

# From Earth Day to the Monsanto Tribunal, Capitalism on Trial

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Theme: [Biotechnology and GMO](#),  
[Environment](#), [Law and Justice](#)

*World Environment Day (WED) occurs on 5 June every year. Promoted by the United Nations, its aim is to encourage global awareness and action for the protection of the environment. Since its inauguration in 1974, WED has helped bring attention to various issues, including global warming, sustainable consumption and wildlife crime.*

We also have Earth Day, celebrated annually on 22 April. On this day, various events are held across the globe to demonstrate support for environmental protection. Earth Day dates back to 1970.

Given the threats to the environment, these two symbolic days in the calendar promote laudable aims. For instance, consider that a range of species are endangered due to poaching and habitat destruction. The scaly anteater is probably the most trafficked mammal on earth. Over a million of these have been taken from the wild in the past decade alone. The illegal trade in live apes is also rife, and many other species across the planet are being trafficked.

The vast illegal trade in wildlife products is pushing whole species towards extinction, including elephants, rhinos, big cats, gorillas and sea turtles. Driven by a growing demand for illegally sourced wildlife products, the illicit trade has escalated into a global crisis. Thousands of species are internationally traded and used by people in their daily lives.

Former UN Secretary-General Ban Ki-moon has called on UN agencies and various partners to provide a co-ordinated response to wildlife crime and spread the message that there should be zero tolerance for poaching. As part of a wider approach, a strategy is being developed to create greater public awareness of the issue at hand, which will hopefully lead to reduced demand for wildlife products.

## Palm oil and environmental destruction

As commendable as these aims are, however, on their own they will not be enough to save species or their habitat. That's because the interests of powerful actors must be taken into account and the economic system they perpetuate has to be challenged.

For instance, between 2000 and 2009 Indonesia supplied more than half of the global palm oil market at an annual expense of some 340,000 hectares of Indonesian countryside. Planned expansion could wipe out the remaining natural habitat of several endangered species.

This is a ludicrous situation considering that Brazil and Indonesia spent over [100 times more in subsidies](#) to industries that cause deforestation than they received in international

conservation aid from the UN to prevent it. The two countries gave over \$40bn in subsidies to the palm oil, timber, soy, beef and biofuels sectors between 2009 and 2012, some 126 times more than the \$346m they received to preserve their rain forests.

If we want to see how not to manage the world's wildlife and natural habitats, we need look no further than India, which is the world's [leading importer of palm oil](#), accounting for around 15% of the global supply. India imports over two-thirds of its palm oil from Indonesia.

Until the mid-1990s, India was virtually self-sufficient in edible oils. Under pressure from the WTO, import tariffs were reduced, leading to an influx of cheap (subsidised) edible oil imports that domestic farmers could not compete with. This was a deliberate policy that effectively devastated the home-grown edible oils sector (see [this](#)) and served the interests of palm oil growers and US grain and agriculture commodity company Cargill, which helped write international trade rules to secure access to the Indian market on its terms.

Indonesia leads the world in global palm oil production, but palm oil plantations have too often replaced tropical forests, leading to the killing of endangered species and the uprooting of local communities as well as contributing to the release of climate-changing gases (see [this analysis](#)). Indonesia emits more greenhouse gases than any country besides China and the US and that's largely due to the production of palm oil.

The issue of palm oil is one example from the many that could be provided to highlight how the drive to facilitate corporate need and profit trumps any notion of environmental protection. Whether it is in Indonesia, [Latin America](#) or elsewhere, transnational agribusiness – and the system of industrialised agriculture it promotes – fuels much of the environmental destruction we see today.

Without addressing the impacts and [nature of corporate imperialism](#) and a wholly corrupt neoliberal capitalism that privileges corporations and profit ahead of people and conservation, Earth Day or World Environment Day will continue to send out a valuable message but will have minimal impact.

The devastating nature of chemical-intensive industrial farming, its geopolitical role and its massive environmental, social and health costs has been [highlighted at length](#) in previous article I've written. There is no need to go over this again here. But one of the guilty parties which perpetuates this model of agriculture is of course Monsanto.

### The Monsanto Tribunal

Earth Day came a few days after the legal opinion offered by the five international judges who presided over the Monsanto Tribunal in The Hague. [The judges concluded](#) that Monsanto has engaged in practices that have impinged on the basic human right to a healthy environment, the right to food and the right to health. Monsanto's conduct also has had a negative impact on the right of scientists to freely conduct indispensable research.

The judges additionally concluded that a gap remains between the commitments and the reality of environmental protection. The Tribunal concluded that if ecocide were formally recognised as a crime in international criminal law, the activities of Monsanto could possibly constitute a crime of ecocide too.



The Tribunal called for the need to assert the primacy of international human and environmental rights law. However, it was also careful to note that an existing set of legal rules is currently in place to protect investors' rights in the framework of the World Trade Organization and in bilateral investment treaties and in clauses in free-trade agreements.

These provisions undermine the capacity of nations to maintain policies, laws and practices protecting human and environmental rights, not least because key questions of human and environmental rights violations are to be resolved by private tribunals operating entirely outside the United Nations framework and the legal systems of nation states (see '[Clear and Present Danger to Democracy](#)', which highlights the disturbing shift in power as a result of investor trade dispute settlement provisions written into trade and investment agreements).

The Tribunal denounced the severe disparity between the rights of multinational corporations and their obligations.

Capitalism on trial

✖ While the Monsanto Tribunal saw that company being put on trial and being found guilty of human rights violations, including crimes against the environment, in a sense we also witnessed global capitalism on trial.

Monsanto and other powerful corporations can only operate as they do [because of a framework](#) designed to allow them to capture governments and regulatory bodies, to use the WTO and bilateral trade deals to lever global influence, to profit on the back of US militarism ([Iraq](#)) and destabilisations ([Ukraine](#)), to exert undue influence over science and politics and to rake in enormous profits.

The World Bank's 'Enabling the Business of Agriculture' and its ongoing commitment to a wholly corrupt and rigged model of globalisation is a further recipe for plunder, corruption and the concentration of power and wealth in the hands of the few. Whether it involves Monsanto, Cargill or the type of corporate power grab of African agriculture that Bill Gates is helping to spearhead, global capitalism (under the project of 'globalisation') will continue to ensure this happens while hiding behind platitudes about 'free trade' and 'development'.

Brazil and Indonesia are subsidising private corporations to effectively destroy the environment through their practices. [Canada](#) and [the UK](#) are working with the GMO biotech sector to facilitate its needs. And India is [facilitating the destruction](#) of its agrarian base according to World Bank directives for the benefit of the likes of Monsanto, Bayer and Cargill.

"The Indo-US Knowledge Initiative in Agriculture with agribusinesses like Monsanto, WalMart, Archer Daniels Midland, Cargill and ITC in its Board made efforts to turn the direction of agricultural research and policy in such a manner as to cater their demands for profit maximisation. Companies like Monsanto during the Vietnam War produced tonnes and tonnes of "Agent Orange" unmindful of its consequences for Vietnamese people as it raked in super profits and that character remains." [Communist Party of India \(Marxist\)](#)

These powerful corporations increasingly hold sway over a globalised system of food and agriculture from seed to plate. And with [major mergers](#) within the agribusiness sector in the pipeline, power will be further monopolised and the situation is likely to worsen. The overall

narrative about farming has been shaped to [benefit the interests](#) of this handful of wealthy, politically influential corporations whereby commercial interest trumps any notion of the public good.

We require transparency, accountability and a system of decision making that does not take place within the overbearing shadow of commercial influence. However, in capitalism, the state's primary role is to secure the interests of private capital. The institutions of globalised capitalism – from the [World Bank, the IMF and the WTO](#) right down to the compliant bureaucracies of national states or supranational unions – facilitate private wealth accumulation that results in the forms of structural inequalities and violence (unemployment, poverty, population displacement, bad food, poor health, environmental destruction, etc.) that have become 'accepted' as necessary (for 'growth') and taken for granted within mainstream media and political narratives.

When referring to Western countries, those narratives like to use the euphemism 'austerity' for deregulation, privatisation and gross inequalities and hardship, while hiding being the mantra 'there is no alternative'. When referring to places like India or Africa, they use the euphemism 'assisting development' for corporate imperialism, while hiding behind the term 'investing in'.

In the cynical world of 'free' market capitalism, an [interlocking directorate](#) of corporate interests have for a long time ensured that state institutions and international bodies are shaped and manipulated to facilitate the interests of private capital.

If the current [myths about the necessity for perpetuating the stranglehold of capitalism](#) go unchallenged and [real alternatives](#) are not offered or supported, we will see accelerated environmental destruction and human rights violations by powerful private interests and a dangerous march towards increasing militarism and possible nuclear conflict as a moribund capitalism [approaches its ultimate crisis](#).

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