donations from around the world, without Union Carbide settlement money, which only goes toward modern medical facilities and practices, to create an alternative treatment center in the heart of the most affected slums of Bhopal. It provides alternative medicines—yoga, herbal remedies, and massages. Its creators are highly critical of the official government medical response as overly corporate, hierarchical, and ultimately dependent on charity from Union Carbide—the victimizer. Dr. Misra discussed his critics, those who provide alternative treatments to victims, as well as demands that the government initiate new health studies of victims. If you were a victim, how might you respond to Dr. Misra's statements?

[Those who advocate alternative treatment centers for victims] talk nonsense. They have no idea. They don't talk science. They talk fiction. There are hardly any victims left. There aren't any. Dead. They have all died. For more than 20 years. Those who are making noise, they want to get something out of that episode for themselves. And all these activists are living on money from various quarters and they want to survive. . . . You must differentiate the sickness that the common population has. Nowhere in the world are all people healthy. Otherwise there would not have been any necessity for hospitals. So there are sick people everywhere. We cannot differentiate if the gas is responsible for [later] deaths or if it is a natural thing. We set up [a study] to find out if there were high incidences of cancer in this population as compared to an equivalent population. There's no difference. It was a one-time exposure to a very noxious gas which produced an immediate effect and took a toll of human life and produced some type of irreparable damage in their lungs, eyes, and respiratory system . . . which can be classified as mild, moderate, and severe effects. Some of them could be treated but others who had severe irreparable damage, they could not be treated and they died over the years as a consequence. Those who had mild [exposure] have recovered completely. Those who had moderate [exposure] have got some respiratory problems but not so

severe as to kill them. We followed up all pregnant people to see if there are any changes. There is an incidence of 9 per 1000 of congenital malformation in the newborn babies all the world over, even in the United States . . . [the incidence of congenital malformation in Bhopal] is statistically insignificant. We have subjected our material to great statistical analysis. [Those who criticize our medical care and research] are stupid, fools. They don't understand. That is a crude way of putting it. There's no scope for further research . . . Research means funding, full funding. Then it should be productive.

While Dr. Misra sympathizes with the patients, he categorically rejects the claim by many activists that compensation has been grossly inadequate or unjust.

[The compensation amount] seems to be [fair]. But as I said, any amount of compensation, given that it was none of their fault, is not enough. If you are working in a factory and you get your hand amputated, you know that you are exposed to that risk. Or you are working as a driver and you meet with an accident, and the government compensates you, you know the dangers . . . that is different. Those people were totally innocent from that point of view of the injured, so no amount of compensation will be adequate. But whatever has been given seems to be fair . . . they got their medical care, they also got their social rehabilitation. They also got some money.

Like many in Bhopal, Dr. Misra questioned the motives of those who continue to demand more compensation.

There can be two motives in this. One is to get more money by exaggeration knowing full well that these are not a consequence of the disaster. The second is that some people who have really been affected by gas they feel helpless and they want to get something more. And as I told you no amount of compensation would be adequate for that. Some people who have been exposed to gas may still be suffering. The majority of those seriously affected have died. Human beings are so demanding. Whatever you might do for them, they will not be happy. In our culture we say the happiest person is one who is fully satisfied with whatever he has got because he believes it is given by god and so he should accept it. Otherwise they will always go and complain . . . Everyone got compensation.

[Grassroots organizations and NGOs] have created a lot of nuisance. And they are still continuing to do this. They have dubbed me as a Union Carbide agent . . . They went to the chief minister to prevent me from going [to testify in the United States on behalf of the Indian government against Union Carbide]. I had a relationship with Union Carbide because they wanted me to conduct scientific investigations . . . I published papers out of that but that was for science. They also gave us in return . . . a lot of equipment. What was the harm of accepting a gift of equipment from them if they were going to give us a respiratory care unit? . . . So I don't deny that I had a good relationship with them but this does not mean that I will excuse them for this disaster.

Do you think Dr. Misra's relationship with Union Carbide compromised his objectivity—both as a medical researcher on the Bhopal gas tragedy and as a medical expert testifying in court—as many of his critics claim?

■ A Grassroots Perspective

Almost immediately following the accident, various activists began campaigns of sit-ins, marches, demonstrations, and legal appeals to force government bureaucrats and officials to address a myriad of concerns. Those efforts have continued unabated for more than two decades—focusing increasingly on the thousands of tons of toxic wastes left behind by Union Carbide at the site. The following text is an excerpt from a statement by Abdul Jabbar on December 3, 2004. Jabbar has campaigned on behalf of victims nearly nonstop since the accident. He is a fierce critic of the Indian government and he believes that Union Carbide has literally gotten away, and profited from, murder. Like many activists, he believes that there have been many conspiracies to silence the truth about the disaster. He refers to the accident as a “holocaust” and a “genocide,” equating the Bhopal tragedy to the intentional dropping of atomic bombs on Hiroshima and Nagasaki by the United States in 1945. He also shares the widespread belief that the accident had been the result of a massive experiment on humans—a charge Dr. Misra dismissed as “stupid.” Compare and contrast Mr. Jabbar's statements with those of

Source: Excerpts from Abdul Jabbar, “20th Anniversary of the Gas Tragedy,” December 3, 2004. Mr. Jabbar provided me with a copy of the pamphlet in Bhopal in July 2008.

Dr. Misra. Whose position do you believe and why? How and why do the two draw such diametrically opposed views on the same accident? How would you reconcile these two radically different accounts? Do you think the metaphors of “holocaust” and “genocide” aptly describe the Bhopal tragedy?

During the gas leak, sirens of the factory were deliberately kept silent. While the city was dying, the doctors were totally clueless what to do. Carbide has not divulged the information about the impact of the gas on the human body. The company considers it a ‘trade secret.’ After the gas tragedy, the occurrence of lung tuberculosis in Bhopal is thrice the national average. In respiratory problems and cancer deaths, too, Bhopal far exceeds the national average, thanks to the gas leak. In the absence of information, doctors in Bhopal are still unaware of proper treatment of the gas-related diseases. Even the best treatment provides only temporary relief. The wanton use of steroids, antibiotics and psychotropic medicines has only aggravated the gas-related ailments. Inadequate treatment arrangement in Government sector hospitals has enabled business of private doctors to flourish. In the worst-affected areas, over 70 percent of the private doctors are unqualified quacks. Even the Bhopal Memorial Hospital Trust is as ignorant about treatment of the gas-hit as these quacks. In fact, a large number of medicines being provided by community health centres of the Trust are doing more harm than good to the old patients. . . . The hospital concentrates more on non-gas-affected and paying patients than the gas-affected in treatment. The hospitals meant to treat the gas victims have turned into dens of corruption where massive bungling has been going on in purchase of medicines and equipments with near impunity for years. While some mental and physical ailments had been afflicting the gas victims ever since the gas leak 20 years ago, some new complications have surfaced in the recent past. There has been an alarming growth in the number of deaths due to TB and cancer among the gas victims. The Government has miserably failed in treatment and monitoring of these diseases.

The official documentation of deaths due to the gas has been closed in 1992 even though deaths are still occurring. The callous neglect of the research and monitoring on the part of the Government has led people to wonder if it is due to the fact that most of the victims are poor people while those responsible for the tragedy are influential ones.

While closing down the factory in the immediate aftermath of the gas-leak, the Union Carbide management left behind a huge, untreated stockpile of poisonous chemicals, which include nearly 8000 metric tons of toxic effluent . . . and more than 10,000 tonnes of toxic silt . . . In

July 1998, the Union Carbide management handed over the factory to the Government of India and let the Government take care of the buried toxic stockpile.

Initially, the Government of India had claimed nearly 3 billion dollars on behalf of the gas victims for compensation. But the Government without taking the gas victims into confidence entered into a secret pact with the Union Carbide and agreed to the compensation package of 470 million dollars. [This amount] was grossly inadequate for the victims . . . Probably, they are cursed to remain afflicted for life. . . . The whole process of compensation distribution was steeped in deep corruption. As a result, a large number of claimants who were unable to bribe the concerned officials were deprived of the due compensation. Plus, there was no provision . . . for the mental trauma the gas victims have undergone. . . . Here it needs to be mentioned that for the kin of the victims of the terrorist strike at the World Trade Center minimum compensation fixed in each case is 16,000 dollars.

[The tragedy was] genocide and [Union Carbide used] humans as Guinea pigs to test poison . . . But no one has been punished. In order to save the accused, the company first fabricated a story of massive sabotage and then put the blame for the disaster on a disgruntled employee. Simultaneously, the company launched a campaign to steer itself and the top officials clear of the criminal culpability for the holocaust . . . the killer multinational company has managed to get rid of its responsibility of the worst industrial accident, taking advantage of the loopholes in the international laws, Indian judiciary and the executive setup.

We have been demanding construction of a memorial site at the Union Carbide site ever since the disaster occurred . . . These memorials would serve to caution our descendents of the holocaust much like the 'Concentration Camps' as memorials serve to remind about the terrifying face of the racial hatred that Hitler had unleashed in Germany. . . . The proposed memorial should be on a par with the ones at Hiroshima-Nagasaki.

■ The Controversy Continues

While Mr. Jabbar has been a prominent voice among activists, other groups have conducted similar campaigns. In the summer of 2008, one such group conducted a march from Bhopal to the parliament building of New Delhi—in imitation of the nonviolent demonstrations

Source: Excerpted from the pamphlet handed out at the demonstration in New Delhi, July 5, 2008, "Appeal to Stop the Bhopal Disaster."

conducted by Mahatma Gandhi against British injustice. Many activists were arrested in New Delhi, but eventually the fifty victims and activists were permitted to set up an encampment in New Delhi to remind the government and citizens, in their own words, "to stop the Bhopal disaster." Thus, nearly a quarter century after the accident, activists perceive Bhopal as an ongoing disaster—in contrast to the government, which has long since relegated the incident to the distant past. A brochure handed out by the demonstrators in New Delhi echoed many of Mr. Jabbar's claims, especially his belief that a continuing conspiracy has been responsible for preventing a just outcome for victims. If you were a citizen of India, how would you view the statements of the activists? What would you do if you were an Indian state official responsible for environmental protection? Does the statement provide evidence to substantiate its claims? Since the state stopped gathering health data on survivors or counting deaths from the disaster more than a decade ago, claiming that victims who later died passed away from causes other than gas exposure, how would one verify the figures cited below? Where do you think those figures came from? Do you trust these figures? Why or why not?

Over 23,000 people have died painful deaths [due to the Bhopal gas tragedy] . . . and today there are more than 100,000 survivors that continue to suffer from chronic illnesses. More than 25,000 people living next to the abandoned factory suffer a range of illnesses due to the contamination of drinking water by thousands of tonnes of toxic wastes from the factory. Most worrisome is the rise of cancers in the exposed populations and horrific birth defects among thousands of children born to gas exposed and toxic water exposed parents. Union Carbide Corporation . . . is absconding from the criminal case . . . The corporation was taken over in 2001 by another American multinational; the Dow Chemical Company. Dow Chemical refuses to pay for the clean up of the abandoned factory site in Bhopal, or produce its subsidiary Union Carbide in court in Bhopal. There is abundant documentary evidence that indicts the Indian government as an accomplice in the corporate crimes in Bhopal. In the last 23 years . . . the governments at the centre and the state have deliberately neglected the medical care and rehabilitation of the victims and turned a blind eye to the crimes of Union Carbide and Dow Chemical. The collusion between the American multinationals and the Indian government is the main reason why the Bhopal victims have been denied justice for the last 23 years . . . the government is helping these corporations escape their liabilities in Bhopal."