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HIV/AIDS LEGAL LINK

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Dr Jonathan Mann was killed in the Swissair plane crash which occurred off the coast of Canada on 2 September 1998. He was 51 years of age. He was a world leader in the response to HIV/AIDS, being the Director of the Global Programme on AIDS (GPA) of the World Health Organisation in Geneva between 1986 and 1990. He was a strong supporter of the enlightened Australian response to the HIV epidemic. Indeed, his advocacy helped to shape that response and to sustain our efforts whenever our political leaders wavered in those early, dangerous days.

Born Jonathan Max Mann in Boston, Massachusetts on 30 July 1947 he took a BA degree from Harvard University followed by degrees in medicine and public health from Washington University, St Louis. His first job after graduation was with the epidemic intelligence service in the Centers for Disease Control in Atlanta. When the mysterious new virus came along in the early 1980s, he accepted appointment as director of an AIDS research programme in Kinshasa, Zaire, in central Africa. He worked there between 1984 and 1986, in effect preparing himself for appointment to be the first leader of the global response to HIV/AIDS.

Giving a top job in a United Nations agency to a United States citizen, especially one bound to be as controversial as Director of GPA was, is unusual. But Mann was clearly extraordinary. He already had considerable hands-on experience with the realities of the epidemic in Zaire. He had outstanding intellectual gifts and training. His virtually perfect command of the French language was an unusual qualification for an Anglophone in the United Nations administration. Above all, he had heroic energy. These qualities were needed to capture the attention of the international community and its bureaucracy for a completely new and unpredicted problem.

One of Jonathan Mann's early initiatives was the establishment of the Global Commission on AIDS. It was made up of a remarkable mix of epidemiologists, scientists and ethicists. It included Luc Montagnier (France) and Robert Gallo (US), rivals in the claims of isolating the virus. June Osborn, then Professor of Public Health at Michigan University, one of Jonathan Mann's closest friends, was a leader of the Commission. Mann insisted on including a person living with HIV/AIDS, Richard Rector, then living and working in Denmark: a noble spirit, impatient for action. I was included as the token lawyer.

I will never forget the energy with which Jonathan Mann threw himself into the struggle - surely beyond the capacities of any single human being. Or his remarkable mixture of cold logic and passionate call to arms. Or his clinical mobilisation of hard-won

epidemiological experience leavened by demands for respect for human rights which seemed to resonate deeply within him and to take strength from both his American and his Jewish identification. Or his brilliant skill in answering tricky questions alternatively in English and French, paying courtesy to the interlocutors in each of the principal working languages of the United Nations. It was a dazzling display of high intelligence, skilled professionalism and absolute dedication.

Jonathan Mann was uncompromising in his insistence that the only effective response to the epidemic, in the present state of medical and vaccine technology, was one which mobilised efforts towards public education and individual behaviour modification. It was this strategy that made his insistence on respecting the fundamental human rights of people living with HIV/AIDS more than a moral imperative. For him, it was an epidemiological necessity.

Jonathan Mann was so fired up with energy and determination that he sometimes found it difficult to play the bureaucratic games often necessary within the bureaucracy of the UN. After Mahler's departure of Director-General Halfdan Mahler, his successor, Dr Hiroshi Nakajima of Japan, proved a different kettle of fish. He and Mann soon fell out. I have sometimes wondered if this was because Jonathan Mann was proving too successful in attracting attention to GPA and himself. Or whether a little more subtlety in his advocacy and approach might have kept him at the helm of GPA. I was at a meeting of the Global Commission in Geneva when the

ultimate falling out with Director-General Nakajima occurred. For all of us it was traumatic because without Mann it was hard to conceive of an effective GPA.

According to reports, Mann's name was removed from WHO documents and videos immediately after his departure from Geneva in 1990. But his intellectual legacy was much more difficult to eradicate. He continued to be a much sought after speaker at international conferences. If anything, he became even more insistent on the rights of poor and uninformed people in the Third World to have the means of knowledge, and the medical therapies that would prolong life and improve its quality. Mann was completely intolerant of only one thing - the humbug and hypocrisy of political leaders and the medical establishment which forbade the honest messages about HIV prevention.

On his return to the United States from Geneva, Jonathan Mann was appointed to a chair in public health at Harvard University. He went on to found the Francois-Xavier Bagnoud Center for Health and Human Rights. This body publishes an international journal *Health and Human Rights*. Increasingly Mann's themes addressed new injustices, notably the fact that new drugs, available in the developed world, were unavailable to 90% of people living with HIV in poorer countries. Mann marshalled the energy of a large team of contributors to successive assessments of the state of the epidemic called *AIDS in the World*. It was a thinly disguised pitch for an alternative statement in competition with Nakajima's WHO. But,

inevitably, Mann's international influence waned when he was removed from the WHO global network.

Jonathan Mann's first marriage to Marie Paule Bondat broke down after his return to the United States. He remarried Professor Mary-Lou Clements who shared his interests in public health. She was a noted expert in vaccine strategies. He was accompanying her to a meeting at WHO in Geneva concerning HIV/AIDS vaccines when they were both killed in the Swissair crash. His death is a specially unfair tragedy. As everyone who has had anything to do with the HIV/AIDS epidemic knows, life is often horribly unfair. Our friend Jonathan Mann did not deserve to die so young. He had done so much for humanity - for medicine and human rights. He and all those on that plane did not deserve to die in such a way. It is cruel and unjust. There is no apparent reason in it. Just like most HIV infections.

But protesting at fate will get us nowhere. Better to think of Jonathan Mann's contributions to the world. I can see his irrepressible energy and good humour. I can see him listening to others, not just laying down the law. I can hear his words: speaking as much about his beloved epidemiology as about human rights.

The last time I saw him was in San Francisco a year ago at a conference which I was attending in connection with my new interest in the ethics of the Human Genome Project. All the old energies were there. But I felt angry that such a talented person was teaching

classes and not, as he should be, teaching the world. But let there be no doubt that Jonathan Mann left an enormous impact on our efforts to confront HIV with honesty, integrity and effectiveness. His many admirers in Australia mourn his loss. Those who are dealing in whatever way with the outfall of the HIV/AIDS epidemic have lost a true leader. He was an epidemiologist who knew, better than most lawyers, the real meaning of fundamental human rights when they matter most.