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6

REYKJAVÍC RAIDERS

A minke whale typically dies 3.3 minutes after being hit with a penthrite grenade, which is designed especially for whaling. Half the whales die instantly, and 9 percent live for more than ten minutes.[1]

In 1986, the International Whaling Commission (IWC) issued a four-year moratorium on all commercial whaling. The stated purpose of the moratorium was to allow time to assess the condition of whale populations and investigate the ecological feasibility of sustained harvesting of various whale populations. Several nations objected strongly to this moratorium, citing both economic and cultural reasons. Some of the objecting nations asserted that they had been whaling for generations and that whaling was an integral part of the economic and cultural identity of their coastal communities. The Japanese Ministry for Agriculture, Forests, and Fisheries also opposed the moratorium on the grounds that whales, rather than aggressive fishing fleets, were responsible for globally declining fish catches. Nevertheless, all nations agreed to cease commercial whaling by 1988.

Although the moratorium was a major step in the protection of whales, environmental groups were worried about an important exception in the moratorium. Nations were allowed to harvest whales of some species for "research" purposes, provided that the majority of the harvest products (whale meat, oil, bone, and so on) were consumed locally. Such research could be conducted to determine approximate population counts for whale species and to investigate the effects that the whales have on fish populations. Several nations, including Iceland, Japan, and Norway, immediately announced

that they would continue to take whales under the "research exemption" despite the outcries of environmental groups.

On November 9, 1986, Iceland learned just how far some environmentalists were willing to go to protect the whales. In Reykjavík harbor, the prows of the *Hvalur 6* and *Hvalur 7*, half of Iceland's entire whaling fleet, could be seen poking up out of the water. Both ships had been scuttled by having their sea valves opened and smashed, flooding the ships with water. That same day, workers arriving at Iceland's only whale-processing plant (in Hvalfjord, fifty miles north of Reykjavík) discovered that the facility had been wrecked with sledgehammers and cyanic acid. Damage to the plant was estimated at two million dollars.

Icelandic authorities did not have a difficult time ascertaining who was responsible for the sabotage. The Sea Shepherd Conservation Society, an environmental group founded in reaction to the allegedly too-moderate position of Greenpeace, claimed full responsibility for both the sunken vessels and the damage at the processing plant. In defending the actions, Paul Watson, head of the Sea Shepherds, stated, "Our organization has full right to sink the whalers because Iceland is violating the moratorium." As to the destruction of property, Watson said, "Respect for life takes precedence over respect for property which is used to take life."

Two members of the group, Rod Coronado of the United States and David Howitt of Great Britain, had taken jobs at a fish factory in Reykjavík and spent several weeks reconnoitering their targets. On November 8, the two spent eight hours dismantling and destroying the refrigeration systems, laboratory equipment, and computer files of the Hvalfjord facility with sledgehammers and cyanic acid. After disabling the Hvalfjord facility, the two drove to Reykjavík harbor, where the whaling company's four ships were docked. Coronado and Howitt boarded two of the ships and opened their sea valves, sinking the ships. They were unable to sink the other two ships because of the presence of watchmen. Shortly after the attack, Coronado and Howitt left Iceland on a flight to Luxembourg.

As details of the raid came to light, the Sea Shepherds came under intense criticism from all sides. Greenpeace International likened the act to a terrorist attack and predicted that it would set back international environmental efforts. A newspaper in British Columbia (the home ground of Watson and the Sea Shepherds) also made the comparison with terrorism, asking, "Is Vancouver to become a sanctuary for international terrorists?" Several other environmental leaders criticized the actions by claiming that sabotage was not an effective way to achieve a long-term halt to whaling.

The Reykjavík raid was, of course, illegal. But it seems to have been carried out in a way fully compliant with the internal guidelines of the Sea Shepherds. Those guidelines state,

> Sea Shepherd crew members cannot use weapons; they cannot use explosives; they cannot undertake any action that could result in a physical injury to humans; they must take responsibility for their actions; and they must accept moral and legal consequences for their actions.

In accordance with the last two principles, Watson flew back to Iceland in 1988 to turn himself in to the authorities. Iceland held Watson for twenty-four hours without charge and then expelled him without cause. Watson never saw the inside of a courtroom in Iceland.

Five years later, in 1993, Norway unilaterally renounced the IWC moratorium and began issuing permits for minke-whale hunting. At the time, IWC scientific advisers estimated the minke population at 87,000 in the northeastern Atlantic and 900,000 worldwide. Norway issued permits to thirty-one whaling boats, most in the Lofoten Islands. The boats took a total of 226 minke whales. By 1999, Norway had expanded the quota to 753 minke whales and issued permits to thirty-six vessels, nearly all of them operated by families in small coastal villages, the inhabitants of which had hunted whales for generations.

National Public Radio interviewed some of the whalers in the small village of Rena.[2] Jans Swenson's comments were typical:

> Norway has obliged itself to use this quota calculation model that is developed by the International Whaling Commission scientific committee. It's a very precautious model. So quotas, if they increase, they will increase very, very slowly.

Bjorn Blikfeld was less polite, calling antiwhaling activists "terrorists" and accusing them of cynically misleading their supporters:

> Patrick Moore, the former director of Greenpeace Canada, said, "People don't understand ecology. Therefore, we have to make them save the whales. We have to tell them that whales are good. Good whales, kind whales, faithful whales"—it sells better than the truth: that whales are quite stupid, like a cow, for example. And that they are, except for their size, not very different from other animals.

But as far as the Sea Shepherds are concerned, it is Swensen and Blikfeld who are criminals. Asked about his involvement in the sinking of two Norwegian whaling ships, Watson replied,

> Well, I don't look on them as acts of violence. . . . We're dealing with criminal, pirate whaling operations here. How can they justify what they're doing, which is ignoring international regulations and continuing to kill whales? And having a very serious impact on the survival of many whale species. The killing's being done by these criminal whaling operations. Last year they killed 300 minke whales. That is a crime.

DISCUSSION

Individuals, organizations, and nation-states that support some version of the IWC moratorium generally cite some combination of recognizable versions of the following five goals: 1) preserving whale populations as an economic resource, 2) preserving whale populations as an ecological resource (either in themselves or as a component of oceanic and coastal ecosystems), 3) preserving whale populations as a social or cultural resource, 4) preserving whale populations as an aesthetic resource, and 5) preventing the morally wrongful killing of individual animals.

Presumably, all interested parties share at least the second of these goals: No organization or nation-state has advanced the notion that the extinction of any whale species would be a positively good thing. But there is plainly very serious disagreement about the other goals: whether whales should be exploited as an economic resource, whether it is morally wrong to kill a whale—these are hotly debated questions. For individuals pondering their own attitudes toward the IWC moratorium, it is useful and important to ask, Which of these goals are really compelling? For nation-states, the moratorium raises an additional problem: Although whales spend much of their lives in coastal waters, they are migratory species and cannot be protected by merely national actions. Whatever our reasons for *wanting* to protect whale populations, our *ability* to protect them is completely dependent on the voluntary cooperation of other sovereign states whose governments and citizens may have quite different reasons.

Despite the criticism that the IWC has received from both environmentalists and whaling nations, few would argue that whales (or even whalers) would be better off today without the IWC. Indeed, all seem to agree that

without the IWC's intervention in the middle of the twentieth century, at least several species of whales might have been hunted into extinction.

For many individuals, one especially controversial aspect of the whaling moratorium is whether and how it should be applied to indigenous peoples who wish to continue or resume whaling, often for both cultural and economic reasons. In 1998, for the first time in almost seventy years, eight members of the Makah tribe paddled a canoe out from the coast of Washington to hunt gray whales. The hunt was approved by the IWC and the National Marine Fisheries Service, which had pressed the Makah's case before the international body.

The Makah believe that resuming their whale hunting will instill pride in their people and help the younger generation learn their culture. The 1,800 members of Makah will share the whale meat; its sale would be illegal under tribal and federal law. The only income that the Makah might earn will be from the sale of artifacts carved out of whalebone, which is legal under both federal and tribal law. The Makah have updated their traditional techniques, however. Sitting in the canoe next to the harpooner is a man with a .50-caliber rifle; he will shoot the whale in the brain as soon as the harpoon strikes. Nearby are two powerful speedboats that will help finish off any whale that is merely wounded by those in the canoe and then tow the carcass to shore.

While it is true that some indigenous peoples want to whale for deep cultural reasons, it is also true that some nations opposed to the moratorium see whaling by indigenous peoples as a potential opening toward much broader commercial whaling. When the World Council of Whalers elected Tom Happynook, chief of the Huuayaht Nation, as its chair, the council perhaps was more concerned with its public image than with Mr. Happynook's whaling expertise.

Although many people seem to believe that some kinds of whaling, such as ritual whaling by indigenous peoples, are morally more acceptable than others, it is not clear how such a view follows from either a human- or a life- or a nature-centered ethical system. After all, if the whales have a right not to be killed, it should be wrong for *anyone* to kill them.

Finally, notice that this is the first of many of the cases in this volume that involve some kind of illegal activity. Others are Case 7: High-Seas Fish Wars, Case 8: Matinicus Island, Case 20: Leopold and Traps, Case 21: Monkey-Wrenching, and Case 22: Saving Mink, Killing Voles. Every serious moral theory and every world religion acknowledges that it is sometimes right and perhaps even obligatory to violate an unjust law. American history is replete with morally admirable lawbreaking: From the Boston Tea

Party to the Underground Railroad to the civil rights movement, every century presents numerous examples of heroic individuals putting their lives and their freedom at legal and physical risk to resist immoral (albeit then-legal) social structures and practices. But, of course, it is one thing to *invoke* the moral legacy of John Adams and Martin Luther King Jr.; it is another to *deserve* it.

QUESTIONS

1. Of the five previously listed goals serving as possible reasons to support some version of a whaling moratorium, which are the most important?
2. Of the same five goals, which are easiest to justify from the perspective of a human-centered system of values? Which might require an ecocentric or biocentric system of values for a compelling vindication?
3. *In international negotiations about the moratorium, what kinds of persuasive tactics are fair? The United States, for example, has been accused of threatening some IWC member states with trade sanctions if they did not accept the moratorium. The government of Japan has admitted offering development aid to other member states as an inducement to weaken the moratorium. Are such tactics an inevitable component of transnational environmental regulation? Are they fair?*
4. Were the Reykjavík raiders morally justified in violating Icelandic law?
5. Compare the different instances of lawbreaking presented in this volume. Which, if any, are morally justified? Which, if any, are not? What are the important differences between the instances that you believe *are* justified and the instances that you believe are *not* justified?
6. The feeling that whaling by indigenous people is morally *different* than other kinds of whaling is apparently widespread. Can the feeling be justified? Is there any rational basis for refusing to allow the people of Iceland, Norway, and Japan to continue a thousand-year tradition of whaling while permitting indigenous peoples to continue or resume theirs? Indeed, are the Japanese or Norwegians less indigenous to their islands than the Makah are to Oregon? What exactly does *indigenous* mean in this context?
7. Review Case 1: Gorilla Rangers. It raises many of the same moral, social, and ecological issues as this case. But no one in the West and almost no one in Africa has suggested that indigenous African peoples should be permitted to hunt gorillas. What accounts for the gorilla's more favored status? Is it their rarity? Their social and cognitive abilities? Their ecological role?

NOTES

1. High North Alliance, *Living Off the Sea: Minke Whaling in the North East Atlantic* (Reine i Lofoten, Norway: Norwegian Fisherman's Association, 1994), 12.
2. *Living on Earth*, National Public Radio, February 11, 1994, Steve Curwood, host, transcript available at www.loe.org/archives/940211.htm.

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