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OCTOBER 1997

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#### NOTES & COMMENT

## To Whale or Not to Whale

A controversy over subsistence and commercial hunting threatens to tear apart the International Whaling Commission and worsen the problem of illegal whaling

#### by Mark Derr

THE annual meeting of the International Whaling Commission this month in Monaco promises to be a contentious affair, as Japan and Norway renew their efforts to modify the eleven-year-old international moratorium on commercial whaling so that they can hunt minke whales without censure. In one sense the debate represents the continuation of a dispute, as old as the moratorium itself, over which if any whales can be hunted without the risk of extinction. And it exemplifies a broader issue that is bound to grow in importance as endangered and protected species recover and proliferate: What do we do with them? At stake is not just the fate of animals but also the long-term viability of the International Whaling Commission and other international covenants to protect

endangered species. Founded in 1946, the IWC represented an attempt to save the great whales from extinction brought on by human predation. The express purpose of the commission was "to provide for the proper conservation of whale stocks and thus make possible the orderly development of the whaling industry," now considered to include "humane harvesting." Among the IWC's thirty-nine members are the United States, the Russian Federation, England, Japan, Norway, Australia, and the People's Republic of China; a number of members have no whaling industry. Although the Convention on International Trade in Endangered Species (CITES) has sought to control international trade in a growing number of land and marine species since its creation, in 1973, the work of the IWC continues to be intensely scrutinized, in large part because of the mystique that has grown up in recent years around the intelligence of whales.

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From the archives:

• <u>"Empowering Species"</u> by Charles C. Mann and Mark L. Plummer

The fact is that for the first forty years of its existence the IWC did little more than preside over the decimation of the great whales -- especially blue, right, humpback, fin, bowhead, sperm, and sei whales -- by factory ships. Its own historians attribute its failure during that period to greed on the part of whaling nations and to insufficient scientific knowledge. Not until the member nations of the IWC, under pressure from environmental groups and the public, approved a worldwide "pause" -- a moratorium by another name -- in commercial whaling, which took effect in

# (February, 1995)

"The best way to save endangered species may be to help them pay their own way."

• "Can Selfishness Save the Environment?" by Matt Ridley and Bobbi S. Low (September, 1993)

"Conventional wisdom has it that the way to avert global ecological disaster is to persuade people to change their selfish habits for the common good. A more sensible approach would be to tap a boundless and renewable resource: the human propensity for thinking mainly of short term self-interest."

#### • <u>"The</u> Butterfly

1986, did whale stocks (a stock is a population in a particular oceanic region) really begin to recover, some spectacularly. During that time Greenlanders, Alaskan Eskimos, native Siberians, and the people of St. Vincent and the Grenadines were allowed to continue subsistence whaling among specific stocks. Japan took minke whales, and the Soviet Union engaged in extensive illegal whaling for years, although the Russian Federation seems to have halted the practice for now. (The Soviets fed part of their aboriginal gray-whale kill to foxes that were being farmed for fur.)

The pause became necessary in part because the IWC was using flawed scientific and technical methods to assess whale populations and set quotas, and also could not adequately inspect whaling ships, with the result that great whales were being driven toward extinction. During the moratorium IWC scientists came up with a "revised management procedure," which employs a delicate mathematical formula to set conservative quotas for whale hunters, based on population dynamics and uncertainty. For blue, right, and humpback whales, whose populations have not sufficiently recovered, those quotas continue to be zero. The populations of minke whales in the North Atlantic, the North Pacific, and the Antarctic, however, appear to be abundant enough to tolerate whaling under the plan, which is widely recognized as a fair and valid approach to the problem.

Problem" by Charles C. Mann and Mark L. **Plummer** (January, 1992) "Because the government doesn't have the means to preserve endangered species, let alone a coherent plan, its decisions are haphazard -- and private landowners often find themselves paying for the preservation of species they've never heard of."

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The Japanese, who claim to hunt whales for purposes of research, and the Norwegians, who formally objected to the moratorium in 1986 and thereby opted out of it (actions permitted under the terms of the convention establishing the IWC), very much want an officially sanctioned season on minke whales. By continuing to whale during the moratorium, they run the risk of boycotts organized by environmental groups or sanctions levied against them by IWC countries acting under domestic political pressure. To avoid becoming pariahs, they want the IWC to abide by the second part of its mandate and approve, for now, the hunting of minke whales.

Although the IWC adopted the revised management procedure in 1994, the commission refused to implement it, because doing so would end the moratorium. The official justification was that a comprehensive system of observation and inspection had to be developed before the new policy could take effect. A vote of three quarters of the thirty-nine participating nations is necessary for implementation of the revised management procedure, making it unlikely to happen any time soon. Many countries, including the United States, are opposed to the resumption of commercial whaling, although, paradoxically, the United States is also on record as favoring "science-based solutions" to global conservation issues. Like the United States, many other countries opposed to ending the

moratorium have no incentive to whale commercially, and they wish to avoid incurring the wrath of voters, who largely support the ban. In an effort to resolve the issue of monitoring, the Norwegians have proposed that all whale meat be subjected to DNA tests, which can identify it by species, stock, and point of origin, and they have offered to fund the inspection.

The IWC currently permits subsistence whaling by aboriginal peoples but, with the collaboration of the national governments that rule them, mandates that they use the meat and blubber solely for local consumption. Alaskan Eskimos can, if they choose, barter bowhead-whale meat for other necessities but cannot sell it on the open market. Greenlanders are permitted by their government to sell the meat locally but not abroad. To many observers, these restrictions reek of imperialism and hypocrisy. By telling aboriginal peoples how they must act, the regulations help to perpetuate their disenfranchisement and impoverishment; a look at an Eskimo village reveals that money is probably what is most needed in this market economy.

Yet environmentalists fear that subsistence whaling opens the door to commercial whaling; indeed, the Makah Indians of Washington, who have not whaled in seventy years, plan to apply at this month's meeting for a quota of five gray whales. Reports are circulating that the Japanese and others interested in expanding hunting

are attempting to persuade Indians in British Columbia who, like the Makah, no longer whale to resume their traditional practice. (Canada left the IWC in 1982, so its native peoples need no approval from that body.) Some Japanese and Norwegian groups can make a strong claim that they, too, merit aboriginal hunting rights, although their traditions involve the sale of meat and blubber to the commercial trade. In cultures that celebrate the absolute virtue of the marketplace, how does one justify policies allowing some groups to hunt whales but not others?

The controversy over subsistence and commercial whaling, tied as it is to the adoption of the revised management procedure and continuation of the moratorium, threatens to tear the IWC apart. Some observers believe that unless a way is found to permit commercial hunting of minke whales, the group will fail, and all manner of unregulated whaling will follow. Even if the IWC manages to maintain the status quo, abundant evidence exists that illegal whaling is a major problem that will worsen without a lifting of the moratorium and the establishment of strong international monitoring. Yet a number of national delegations and environmental groups argue that modifying the moratorium to any extent may bring about a broad resumption of whaling.

\* \* \*

Beyond the question of hunting lie others of equal importance. Although some stocks are recovering, others are not (especially Southern blue and North Atlantic right, and Eastern Arctic and Okhotsk Sea bowhead), leading some experts to suggest that the IWC or another group may have to implement measures more extreme than a moratorium on hunting to bring those animals back. (Interestingly enough, the Bering-Chukchi-Beaufort bowhead population appears to be increasing despite continuous hunting by Alaskan Eskimos.) A number of whales, particularly those that travel in shipping channels or near shore, are at risk from fishing, offshore development, and collisions with ships. Last spring the National Marine Fisheries Service decided to require lobstermen in Maine and Massachusetts to change the lines they use on their pots because of the risk that the nearly extinct North Atlantic right whale, which rarely visits the Gulf of Maine, might be caught in the lines then being used and drown. In some parts of the world unregulated offshore oil-and-gas exploration is seen as a potential threat to whales. Drift nets catch whales and also dolphins, and should probably be restricted, but international free-trade agreements preclude a nation's acting unilaterally against another. In addition, some experts worry that whale watching has become so popular that the boats carrying tourists are disrupting the animals.

The broader issue of which the debate over

the resumption of whaling is a part is just now gaining recognition, and causing consternation, in ecological circles. In Yellowstone National Park the bison herd, which is not hunted, has grown so large that it has destroyed the forage. Hungry bison recognize no human borders; they have moved out of the park and are being slaughtered for fear that they will infect cattle with brucellosis, which causes spontaneous abortions. (Wolves were recently reintroduced to Yellowstone, but whether they will thin out the population of bison remains to be seen; so far they seem more interested in elk.) In Florida the population of alligators has rebounded so completely that they have been removed from the endangered list and are now hunted. They are also seen as posing a threat to people and domesticated animals. With supposedly flourishing populations of elephants packed into game parks, southern African nations have successfully lobbied CITES for a weakening of the total ban on trade in ivory, although whether this presages a resumption of elephant hunting is unclear. In Antarctica seal populations have exploded as a result of an end to hunting and the demise of baleen whales, which competed with the seals for food. The result has been an ecological nightmare -- soil erosion, loss of vegetation, and polluted freshwater. Along the northeastern coast of North America and in the Pacific Northwest swelling populations of seals and sea lions have been implicated in a decline of certain fish stocks, already diminished by human activities.

Considerable pressure exists to maintain bans on hunting whales, bison, elephants, seals, and sea lions (one might say all large mammals), so enamored have people become of such creatures after a quarter century of nature films and campaigning by animal-rights groups. Given the slaughter that occurred when those animals were hunted, the bans are not necessarily misguided. But they do raise questions about how or whether those burgeoning populations, which clearly can have a negative environmental impact, should be managed. Many people believe that the answer is that human beings must control the populations of those animals through some form of hunting, because the natural system in which they evolved no longer exists.

Continuing to protect certain species after they have recovered is detrimental to the ecology of a region when it creates imbalances. We may therefore have to accept responsibility for managing natural areas more intensively than we now do. Unfortunately, as many ecologists know, we lack the knowledge to do that, and political opposition to plans that involve hunting or culling is intense -- yet we cannot afford to do nothing. These issues are bound to be contentious for years to come. For now, they trigger more emotion than rational debate.

Mark Derr is a poet and a journalist. His most recent book, <u>Dog's Best Friend:</u>
<u>Annals of the Dog-Human Relationship</u>, was published in June.

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The Atlantic Monthly; October 1997; To Whale or Not to Whale; Volume 280, No. 4; pages 22-26.

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