

# Makah whaling

*“Dress it up how you like – whaling is murder and murder is wrong”*

Greenpeace

THEMES



ENVIRONMENT



GLOBALISATION



GEN. HUMAN RIGHTS

COMPLEXITY



LEVEL 4

GROUP SIZE



14 OR MORE

TIME



150 MINUTES

- Themes** Environment, Globalisation, General human rights
- Complexity** Level 4
- Group size** 14+
- Time** 150 minutes
- Overview** This activity involves small group work, role-play, discussion and consensus building about the issues of:
- The sustainable use of marine resources
  - The rights of indigenous peoples to their culture and development
- Related rights**
- The right to take part in cultural life
  - Peoples' right to freely dispose of their natural wealth
  - The right to development and utilisation of natural resources
- Objectives**
- To explore the conflicts between the right to development and cultural life and protection of the environment
  - To develop intercultural skills and reflect on prejudice
  - To develop attitudes of open-mindedness to cultural difference
- Materials**
- Handouts
  - Pens and paper for the groups to make their own notes
- Preparation**
- Read through all the handouts to familiarise yourself with the information on the issues. You will then be able to act as a resource person if needed.
  - Make copies of the role cards for each group. Each participant should have their own role card.

## Instructions

The activity is divided into two parts: part 1 (30 minutes) is an introduction to the activity and the environmental and cultural issues involved, and part 2 (90 minutes) is a simulated meeting to discuss the Makah tribe's application to the International Whaling Commission (IWC) to resume whaling. Make sure you leave time after the activity for discussion, debriefing and evaluation.

### Part 1. Introduction to the environmental and cultural issues (30 minutes)

1. Explain that this activity is about environmental and cultural rights. It centres on a request by the Makah nation to the IWC to resume whaling and the opposition to this from conservationists and others.
2. Tell the group about the Makah. (see handouts)
3. Now introduce the issues addressed in this activity. Ask people to indicate their response to the following questions by standing "high or low". (For how to use this technique, see page 62). Read out the following statements one at a time:
  - “People's customs should be respected so long as they do not abuse human rights.”

"We should respect people's right to be free to choose what they eat; to be vegans, vegetarians or to eat meat."

"The food we eat should be produced using environmentally friendly methods."

"Animal husbandry should not include cruel methods such as intensive rearing or cruel ways of slaughtering."

"Cultural traditions are very important for people and should be respected."

"Whales should not be hunted, even for cultural purposes."

**Part 2. A simulated meeting to discuss the Makah tribe's application to the International Whaling Commission (IWC) to resume whaling. (90 minutes)**

1. Remind the group that the Makah tribe has applied to the International Whaling Commission (IWC) to resume whaling and that several environmental groups oppose this. This activity is a simulated meeting of an imaginary organisation called Crest (Culture, Rights, Environment, Sustainability and Talk). Crest is an independent organisation that works to bring a human rights perspective to environmental issues. They are committed to promoting understanding through dialogue. The simulation is a Crest meeting between four groups:
  - a, The Makah tribe who wish to present their case for restarting whaling
  - b, High North Alliance, an umbrella organisation representing whalers and sealers. The HNA is committed to working for the future of coastal cultures and the sustainable use of marine mammal resources. The HNA supports the Makah.
  - c, Sea Shepherd, an organisation that investigates and documents violations of international laws, regulations and treaties protecting marine wildlife species. They oppose the Makah's request.
  - d, Greenpeace, environmental activists who oppose whaling.
2. Crest's role is to mediate between the groups. The discussions will focus on four questions:
  - Should whaling be allowed?
  - Is there a special case for whaling as part of cultural tradition?
  - If whaling is to be carried out, at what level is it to be carried out?
  - What sort of management regimes are needed?
3. Ask for two volunteers to represent Crest and divide the rest into four small, equal groups. Hand out the role cards. The groups have 30 minutes to discuss the information and to prepare to defend their positions on the Makah's request.
4. When the groups are prepared, call them into plenary. Ask the pair representing Crest to organise the simulated meeting, which should last about 60 minutes. The purpose of the meeting is to share information and discuss the issues, and to come to an agreement on the four questions.
5. Crest opens the meeting with a short statement about the human rights and environmental frame of the discussions. The Makah tribe follow by stating their case. Then the discussion begins.
6. At the end of the discussion move on to the debriefing and evaluation.

**Debriefing and evaluation**

Ask the groups to reflect on the process of the discussion and whether it was possible to come to a consensus.

- Was it difficult to take the different roles?

- What was the most interesting thing people learnt?
- What made the best arguments? Appeals to the emotions or rational, logical arguments?
- How hard was it to see the other side of the argument? How hard was it to accept it?
- In real life, how hard is it to accept other people's cultural practices that participants find either rude, incomprehensible or unethical?
- At what point does the cultural clash become discrimination?
- How difficult is it to be open-minded about cultural differences?
- Does globalisation inevitably lead to loss of culture? Is a changed culture a lost culture?
- Should we see cultural change as a positive process in a changing world?
- Conflicting legal claims to rights are usually resolved in the courts. Is this a fair way to resolve rights issues?
- Which should be prioritised, the claims of people to food and life or environmental protection and preservation of species?

Finish the session by doing another round of "high or low" to see if people have moved in their attitudes to the issues of whaling. Repeat the same questions as you asked in part 1.

### **Tips for facilitators**

The complexity of the issues addressed in this activity means that it is best suited to a mature group with good discussion skills. There is a lot of information to assimilate and the text on the role cards assumes a certain level of knowledge of human rights and environmental terminology. You may wish to consider doing the activity over two sessions and giving the groups time in between to read the role cards and think about the issues.

One important objective of this activity is to confront young people with the limitations of their own cultural perspectives and enable them to reconsider their attitudes to the sustainable use of wildlife. Whaling is a very emotive issue for many people and one on which they often hold very strong views. This makes it a challenging - but also difficult - topic to work with. A second objective is to develop consensus-building skills, which is why the activity has been designed to be a meeting which is mediated by an imaginary organisation, Crest (culture, rights, environment, sustainability and TALK). Before doing the activity, you may like to refer to the information about consensus building on page 59.

It may be necessary to check that participants fully understand the meaning of some of the terms and concepts introduced on the role cards. For example:

#### **Indigenous peoples**

There are no hard and fast distinctions that enable us to unambiguously define indigenous people. In general, it may be said that they are the descendants of peoples who originally occupied the land before colonisers came and before state lines were drawn. They are always marginal to their states and they are often tribal.

#### **The precautionary principle**

The precautionary principle states that "when an activity raises threats of harm to human health or the environment, precautionary measures should be taken even if some cause and effect relationships are not fully established scientifically". It includes taking action in the face of uncertainty; shifting burdens of proof to those who create risks; analysis of alternatives to potentially harmful activities; and participatory decision-making methods.

#### **Sustainability**

In 1989 the UN World Commission on Environment and Development (WCED), also called the

Brundtland Report, defined sustainable development as “development that meets the needs of the present without compromising the ability of future generations to meet their own needs”. “Sustainable use” is a term that is applicable only to renewable resources: it means using the resource at rates that are within their capacity for renewal. There is a globally agreed principle of sustainable use of the world’s natural resources, based on scientific evidence and objective data.

## Key date

**9 August**

International Day of  
Indigenous People

## Variations

If the group is small you can work with two groups, the Makah and the High North Alliance on one side and Greenpeace and Sea Shepherd on the other.

An alternative way to present this activity is as a panel debate. Have one person to represent each of the four groups, the Makah, the High North Alliance, Sea Shepherd and Greenpeace. Get them to present their cases and then proceed with questions from the floor. At the end, take a vote on each of the four questions. In this way you get people to consider the human rights, cultural and environmental aspects of the issue, but it will lack the element of consensus building.

## Suggestions for follow-up

Globalisation was one of the issues touched on in this activity. If the group are interested in researching other aspects of globalisation, they may like to do the activity “A glossary of globalisation”, on page 69.

## Ideas for action

Support indigenous peoples by buying their products. Many handicraft items for sale in shops that sell “fair traded” products are made by indigenous peoples. Go and have a look next time you are out shopping for a present for someone.

## Further information

High North Alliance web site: [www.highnorth.no](http://www.highnorth.no), The Sea Shepherd International: [www.seashepherd.com](http://www.seashepherd.com), International Whaling Commission [www.iwcoffice.org](http://www.iwcoffice.org), Conservation Makah Nation web site: <http://content.lib.washington.edu/aipnw/renker/contemporary.html>, Greenpeace web site: [www.greenpeace.org](http://www.greenpeace.org).

## HANDOUTS

*The Makah people (also called the Makah or Makah tribe) live on a reservation that sits on the most north-western tip of the Olympic Peninsula in Washington State, USA. The current reservation is approximately 27,000 acres. In July 1999 tribal census data showed that the Makah tribe has 1214 enrolled members, although only 1079 members currently live on the reservation. The average unemployment rate on the reservation is approximately 51%. Almost 49% of the reservation households have incomes classified below the federal poverty level, and 59% of the housing units are considered to be substandard.*

*In spite of this bleak description, the traditions are very strong and many Makahs who graduate from college come back to the reservation to work for the Makah tribe, the local clinic, and the public school.*

Source: <http://content.lib.washington.edu/aipnw/renker/contemporary.html>

**HANDOUTS**
**Role cards**
**CREST role card**

Your position on the whaling issue is neutral. Your role is to provide background information on the human rights and environmental legislation and to mediate between the groups. Your job as mediators is to ensure that the discussion is focused on the task in hand and to clarify misconceptions and misunderstandings. You should help the groups move away from their differences and explore instead what they have in common in order to come to a consensus about the following questions:

- Should whaling be allowed or not?
- Is there a special case for whaling as part of cultural tradition?
- If whaling is to be allowed, at what level is it to be carried out?
- What sorts of management regimes are needed?

Start by welcoming everyone. Set the framework for the discussions. Take about two minutes to set the scene by summarising the main human rights and environmental aspects of the issue, quoting if you wish from the extracts below. You should also point out that some people have moral objections to whaling.

Then ask the Makah tribe to explain their reasons for wanting to resume whaling before opening the general discussion. After 40 minutes' discussion, start summing up.

**Some background information about human rights, culture and the environment**

The International Covenant on Economic, Social and Cultural Rights states in Article 1 that:

1. All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.
2. All peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law. In no case may a people be deprived of its own means of subsistence.

Article 15:

1. The States Parties to the present Covenant recognise the right of everyone:
  - (a) To take part in cultural life;
  - (b) To enjoy the benefits of scientific progress and its applications;

The preamble to the Vienna declaration of 1993 states that, "All human rights are universal, indivisible and interrelated. The international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis ... the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind".

In 1981, the IWC decided to permit aboriginal subsistence whaling (ASW). This is defined as "whaling for purposes of local aboriginal consumption carried out by or on behalf of aboriginal, indigenous or native peoples who share strong community, familial, social and cultural ties related to a continuing traditional dependence on whaling and the use of whales".

The UN Convention of the Law of the Sea states that, "One of the general principles is the optimum sustainable utilisation of renewable marine resources."

In 1982, there was a moratorium on fishing for the endangered grey whale. In 1994 the population had recovered to an estimated 21,000 individuals and was removed from the U.S. Endangered Species List.

### Makah tribe role card

Your role is to present the case of the Makah Indians who live on the north-west coast of North America. In this activity you should use your own existing knowledge of human rights and environmental issues together with the following quotes and information from the Makah web site:

“Even though it is 70 years since the last whale hunt took place, the ceremonies, the rituals, the songs and the tales have been passed down and kept alive. A whole social structure was built around the hunt. Nowadays some Makah Indians make a living fishing salmon and pacific sable fish, which is sold to a local fish plant, but the old system of sharing between family and friends is still in existence.”

“It was the industrial whaling operations carried out by Europeans and Americans that depleted the whale stock. When the US government finally decided to take conservation measures, the Makahs were also forced to stop their hunt. Now, the stock is back up at what is considered a historically high level of 21 000, and was last year removed from the US Endangered Species List.”

“There is a growing appreciation amongst young people of the value of having an identity based on one’s own culture and history. Being part of a culture that has a long tradition is a privilege that not many young people in the US are given.”

“We’re not going to hunt the grey whales for commercial purposes ... even though we’ve heard rumours that we are going to sell them to the Japanese. Our purpose for our whaling is for ceremonial and subsistence. We’ve requested up to 5 grey whales but that’s not to say that we’ll take them all. We will be an active player to make sure the grey whale never goes back on the Endangered Species List .... The tribe is the first to recognise the need for harvest limitations ... it is built into our values.”

“The Makah carry out their fishing operations in small coastal vessels. No decisions have as yet been made with regard to what technology will be used. Options include the old hand harpoon as it was used traditionally, or a modified version with a grenade on the tip like the ones used in the Alaskan bowhead hunt.”

### The High North Alliance role card

The High North Alliance is an umbrella organisation representing whalers and sealers from Canada, Greenland, the Faeroe Islands, Iceland and Norway, as well as a number of local communities. The HNA is committed to working for the future of coastal cultures and the sustainable use of marine mammal resources. In this activity you should use your own existing knowledge of human rights and environmental issues together with the following quotes and information from the High North Alliance web site.

“The Makahs had been whaling for 2,000 years until these white imperialists came over and were more eager to take the whales because this oil and so on was so very important to them. And then they raped that resource and the Makahs were not able to continue their tradition. The Makahs had been very patiently waiting for this resource to come back again. And that has happened now. But now the white people have changed their minds. Suddenly they want to ban all use of this resource.”

“Different cultures will never be able to agree on which animals are special and which ones are best for dinner. In northern Norway people have a special relationship to the eider duck although in Denmark all reputable game merchants sell eider breast as a delicacy. Therefore, the statement ‘whales are different’ begs the question: different for whom?”

“Whaling, as well as sealing, is allowed only as long as it is conducted by indigenous peoples and is non-commercial. Only ‘traditional’ usage is allowed, and it tends to be the outsiders who define what is ‘traditional’. To link whaling and sealing to a non-commercial mode of production is to deny people their obvious right to define their own future. No culture is static, but the policy of anti-whalers is de facto an attempt to “freeze” the situation, to turn an evolving culture into a static museum object. Commercialism in itself seems to be considered bad by the majority of the contracting governments at the IWC. It is ironic that this view is expressed by governments which are usually strong advocates of free trade. But apparently, some people shall be denied access to the world market. And if they want to partake in the world economy, it shall not be on their own terms but on those of the outsiders.”

“The current moratorium, or ‘hands off whales’ policy is difficult to defend using logical arguments. There are many practices in agriculture, fishing and forestry that are clearly unsustainable, but there is no blanket ban on these industries.”

“The report on Marine Mammals, Council of Europe, July 12, 1993: ‘Marine mammals are part of the living resources of the ocean ecosystems. They should be protected when threatened and only hunted when there is certainty that the size of their stocks allows it. Hunting may also be necessary in order to avert over-population and imbalances in marine ecosystems.’”

“Whaling is a good example of how international co-operation can transform a situation of over-exploitation into one of sustainable use. International co-operation is not perfect, but it can and does work. “

### Sea Shepherd and the Whale and Dolphin Conservation Society role card

The Sea Shepherd International is a non-profit, non-governmental organisation (NGO) involved with the investigation and documentation of violations of international laws, regulations and treaties protecting marine wildlife species. The Whale and Dolphin Conservation Society (WDCS) is the world's most active charity dedicated to the conservation and welfare of all whales, dolphins and porpoises.

Your role is to present the views of people concerned with protecting nature and wildlife. You should use your own existing knowledge of human rights and environmental issues together with the following quotes and information from the Sea Shepherd and Whale and Dolphin Conservation Society web pages.

"The real reason for this initiative by the Makah is because they know very well that whale meat goes for \$80 per kilo in Japan, and that one of those whales is worth close to one million dollars. And that doesn't just mean the five whales that they say they want to kill. It will have implications for literally thousands of whales because Norway and Japan and those other nations that want to go whaling, like Russia and Iceland, are looking at this very closely because if the Makah are given permission to take whales it will undermine any integrity the United States has in the international marine conservation movement." Capt. Paul Watson, Sea Shepherd Society

"We are walking the tightrope of trying to respect people's historical right to carry on long-standing traditional ways of collecting necessary food and yet balance the interests of conserving and protecting whales ..., (and) attempting to understand the changing world of indigenous peoples. For instance, in 1995 there was criticism of the Russian grey whale hunt when it was alleged that whale meat was not being eaten by indigenous peoples but was actually being fed to foxes in fox fur farms."

"The Alaskan North Slope Eskimos are now economically very different to the peoples who hunted whales a century ago. Oil exploitation has brought pollution, disruption and a host of new people to Alaska. It has also brought an enormous amount of money to the local people. To the casual observer, hunting from modern skidoos and helicopters is straining the definition of what is aboriginal."

"While the International Whaling Commission (IWC) continues to debate the emotive issue of the resumption of commercial whaling, hundreds of whales, and their cousins, the smaller dolphins and porpoises, are dying every year, almost unnoticed, in aboriginal hunts."

"In the context of wildlife, the precautionary principle demands that when the impact of a proposed action upon a species is not known, the benefit of the doubt should be given to the species and the action should not be undertaken until it can be shown that the action will not impose an unacceptable cost or loss to the species".

### Greenpeace role card

Greenpeace supporters around the world campaign for their visions of how to achieve a more sustainable world.

In this activity you should use your own existing knowledge of human rights and environmental issues together with the following quotes and information from the web.

"Dress it up how you like – whaling is murder and murder is wrong. To be sure, whales are not human but are they less than human? The mind set that exults in the killing of whales overlaps with the mindset that accepts genocide of 'inferior' human beings. We believe that the phrase "human rights" is only superficially species chauvinistic. In a profound sense, whales and some other sentient mammals are entitled to human rights, or at least 'humanist rights', to the most fundamental entitlements that we regard as part of the humanitarian tradition."

"Greenpeace does not support any whaling programme, but we don't oppose truly subsistence whaling. But if there's ever a commercial element, we'd be front of the line, in their face, opposing their programme."

"The undersigned groups respectfully appeal to the Makah nation to refrain from the resumption of whaling. People from many cultures world-wide hold whales to be sacred and consider each species a sovereign nation unto itself, worthy of respect and protection. Grey whales migrate vast distances each year and bring joy to many thousands of whale watchers. They only briefly pass through Makah waters. We submit that important spiritual traditions must be observed in the context of a planet whose wildlife is being destroyed." Action for Animals, Action for Animals Network and others.

"I was in complete shock when I heard that we were thinking of killing grey whales - or any whales ... We went ahead and did the homework and found out that there was a proposal to authorise 5 grey whales to be taken by one tribe, and if they got it, several other tribes on up into Canada and Alaska said 'Well, if they can hunt them, we can hunt them.' And I just think that the American people - who have a special relationship with whales - I don't think that they're ready for any kind of whale harvest at this time". U.S Rep. Jack Metcalf

"Despite the moratorium on whaling imposed by the international community in 1986, the whales are still threatened. An effective method to give further protection to the whales is the creation of sanctuaries - areas where whaling is forbidden not just temporarily, but for the indefinite future."

"It's extremely difficult to accurately determine the actual number of whales in different whale populations. The size of most populations is known no more accurately than plus or minus 50%. Since changes happen very slowly, it is impossible to tell if a population is growing or shrinking in the course of a few years' study. However, there is no doubt about the decline in whale numbers caused by commercial whaling."