

## COMMENTS ON VAN GINKEL

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One Thursday afternoon in May 2007, with Rob van Ginkel's article, 'Gentle Giants, Barbaric Beasts and Whale Warriors: Contentious Traditions, Eco-Political Discourse, and Identity Politics,' in hand, I exited the Washington DC Metro at the Farragut North station. There, at the corner of Connecticut Avenue and K Street, across from Farragut Square, was a poster on a Metro bus stop: 'Think your Commute Is Tough? Humpback Whales migrate thousands of miles and soon they'll be dodging harpoons.' The poster, a new campaign of the International Fund for Animal Welfare (IFAW), goes on to say that '30,000 whales have been killed since whaling was banned in 1986,' and that 'whales face more threats than ever before.' If I had been inclined to question one of the arguments of Dr. van Ginkel's paper – that whales have become 'humanized' as the poster children of the environmentalist movement – there was enough proof of his argument right in front of me. In fact, it now seemed to me that was even an additional development in this process beyond his description of it. If whales have been for some time treated by environmentalists as 'super humans', who possess admirable traits, such as singing, nurturing their young, showing compassion for each other, in the IFAW campaign they were portrayed as 'average humans,' with problems with which the target audience could identify. Anyone at the corner of Connecticut and K on a weekday at 5:30 pm would have no trouble understanding the difficulties of a 'tough commute'.

If that part of Dr. van Ginkel's argument was confirmed, nor do I feel much in doubt about the other pieces of it, especially his main point that authentic traditions, both in the case of the Makah and the Faroese whalers, are traditions as they are practiced. Authentic behavior, he asserts in his conclusion, is 'distinctive behavior... the act of killing one gray whale or slaughtering pods of pilot whales is authentic enough'. By willfully transgressing a taboo of mainstream Western society, the Faroese and the Makah have shown the world without that they are 'different'. It is not a prerequisite of traditions that they remain static and unchanged

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to be considered authentic, nor would it seem philosophically reasonable that outsiders to these communities be allowed to determine what is authentic to them.

Unfortunately, philosophically reasonable arguments have not played, and are not likely to play, much role in resolving the controversies outlined in his paper. Discussions about authentic traditions in the whaling debates, although intellectually intriguing, are in my view a 'blind alley' into which the 1986 moratorium on commercial whaling inevitably led all the parties. As long as this set of regulations are in place, with the assumptions that they embody, the heated nature of the accusations and counter-accusations will probably not cool down. The problem is not really the environmentalists and the whalers, although some of them are certainly being intemperate and deliberately provocative in their language and actions. Their language and actions have been, however, informed by the legal language of the International Whaling Commission (IWC). While Dr. van Ginkel, working as an anthropologist, concentrates on contemporary practice and discussion, being a historian, I would like to turn to the language of documents in order to explain the whaling debates.

The IWC's 1981 definition of 'aboriginal subsistence whaling' is 'whaling for purposes of local aboriginal consumption carried out by or on behalf of aboriginal, indigenous, or native peoples who share strong community, familial, or social, and cultural ties related to a continuing traditional dependence on whaling and the use of whales'.<sup>1</sup> This definition was used in establishing, in the period following the 1986 moratorium, the rights of four peoples to hunt whales: the Greenlandic Inuit, the Alaskan Inuit (who share their quota of gray whales with the Makah), the Siberian Inuit, and the natives of St. Vincent and the Grenadines. The revised Schedule of the IWC now in use refers to hunting 'by or on behalf of aboriginals' and 'indigenous people.' In establishing themselves as 'indigenous people', in order to gain these hunting rights, the Makah were supported by the statements of anthropologists regarding their culture, as well as by their own whaling commission, which adopted, as Dr. van Ginkel explains, an elite practice as a core tradition. So what Makah identity meant was documented for the purpose of obtaining a legal status and rights thereby.

The problem, however, with this legal procedure is simply that identity is not easily regulated and documented, but rather practiced. An excellent example of the difficulties of legally regulating identity is provided by the history of the legal definitions of race in the United States. Especially contentious was the so-called 'one-drop rule', whereby, according to state statutes from the early eighteenth century, a person who had even 'one drop' of sub-Saharan ancestry could not be considered

white. This legal definition then led to the situation whereby a person might possess an identity of which he was not even aware, and also legally not be a member of group to which he believed himself to belong.<sup>2</sup> When Makah identity was attacked by environmentalists for being 'bloody and untraditional' for their use of speed boats, part of the difficulty of mounting the defense that traditions develop and change, is that the Makah had themselves attempted to set their identity down on paper. They had done so, of course, because the IWC had required them to, because the world that we live in is not a traditional world, but a bureaucratic one, where identity has to be documented and not just practiced in order to count. The aboriginal subsistence whaling clause, which attempts to set right some of the damage done to these cultures as a result of the destruction of the traditional world, collides again with the world of modernity which damaged the cultures in the first place.

This does not mean that the Makah are somehow themselves to blame for having gotten into this situation. But what I would like to point out is that the problem can not be resolved in the current terms because the structure of the moratorium and the aboriginal subsistence exemption is flawed.<sup>3</sup> Actually, what is likely to happen is that the problems will multiply because other groups – including citizens of the North Atlantic like the Faroese – will also try to assert their claim to indigenous whaling because they are small, local populations who have 'strong community, familial, or social, and cultural ties related to... whaling and the use of whales'. Their culture of whaling developed during a historical period of isolation, poverty, environmental catastrophes, and marginalization within the state, and therefore their traditions are equally authentic. Even if this argument is not made in legal terms – since the hunting of pilot whales is not regulated by the IWC – it can be made in public discourse, where most of the discussion in this article takes place. In this respect, the IFAW poster on the bus stop at Farragut Square is an ideal example of such an appeal to the public, and it of course directs one to a website: [www.stopwhaling.org](http://www.stopwhaling.org), on the Internet, where all public debate now seems to occur.

## Notes

- 1 Report of the ad hoc Technical Committee Working Group on Development of Management Principles and Guidelines for Subsistence Catches of Whales by Indigenous (Aboriginal Peoples) , IWC/33/14 1981.
- 2 This situation, which occurred in a number of historical cases, is also the set-up for Sinclair Lewis's 1947 novel *Kingsblood Royal*. For historical details, see Rachel F. Moran, *Interracial Intimacy: The Regulation of Race and*

Romance (Chicago: University of Chicago Press, 2003) and Matthew Press Guterl, *The Color of Race in America, 1900-1940*. (Cambridge MA: Harvard University Press, 2004).

- 3 The problems of the IWC's regulatory system are discussed in more detail in Robert L. Friedheim, ed., *Towards a Sustainable Whaling Regime* (Seattle: University of Washington Press, 2001).