

PERSPECTIVE

By  Tony Wu



www.tony-wu.com
www.tonywublog.com

Exercise is an important part of my life. I've been active for as long as I can remember, but particularly after leaving school and entering the real world, I've been extra conscientious about making time to work out — whether in a gym, running outdoors, swimming with whales, whatever.

I read as much as I can about nutrition, sports medicine, kinesiology, physical therapy and other topics related to health, and I put everything that makes sense to practice. A solid background in basic sciences helps, as it makes it relatively easy for me to separate legitimate new developments from quackery and scams like fad diets, miracle pills and the plethora of moronic get-fit-quick-with-no-effort contraptions flogged on infomercials and such.

As the years go by, the cumulative effect of my efforts has become increasingly apparent, despite occasional setbacks along the way.

I don't look much different than I did a couple of decades ago. I'm physically stronger than when I was in school. I don't suffer from belly bulge, and I'm mentally alert and ready to take on new challenges. Quite a contrast in many instances to some of my desk-bound peers who haven't been particularly diligent about taking care of themselves.

The point of relating this isn't to pat myself on the back. No, it's to lead into a discussion of what is perhaps the most important lesson I've learned from my extended efforts at personal maintenance.

In mid-2000, the US House of Representatives passed the Shark Finning Prohibition Act, which amended the Magnuson-Stevens Fishery Conservation and Management Act, with the intent of slowing down, if not eliminating, the practice of shark finning in US waters.

Simply stated, the law severely restricted fishing vessels from carrying shark fins without the rest of the shark. The theory was that given limited space aboard fishing vessels, commercial fishermen would not waste space carrying entire sharks, since shark carcasses are effectively worthless without the fins.

For the most part, the legislation and its enforcement seemed effective. Several high profile seizures were made, including one in 2002 involving the King Diamond II, a boat chartered from Honolulu by a Hong Kong company.

The US Coast Guard confiscated 64,695 pounds (29,345kg) of shark fins from the vessel — representing thousands of dead sharks and lots of money — then impounded the boat.

With so much at stake, the Hong Kong company fought a legal battle, first winning the right to get the fins back in 2005.

Then in March of this year, an appeals court in San Francisco completely overturned the seizure and forced the US government to return US\$618,956 that had been posted by the company as bond for the fins.

Wait. What went wrong?

In short, the lawyer for the Hong Kong company cleverly twisted the wording of the legislation. He argued that the King Diamond II was not a "fishing vessel", as it had only picked up shark fins from 20 other vessels. The King Diamond had not engaged in any fishing itself — i.e., massive loophole.

Given the ruling, any vessel in US waters now had the right to carry shark fins, so long as the vessel did not actually catch and fin the sharks. Sort of undermines the entire intent of the law, doesn't it?

This is where the proverbial light bulb went off in my head. You see, years of striving to stay healthy have taught me that while keeping fit isn't necessarily easy, the key to staying in shape is actually quite simple — persistence.

Letting this decision stand without a response would obviously have meant that shark finners would have free reign in US waters. Fortunately, legislators passed new rules in April specifying that fins on all vessels must be attached to sharks. Loophole closed...until 2012 at least, when the restriction comes under review.

I don't know whether the lawmakers involved with this situation exercise regularly or make an effort to eat well, but they seem to have drawn the same conclusion that I have — whether the issue is personal health or the health of the global environment, persistence pays.

Until next time, happy diving! 🟡