GRAY WHALES, GREEN INDIANS, AND SEA SHEPHERDS:

Questioning the Application of Theories of Totemism by Scholars to Anti-Whaling Activism

By

Clinton Thomas Bland
B.A. Texas A&M University, 2006
M.A. University of Kansas, 2008

Submitted to the Department of Religious Studies
and the Faculty of the Graduate School of the University of Kansas
In partial fulfillment of the requirements for the degree of
Master of Arts

_____
Dr. Timothy Miller (Chair)

_____
Dr. Michael Zogry (Member)

_____
Dr. Robert Shelton (Member)

Date defended: 6/10/08

The Thesis Committee for Clinton Thomas Bland certifies
That this is the approved version of the following thesis:

GRAY WHALES, GREEN INDIANS, AND SEA SHEPHERDS:
Questioning the Application of Theories of Totemism by Scholars to Anti-Whaling Activism

Committee:

_____
Dr. Timothy Miller (Chair)

_____
Dr. Michael Zogry (Member)

_____
Dr. Robert Shelton (Member)

Date Approved: 7/22/08

ABSTRACT
Clinton Thomas Bland, B.A., M.A.
Department of Religious Studies, June 2008
University of Kansas

In recent years, scholars in disciplines outside the field of religious studies have attempted to explain the behavior of anti-whaling activists in terms of theories of totemism. These scholars claim that because activists ignore relevant scientific data and tend to rely on stereotyping that they practice a modern form of whale-based totemism. Such scholarly claims were and are especially relevant to analysis of the still-ongoing conflict in Neah Bay, Washington, a conflict that developed when the Makah tribe sought to reassert its nineteenth-century whaling right and to revive its abandoned whaling practices. The Makah were met with vitriolic opposition from anti-whaling activists who questioned their authenticity and intentions and sought to portray the tribe as betraying the stereotype that casts Native Americans as always living in full harmony with the natural environment. This thesis questions the conclusions reached by those scholars and argues the following: 1) analysis of contemporary anti-whaling activism as "totemism" is ineffective because of the problematic and outdated nature of the concept; 2) contemporary scholars who employ the concept also fail to make the more general argument that anti-whaling activism is an endeavor informed by religious beliefs; 3) ultimately the fact that scholars have attempted to rehabilitate the term may tell us more about their own ideas regarding religion than those of the people whom they study. Specifically, it is the argument of this thesis that such application of the totemism concept illustrates the ideological bias that perceived human-animal relationships on the part of indigenous peoples are permissible, but are not permissible among non-indigenous individuals or groups. This position, in turn, gives rise to a political stance which ignores the importance of such perceived relationships in motivating modern environmental protection movements. While totemism has been the subject of recent critiques, these critiques do not, in the view of this work, explore sufficiently the flawed logic of this attempted rehabilitation, particularly with regard to environmental movements.

To the women in my life: Lori, Helen, Lindsey and Chelsea.

And to Maury Stout.

Thanks

I first wish to thank my advisor, Dr. Timothy Miller for providing calm guidance throughout this process. Thanks must also go to my committee members, Dr. Michael Zogry, who refused to let me take shorts cuts and helped me make this a better document because of it, and to Dr. Robert Shelton, whose patience is superhuman.

I also wish to thank Robert Minor, a tolerant boss with a sense of humor who delivered the best lectures I've ever listened to four times. I also wish to thank the members of the faculty from whom I had the pleasure of learning during these last two years: Sherryll Wright, Dan Stevenson, Paul Zimdars-Swartz, Paul Mirecki, and Sergey Dolgopolskii. They are all excellent scholars and teachers.

Thanks also to my fellow GTAs and graduate students: Sandy Moore, Autumn Holcomb, Mike Courtney, Christy Monsson, Flint Niedenthal, Erin Nix, Teresa Matthew, and Ben Simpson. 1 Smith Hall was a great place to spend afternoons, even if we never got much done.

Thanks to Karen Hummel for always know what paperwork was due and when.

I also would like to thank Lee Heeter, Jeff Brown, Nathan Osbun, Jenny Lyon, Lauren Luxton, Liz Mayfield, Johnny Sellers, and Rachel Grey, for listening to much worrying and complaining over the phone and in person.

I would also like to thank my family. To my mother, Lori, I owe most of what I have and I appreciate her willingness to explain to friends and colleagues that I have/had no plans to join the clergy. I am grateful to my sister and brother-in-law, Lindsey and Brian Sheguit, for always pretending to be at least half interested in what I had to say about the establishment clause at holiday meals and for waiting to cash checks from me. My grandmother, Helen Spitzer, is the most generous woman I know and the first person in my family to read a draft of this work from start to finish. Thank you all.

Finally… Thank you, Chelsea. I hope we're not going to be poor.

Gray Whales, Green Indians, and Sea Shepherds

Interrogating the Scholarly Category of Whale-Based Environmental Totemism

Table of Contents

Chapter 1: Introduction

I. Research Problem

In the late 1990s the Makah tribe of Neah Bay, Washington announced plans to revive its abandoned tradition of hunting Eastern Pacific gray whales. The tribe quickly encountered a storm of opposition from activists who sought to protect whales at all costs. Scholars interested in the Makah case have claimed that activists ignored relevant and comprehensive sustainability-interested scientific conclusions suggesting that renewed Makah whale hunting would not harm gray whale populations. Instead, according to these same scholars, activists attacked the Makah's motivations and alleged inauthenticity in the tribe's quest to resume whaling. They made their case by relying on "Green Indian" stereotyping, which holds that Native peoples always live in benign harmony with their environment. The activists also appeared to elevate whales to near-human (or higher) status.

The Dutch environmental scholar Arne Kalland and the Norwegian anthropologist Rob Van Ginkel have characterized such anti-whaling activism as "totemism," arguing that the activists adhered to a whale-centric worldview in which whales were totems. Kalland first coined this characterization in 1993 and, in 2004, Van Ginkel applied it to the Makah case. Since then, it has been recapitulated by scholars in disciplines as varied as international law, political and environmental science, and sociology. Anti-whaling activists in regions as far-flung as Japan and Iceland also have been labeled "totemizers" by interested scholars. While it may indeed be possible to construe some aspects of anti-whaling activism as religious in

nature, religious studies scholarship has demonstrated thoroughly that totemism is inappropriate and ineffective as a component of a theory of religion.

However, because totemism has resurfaced as a pervasive framework for describing whale-protecting environmental movements, in other disciplines as well as in popular culture, it is instructive for religious studies scholars to revisit the relevant scholarship in order to identify the many ways in which the concept fails to account for the purportedly religious facets of anti-whaling activism. This study will examine the Neah Bay controversy as a test case for that analysis, and will conclude the following: 1) analysis of contemporary anti-whaling activism as "totemism" is ineffective because of the problematic nature of the concept; 2) contemporary scholars who employ the concept also fail to make the more general argument that anti-whaling activism is an endeavor informed by religious beliefs; 3) ultimately the fact that scholars have attempted to rehabilitate the term may tell us more about their own ideas regarding religion than those of the people whom they study. Specifically, these individuals seem to view the human-animal relationships expressed by both the tribe and the activists in terms of their legitimacy. By applying a term that implies a "primitive" mind-set to the activists, the scholars who do so have engaged totemism as a political tool, using to it divorce activists from any legitimacy they may have to oppose whaling. While many contemporary scholars (discussed below) have critiqued the concept of totemism in recent years, these scholars have underestimated the newfound prevalence of the term and failed to identify all of the contexts in which it has been used.

This revival of an outmoded term that was once used by scholars to describe the religious practices of indigenous peoples throughout the world is doubly ironic. As this thesis will explain below, typically these activists do not define their own worldview as religious. In addition, particular aspects of anti-whaling activism that scholars have interpreted as "totemistic" might just as easily be interpreted by means of several other definitions of religion, due in part to the contested nature of the term "religion" itself. A study such as this one brings selected aspects of the conflict into a clearer light and also provides us with a sketch of how scholars outside the field of religious studies conceptualize and employ the notion of religion.

II. Significance of the Problem

The revival of the Makah whale hunt began as an effort to revitalize Makah tradition and instill a sense of "discipline and pride" in Makah youth.[1] The revival raised the ire of environmentalist groups, and the subsequent controversy that whirled around it soon attracted international attention. These groups were led by a well-funded organization called the Sea Shepherd Conservation Society (SSCS) and its self-proclaimed "captain," a charismatic man named Paul Watson, who likens himself to Jules Verne's Captain Nemo.

It became apparent from very early on that the debate over the Makah's attempts to reclaim their tradition would not be civil. While the Makah had the support of various agencies of the federal government (including the National Oceanic and Atmospheric Administration [NOAA] and the National Fisheries

[1]Makah Website, "Whaling Q&A," <http://www.makah.com/makahwhalingqa.pdf> (accessed May 26, 2008).

Service), and the International Whaling Commission (IWC), the SSCS and its cohorts proved adept at garnering media attention and at stirring up a public outcry over the new whale hunts. In 2007, after five Makah men killed and lost a whale illegally, Paul Watson wrote, "If not for the horrendous agony they inflicted upon a defenseless whale, this misadventure at sea would be hilarious. Straight out of a television sitcom mixing the incompetence of *The Office* with the silliness of *The Beverly Hillbillies*."[2] Such rhetoric is indicative of the SSCS's tone of debate over the past twelve years. This rhetoric has alternated between the dismissive and superior attitude evident in the above statement and much more overt attempts to denigrate the Makah as a people by claiming that their intentions and authenticity were and are suspect.

As this thesis will outline below, those attacks of the latter type have been traced by various scholars to a backlash stemming from conceptions of the "Green Indian." In other words, activists and their sympathizers believed that the Makah were somehow betraying the supposedly ecological roots of all Native American societies by reinstating their whaling practices. This thesis will show that activists and their sympathizers relied on these attacks because they were unable to make an argument that whaling was an unsustainable and ecologically detrimental practice. Thorough studies, discussed in Chapter Three, were conducted by both the NOAA and the Fisheries service and these studies concluded that a Makah hunt would have little or no undesirable environmental impact.

While many scholars focusing on the hunt chose to defend Makah whaling on

[2]Paul Watson, "Five Incompetent Makah Make a Mockery of Traditional Whaling," Sea Shepherd Conservation Society, November 11, 2007 <http://www.seashepherd.org/editorials/editorial_071123_1.html> (accessed May 6, 2008).

historical, legal, and cultural grounds, others were more interested in discrediting the activists themselves. In particular, Rob Van Ginkel, a professor of anthropology at the Universiteit van Amsterdam, argued that the activists ignored relevant scientific data and instead relied on stereotyping because they had turned the whale into a totem animal. In his 2004 essay, "The Makah Whale Hunt and Leviathan's Death," Van Ginkel makes the assertion that "the anti-whaling movement refrained from using any unsustainability allegation in their discrediting of the Makah whale hunt."[3] Instead, "The environmental movement has totemized cetaceans that have come to represent the 'goodness' of nature."[4] This thesis will endeavor to show that the application of totemism or other theories of religion to anti-whaling activism has been used not as a way in which to better understand it, but as a tool for dismissing activists as irrational or fanatical.

Van Ginkel was not the first scholar to make such a claim, however. Characterizations of anti-whaling activism as totemism can be traced to a 1993 article by Arne Kalland entitled "Management by Totemization." In fact, Van Ginkel cites Kalland extensively in his article. Therefore it becomes necessary to understand the term as Kalland uses it.

As the main proponent of calling anti-whaling activism totemism, Kalland draws upon the theories of Emile Durkheim, Sigmund Freud, and Claude Lévi-Strauss, and he does so selectively. The result is that his theory of totemism as it applies to anti-whaling activists is flawed. Kalland largely ignores points at which

[3]Rob Van Ginkel, "Makah Whaling and Leviathan's Death: Reinventing Tradition and Disputing Authenticity in the Age of Modernity," *Etnofoor* XVII (2004): 69.
[4]Ibid., 77.

the theories of these past scholars are incompatible. For this reason, it is difficult to know exactly what he means when he claims that anti-whaling activism is totemistic. It can be assumed that because Van Ginkel, in applying Kalland's argument to the Makah controversy, has not modified it, he implicitly accepts it without major reservation.

Totemism has largely been discredited by religious studies scholars as a Western construction that supports a theory of "primitive" religion.[5] In the past, it was applied by many theorists to cultures of indigenous peoples throughout the world. Were it not for the fact that Kalland is so specific in his use of the term, one might dispose of his conclusions easily in a sentence or two. However, because he uses the term so specifically, it becomes necessary to unpack it.

Beyond the issue of Kalland's definition, the problem of calling anti-whaling activism "religious" goes beyond Kalland and Van Ginkel. As I mentioned above, Kalland's assertions about whale-based totemism, in particular, have found some currency in environmental scholarship. One example is a 2001 article in which he was cited by the eminent scholar of environmental law, Christopher D. Stone. Stone writes, "I like the stab Arne Kalland offers . . . whales have undergone a totemization, no less by their would-be saviors than by their aboriginal hunters."[6]

Kalland's argument continues to make appearances in other scholarly forums and seems to have become something of a scholarly "meme," to use Richard

---

[5]Adam Kuper, *The Reinvention of Primitive Society: Transformations of a Myth* (New York: Routledge, 2005), 111.
[6]Christopher D. Stone, "Summing Up: Whaling and Its Critics," in *Toward a Sustainable Whaling Regime,* ed. Robert L. Friedheim (Seattle: University of Washington Press, 2001), 345.

Dawkins' term.[7] The latest embodiment of Kalland's idea turned up in May 2008, in the peer-reviewed journal *Global Environmental Politics*, a publication of the Massachusetts Institute of Technology. The sociologist Anders Blok, in his discussion of Japanese whaling, cites Kalland when he writes, "Anti-whaling campaigns have helped turn whale meat into a symbol of Japanese food culture, and eating the 'totem animal' of sentimental Westerners can serve to express one's belonging to 'the Japanese tribe.'"[8] In short, my research has not yielded a single author who questions Kalland's application of totemism. Because the argument for characterizing anti-whaling activism as totemism is so developed, and because apparently no other scholars have endeavored to question it, it is useful to critique it from a religious studies viewpoint. Current critiques of totemism do exist and in the next chapter I will discuss a few of them. These critiques, while insightful, are also very general. These criticisms do not take into account the resurgence of the term in the contemporary era to its full extent. They also fail to acknowledge the political implications inherent in using the term.

Given its pervasiveness in scholarly literature, it is obvious that the impulse to view anti-whaling activism as a religion, or as religious, is a strong one. Scholars in various disciplines have already attempted to do so by using totemism as their interpretive tool. Thus totemism has become a prevalent framework for talking about anti-whaling activism.

---

[7]Richard Dawkins, *The Selfish Gene* (Oxford: Oxford University Press, 1989).
[8]Anders Blok, "Contesting Global Norms: Politics of Identity in Japanese Pro-Whaling Countermobilization," *Global Environmental Polictics* 8:2 (May 2008): 56.

However, it is not just scholars who want to see anti-whaling activism as religion. For example, when the deputy director of Japan's fisheries agency Kazuo Shima protested the IWC's refusal to allow renewed Minke whaling in spite of evidence that pointed to a healthy population, he did so by saying, "We believe science and we believe scientists. We should not permit religious arguments in this field."[9] Such arguments, coming from non-scholars, do not always necessarily rely on formulations of totemism for their impact, but they exist nonetheless. More often than not they are used to defame activists and are rarely, if ever, predicated upon empirical evidence or coherent theories about religion. In what follows, the intention is not to prove or disprove that anti-whaling activism is religious, but rather, to consider the impulse to define it as religious. If this can be accomplished, then interested scholars may begin to evaluate claims like those made by Kazuo Shima. There are numerous elements of the anti-whaling movement that one might interpret as religious, particularly if one is not aware of the debate concerning the term.

For example, the following images, created by Hawaiian artist Christian Lassen have been used on the website of the SSCS as fundraising tools. The above images are scans of prints donated to SSCS by the artist and are available for sale at $3,500 each. The left image, entitled "Eternity II," bears the caption, "Above an atmospheric sunset, we watch a dolphin leap into space. He beckons us to follow him on a journey into realms that are astonishing beyond words."[10] The image on the

[9]Quoted in David D. Caron, "The International Whaling Commission and the North Atlantic Marine Mammal Commission: The Institutional Risks of Coercion in Consensual Structures," *Journal of International Law* 89:1 (January 1995): 162.
[10]Ibid.

right, "Galaxy of Life," depicts what the artist calls "a cosmic vision," in which "we behold all life to be an amazing kaleidoscopic expression of one magnificent creation."[11]

"Eternity II" (L) and "Galaxy of Life" (R), are prints of paintings by artists Christian Lassen[12]

Given the presence of such images and their connection to the anti-whaling movement, it seems understandable that some would want to characterize them as religious in content. They present an idealized and utterly utopian image of the natural world, with cetaceans at the center (and human beings noticeably absent). But do they express a religious viewpoint? More to the point, are they the result of whale totemization?

The scholar of religion and nature Bron Taylor has formulated a useful concept, "Dark Green Religion," which could support such an interpretation.[13] According to Taylor, this is a type of "environmental religion" which "considers nonhuman species to have worth, regardless of their usefulness to human beings . . .

---

[11]Ibid.
[12]Images available at: <http://www.seashepherd.org/gallery/gallery01.html> (accessed March 23, 2008) and reproduced with the understanding that the image falls under fair use standards for scholarship.
[13] Bron Taylor, "A Green Future for Religion?" *Futures* 36 (2004): 991.

[and] expresses and promotes an ethics of kinship between human beings and other life forms."[14] Such a formulation seems to explain activists' behavior more fully than Kalland's assertion that activists oppose whaling because it amounts to the eating of their totem animal.[15] While Taylor's theory can provide an explanation for the affinity such activists might have for whales as well as other ocean-going charismatic megafauna such as seals, dolphins, and sharks, Kalland's theory only concerns whales. However, there is an inherent difficulty in disposing of one theory of religion in favor of another and then applying it to anti-whaling activism. For one, such application does not dispel the concern we should have over decontextualizing aspects of anti-whaling activism, which "considers religion to be the invention of an arrogant species that has spent too much of its existence attempting to remove itself from the animal kingdom."[16]

Kalland and those who follow his lead allow a tautology to stand at the center of their arguments. As this thesis illustrates below, they identify anti-whaling activism as totemism and then mine various, often contrasting, theories of totemism to prove that this is the case. The same issue arises when one chooses a favored definition of religion and applies it to a chosen activity. One could easily, for example, identify the cetaceans in the paintings as representing "models of" and "for"

---

[14]Ibid.
[15]Arne Kalland, "Management by Totemization: Whale Symbolism and the Anti-Whaling Campaign," *Arctic* 46: 2 (June 1993): 129.
[16]Raffi Katchadourian "Neptune's Navy: Paul Watson's wild crusade to save the oceans," *The New Yorker*, November 5, 2007 <http://www.newyorker.com/reporting/2007/11/05/071105fa_fact_khatchadourian?currentPage=9> (accessed March 25, 2008).

reality as defined by Clifford Geertz.[17] Thus one could conceivably claim that anti-whaling activism is religious, but one would also have to admit that such a claim has been made in the same fashion in which Kalland and Van Ginkel have made their claims.

In the final section of this thesis it will be demonstrated that attempts to describe anti-whaling activism as a religious movement (even when using current theories of religion which have not been discredited) are subject to the same pitfalls inherent in the suppositions and arguments of Kalland, Van Ginkel and others. That is to say, while it may be easy enough to apply various theories or definitions of religion to the rhetoric, actions, and attitudes of anti-whaling activists, it always will remain difficult for scholars doing so to prove that these aspects of the movement are not simply motivated by other concerns. It is important, then, for religious studies scholars to dispute claims that anti-whaling activism amounts to totemism and to at least question the more general tendencies, both scholarly and popular, to identify this activism as religious.

Finally, a study such as this one is important because the Makah are hopeful about beginning whaling again in 2010 (after sorting out various legal issues outlined later).[18] Thus it can be expected that, without a corrective, similar conclusions about the activists will continue to be made by scholars.

---

[17]These concepts are discussed in depth in Clifford Geertz, "Religion as a Cultural System" in *The Interpretation of Cultures* (New York: Basic Books, Inc., 1973).
[18]Eric Rosenberg, "Makah hopeful about whaling again by 2010," *Seattle Post-Intelligencer*, January 13, 2008 <http://seattlepi.nwsource.com/local/347208_makah14.html> (accessed April 24, 2008).

III. A Statement on Method

This thesis will begin the thesis by presenting a basic history of the conflict regarding Makah whaling. In doing so this thesis will cite key facts about the argument and introduce interested parties. This thesis will present a brief account of the Makah's reasoning for resuming whaling. The Makah often have been misrepresented by their opponents in this controversy, so it is crucial to understand their viewpoint. In presenting this information, this thesis will rely heavily on extant scholarship and will not seek to make new claims about the Makah. They have been well documented as a tribe and through their various media projects have proven themselves apt at representing themselves clearly and accessibly.

I also include a brief discussion of scientific findings in this study in order to establish the fact that the activists did not constitute a purely sustainability-oriented movement. If this had been the case, they would have ceased their protests once it became clear that Makah whaling was no threat to sustainable ocean ecosystems. It is also important to include this information because the fact that activists ignored the relevant science forms the basis for Kalland's and Van Ginkel's claims. They argue that activists' casting aside of relevant data and their subsequent reliance on stereotyping is the result of totemization. While I do believe that such behavior on the part of the activists may be the result of something that may not be able to be defined scientifically or politically, I hardly agree that it is the result of totemization.

Both Kalland and Van Ginkel wrote extensively about anti-whaling activism and the Makah case in the 1990s and 2000s. They were the most vocal in claiming

that the activists' position was totemistic, and scholars who follow their interpretations tend to cite one or both of them. Van Ginkel relies heavily on Kalland, and as will be discussed below, Kalland drew from three theorists to construct his definition of totemism: Freud, Durkheim, and Lévi-Strauss. Thus it is necessary to analyze Kalland's work in depth.

Finally, it is necessary to examine the primary sources provided by the anti-whaling movement. If this thesis is to argue that characterizing anti-whaling activists as religious is both possible and also a deeply problematic endeavor for scholars, it will need to identify aspects of the movement that encourage such claims.

IV. Limitations and Delimitations

The proposed project will observe four main limitations. First, because the legal right of the Makah to whale has generally been recognized both by the United States government and the International Whaling Commission (IWC), this study will not concern itself much with the legal implications of the Neah Bay Treaty other than to outline its provisions and establish it as a main defense for the renewed hunt. The injunction by the Federal Courts at the turn of the current century recognized the validity of this treaty, and the discontinuation of whaling was not aimed at the Makah. Rather, the injunction concerned itself with various government agencies that the court believed had taken too many shortcuts in assessing the environmental impact of renewing the whale hunt. The court ruled that the Makah could continue whaling as soon as a more thorough report was completed. Much of the legal wrangling surrounding the hunt ultimately has very little bearing on the bulk of the debate over

Makah whaling.

Second, this study will use the Sea Shepherd Conservation Society as its primary source of the rhetoric of environmentalist opposition groups. The reasons for this are twofold. First, the SSCS was the most vocal group in opposing the Makah hunt and second, the SSCS provided the most sustained anti-whaling argument of any group. Other organizations and individuals will be examined in regard to their opposition to whaling, but the SSCS will receive the bulk of the attention because it served as a bellwether for other groups, who employed much of the same rhetoric in smaller doses.

Third, this study is not an ethnography and as such it is not primarily concerned with the Makah tribe itself. An outline of religious and cultural reasons for renewing the hunt will be taken from recent scholarship on the subject with the aim of paying some service to the stake the Makah had in the new hunts. Further, when appropriate this study will enumerate the ways in which the Makah represented their case to the public and to the United States government. This will be necessary in instances in which oppositional groups misrepresented the tribe and its motivations. This is not a comparative study and to this end no attempt will be made to analyze or critique Makah practice or reasoning. Doing so would require much more space than I have and in any event, such a project deserves its own, deeper study.

Finally, in observing aspects of anti-whaling activism that might be attributable to a religious position, this study will remain speculative. I am not interested in proving or disproving that the activists are religious. As such I will

refrain from attempting the kind of sustained analysis that Kalland and Van Ginkel undertake. Suggestions for aspects of the anti-whaling movement that seem to lend themselves to being viewed as religious will remain exploratory.

Kalland's articles, "Management by Totemization"[19] and "Whale Politics and Green Legitimacy"[20] will provide the entry point into this investigation. In these articles, Kalland articulates his position that anti-whaling activism amounts to totemism and sketches his "proof" for this supposition. While this thesis argues that the claim of totemism is specious, Kalland makes a number of other observations that make his work useful to other scholars. Van Ginkel's article, "The Makah Whale Hunt and Leviathan's Death,"[21] occupies similar scholarly territory. He echoes Kalland's claims about totemism, but also provides some insightful commentary on strategies used by the activists to undermine the Makah's goals. While this thesis will dispute their primary claims, I will not hesitate to incorporate some of their other observations when they become useful.

V. The Progression of the Study

To begin, this thesis will discuss some of the scholarship available on the subjects pertaining to the subject of this thesis. Because there is no available scholarship critiquing the use of the concept of totemism to describe anti-whaling activism, this review will focus mainly on more general critiques of the theory and how I have used them in this specific case. This thesis will also discuss some of the

[19]Cited above.
[20]Arne Kalland, "Whale Politics and Green Legitimacy: A Critique of the Anti-Whaling Campaign," *Anthropology Today* 9:6 (December 1993).
[21]Cited above.

extant literature available on the Makah tribe and stereotyping of Native Americans.

This study will then move into an historical account of the events preceding the Makah whale hunts in the late 1990s and early 2000s. Beginning in the mid-nineties—when the gray whale was removed from the Endangered Species List—this thesis will trace the conflict's trajectory into the present day, introducing major players and issues along the way. Relying on existing scholarship, this thesis will outline the significance of whaling to the Makah people both in the past and present and give a summary of the Makah's argument in favor of renewed whaling. This thesis will then give an overview of the relevant science related to the Makah's case. This science uniformly held the Makah's request to take twenty whales over a five year period would not produce a significant, or even noticeable, environmental impact.

This thesis will then describe the ways in which activists stereotyped the Makah and mounted attacks on their authenticity and intentions. The oppositional strategy can be explicitly connected to the stereotype of the "Green Indian," which depicts all indigenous peoples as living in blissful harmony with the environment. None of the involved environmental groups endeavored to paint the Makah as a "Green" society. Doing so would clearly undermine the anti-whaling position. Rather, the Makah were represented by the environmentalist opposition in terms of their betrayal of the standard set by the "Green Indian." Because the Makah's proposal to begin whaling again included modern provisions such as the inclusion of the use of a high-powered rifle (mandated by the Federal government) and because the tribe was,

in the eyes of many, failing to lead a truly "traditional" community life, oppositional groups took it upon themselves to question both the tribe's motivations and its authenticity in terms of a "Green" standard. This information is relevant because, as I have written, the stereotyping and the selective use of science form the basis for claims that activists have totemized whales. Before moving on to its critique of Kalland's and Van Ginkel's claims, this thesis will also explore briefly the content of the "Green Indian" terminology and the ways in which it was applied to the Makah. This will be done in order to establish that such stereotypes and their application bear a striking a similarity to the ways in which activists are characterized as totemizers.

After introducing the conflict and exploring the ways in which the "Green Indian" stereotype was used to denigrate the Makah and undermine their desire to whale, I will turn to the explanations offered on the matter by Kalland and Van Ginkel. Van Ginkel, relying on Kalland, argues that stereotyping was used in lieu of a scientific argument because activists totemized whales and therefore see no real need to couch their activism in terms of scientific findings. This thesis will critique this explanation in a number of ways, including those mentioned previously.

Finally, this thesis will discuss some aspects of the anti-whaling movement that seem to lead observers to the conclusion that anti-whaling activism is religious. I will explore the problems regarding such suppositions and briefly offer some conclusions about the effect that identifying anti-whaling activism as religious has on the debate over whaling.

CHAPTER 2: Literature on the Makah, Stereotypes and Totemism

Because very little has been written in terms of sustained arguments about anti-whaling activism as religion, with the notable exceptions of the works of Kalland and Van Ginkel, it is difficult to summarize the available literature on the subject.

Kalland's and Van Ginkel's works will be discussed in detail later and so I will not include them here, but I will discuss some literature on the peripheral topics and some critiques of totemism in general. For the purposes of this project the literature will be divided into three major categories related to this study: works on the Makah, analyses of Native American stereotypes, and contemporary critiques of totemism.

The Makah are a well-documented tribe. Numerous ethnographies of them date back to the early and mid-nineteenth century. While some scholars have returned to these works as foundations, most who have sought to document the Makah in modern times have typically relied on current participant observer techniques to make their conclusions. Carol Riley's lengthy 1968 article, entitled "The Makah Indians," represents the renewed scholarly interest in the tribe that occurred after initial discoveries at the Ozette archaeological site in the late 1960s (detailed later).[22] Riley is mainly concerned with documenting political and economic facets of Makah life in the pre-contact era. While somewhat dated, her study remains a good analysis of tribal dynamics and power structures. However, this approach is limiting in that it does not take into account the religious significance and origins of many the facets of

[22]Carroll L. Riley, "The Makah Indians: A Study of Political and Economic Organization," *Ethnohistory* 15:1 (Winter 1968): 57-95.

tribal life that she explores. There is nothing particularly wrong with examining tribal economics per se, but to ignore that whaling had religious dynamic attached to it as well as power dynamic is a rather large oversight. Later scholars, such as Patricia Pierce-Erikson have corrected this problem by viewing whaling not as a lost tradition, but as an aspect of Makah religious and cultural life that has been preserved. In her 1999 article, "A-Whaling We Will Go," and her book length treatment of the same subject, Erikson concludes that "the current recuperation of whaling is . . . one example of Makah efforts to adapt to social changes in their community . . . Because Makah actions are articulated with national and global political economies, Euro-American notions of 'what Indians are' or 'what they should be' come into play."[23] Erikson discusses both the Makah's reasons for wanting to whale and some of the backlash that ensued from the tribe's perspective thus providing a viewpoint that is not as disinterested as other scholarly accounts. Some may see this as a drawback, but in the case of the Makah, as much as they found themselves in the political and media spotlight, it is an advantage.

Though this thesis focuses on the nature of the anti-whaling activists' beliefs, and not those of the Makah, it is relevant to assess the available scholarship on the Makah whaling system. Not unlike the scientific studies used to justify renewed Makah whaling, activists largely ignored these studies. The University of Washington anthropologist and linguist Ann M. Renker, for example, has written extensively about Makah language and culture. She co-authored, along with Erna Gunther, the

[23] Patricia Pierce Erickson, "A-Whaling We Will Go: Encounters of Knowledge and Memory at the Makah Cultural and Research Center," *Cultural Anthropology* 1:4 (November 1999): 585.

entry on the Makah in the Smithsonian Institute's Handbook of North American Indians[24]. Renker's 1988 work on the Makah Cultural and Research Center has been utilized in particular by Patricia Pierce Erikson, another author this study will reference.[25]

She also has drafted curriculum for Washington State schools dealing with the history of indigenous peoples in the American Northwest.[26] In her scholarly essay, "The Makah Tribe: People of the Sea and the Forest," she discusses and effectively synthesizes all aspects of Makah whaling culture: "Whales provided ancient Makah people with food, raw materials, a source of spiritual and ceremonial strength, and valuable trade goods."[27]

Renker also drafted the tribal needs statement that was sent to the Federal Government and in it she details at length the ways in which whaling was not only a means of subsistence, but also the basis of much of their religious life. She provides information on the inheritance of songs, religious beliefs surrounding whale expeditions (including those that involved women), and generally provides an excellent review of older ethnographic materials, such as Edward Curtis' 1915 study

---

[24] Ann M. Renker and Erna Ginther, "The Makah," *In The Handbook of North American Indians*, (Washington, D.C.: Smithsonian Institution, 1990).

[25] Ann M.,Renker, and Greig W. Arnold, "Exploring the Role of Education in Cultural Resource Management: The Makah Cultural and Research Center Example," *Human Organization* 47:4 (1998): 302-307.

[26] It is worth pointing out that while Renker has produced a number of documents about the Makah, she has not yet written a major scholarly work in the form of a book. Along, with Erickson, she represents the forefront of research about the tribe. However, her lack of substantial publications suggests that current scholarship—at least in the form of sustained studies—on the tribe is somewhat limited.

[27] Ann M. Renker, "The Makah Tribe: People of the Sea and the Forest," University of Washington Libraries Digital Collections, <http://content.lib.washington.edu/aipnw/renker.html#location> (accessed June 2, 2008).

of Makah whaling.[28] Curtis was primarily employed as a photographer, but also kept extensive records of his observations about the Makah and the eighty other tribes he spent time with. Later, he released his writings as a twenty-volume work entitled The North American Indian.[29] Renker helpfully distills much of what remains useful about such studies and discards what is not. For example, Curtis' reports that the dead were sometimes utilized in pre-hunt rituals: "Sometimes, a whaler would seek out a corpse and lay the body face down over a stone. He would drive a stake through the back of the corpse's skull and out the mouth. The whaler would place a hollow tube in the hole and shout through it, encouraging whales to drift ashore."[30] Renker, in such instances, is careful to observe that such stories have been extremely hard to verify and may be entirely apocryphal.

In addition to Curtis, in 1858 James Swan wrote what one of the earliest attempts at genuine ethnography of the Makah. Swan, in the history of Washington State, is something of a legendary figure. According to his biography, Swan "was variously an oysterman, customs inspector, secretary to Congressional delegate Isaac Stevens, journalist, reservation schoolteacher, lawyer, judge, school superintendent, railroad promoter, natural historian, and ethnographer."[31] Swan spent several years in the various Makah villages and eventually compiled the book-length The Indians of

---

[28] This information is contained in the second section specifically in the subsections beginning on pages 11 and 26.

[29]This work is available in its entirety at "Edward Curtis's The North American Indian," Northwestern University Digital Library Collections <http://curtis.library.northwestern.edu/curtis/toc.cgi?sec=nai.11.book,&psec=#nai.11.book> (accessed June 21, 2008). Volume 11, in particular focuses on the Makah, as well as the Haida and Nootka.

[30]Quoted in Renker, "The Makah Tribe: People of the Sea and the Forest."

[31]"James Gilchrist Swan," The Online Encyclopedia of Washington State History <http://www.historylink.org/essays/output.cfm?file_id=5029> (accessed June 22, 2008).

Cape Flattery. Swan's work is instructive because it takes into account the importance of whaling in the culture and also the effect that contact with white settlers had on that practice: "Formerly it was considered degrading for a chief . . . to perform any activity except hunting, fishing, or killing of whales . . . but since the tribe has been under an agent . . . [this] is wearing away."[32] In addition to Swan, the government ethnographer George Gibbs also compiled information on the Makah. His project was to collect information about the tribe in preparation for its relocation to the Neah bay reservation. His account is perhaps most useful in that it shines light on the sort of information the Federal Government was interested in when it came to the Makah.[33]

While the lengthiest early studies of the Makah were written by Curtis and Swan, briefer accounts are also available. Captain James Colnett's diaries dating to the late 1780s, in particular, are instructive. Colnett's work deals mainly with the daily activities of his crew, but he does, at points, make observations about the various tribes he and his crew made contact with. He characterizes the indigenous people of the Northwest coast as having "a close, naked, natural way of speaking; positive expressions, clear sense; a native easiness, bringing all things as near the mathematical plainness as they can; and preferring the language of Artisans,

---

[32] James G. Swan, *The Indians of Cape Flattery: At The Entrance to the Strait of Juan De Fuca, Washington Territory*, available in its entirety at <http://www.secstate.wa.gov/history/publications_view.aspx?pub=74&p=8&i=images/publications/SL_swanindians/directory.djvu> (accessed June 22, 2008).

[33] George Gibbs, "Report on the Indian Tribes of Washington Territory," Sen. Ex. Doc. 78, 2nd Sess., 33rd Cong., Washington, D. C., 1855.

Countrymen and Merchants before that of wits."[34]

Non-scholarly studies of the Makah are also widely available. A Whale Hunt by Robert Sullivan is a broad journalistic account of the successful 1999 hunt, which takes into account both Makah attitudes and the concerns of environmentalists opposed to the hunt. Sullivan makes a painstaking effort to study the hunt in its modern context while still acknowledging the historical roots of the practice. He also does an excellent job of synthesizing much of the press coverage surrounding the 1999 hunt and documenting the rhetoric and reasoning of groups like SSCS. While this volume is valuable in that it provides a number of primary observations from both the tribe and the activists, it remains largely impressionistic, a piece of straight reporting with very little analysis. However, while studies like Sullivan's are not particularly probing, they do provide a level of accessibility that other works do not. Because so much scholarly material has been ignored both by activists and the general public in the case of the Makah whale hunt, a work like Sullivan's provides a more simplified point of entry into the conflict for interested parties.

There is a great deal of scholarship regarding the topic of totemism. Such scholars as Emile Durkheim, Sigmund Freud, and Bronislaw Malinowski formulated some of the classic theories on totemism, which feature now- by r outdated views of indigenous religious traditions.. Significant critiques of the concept begin with the work of Alexander Goldenweiser in 1910. He claimed that "the justification of calling

[34] James Colnett, *A Voyage to the Northwest Side of America: The Journals of James Colnett*t (Vancouver: University of British Columbia Press, 2004), 21.

the various features of totemism as organically interrelated is not *a priori* obvious."[35] Further, he argued, "An analysis of such features as found among such various primitive tribes, may demonstrate their essential independence of one another, historically, psychologically, or both."[36] In 1929, Alfred Radcliffe-Brown questioned the use of totemism as a technical term and concluded that totemism "is not one thing, but a general name given to a number of diverse institutions, which all . . . seem to have something in common."[37]

Claude Lévi-Strauss offered the well-known argument that the term was constructed by grouping "vaguely perceived . . . and ill-analyzed . . . phenomenon" which earlier scholars felt "worthy of interest."[38] He then went on to propose his own theory of the phenomenon that the theory of totemism was attempting to describe, a universal homology of differences by which people identify themselves in terms of relationships within the animal kingdom.[39] To do so, Lévi-Strauss relied on Arnold Van Gennep, who argued that "totemism was just one form of classification. It was the need for ordering the universe which expressed itself in totemism or in other systems of organizations: 'because the people who do not have totemism have their own system of classification, which is also a system of general social organization'"[40] However, according to Alan Bleakly, "[t]he universal mental structure which Lévi-

---

[35] Alexander Goldenweiser, "Totemism: An Analytical Study," The Journal of American Folklore 23 (1910): 183.
[36] Ibid.
[37]Quoted in Meyer Fortes, "Totem and Taboo," Proceedings of the Royal Anthropological Institute of Great Britain and Ireland," 1966 (1966): 5.
[38]Claude Lévi-Strauss, *Totemism*, trans. Rodney Needham (Boston: Beacon Press, 1963), 15.
[39]Ibid., 101.
[40]Rosemary Zumwalt, "Arnold van Gennep: The Hermit of Bourg-la-Reine," *American Anthropologist* 84:2 (June 1982): 304.

Strauss sought in binary oppositions is flawed from the perspective of post-structuralist thought . . . as culturally specific."[41]

Robert Alun Jones, Alan Bleakly and Adam Kuper all have provided sustained critiques of totemism within the last decade which this thesis will utilize.. However, each of these authors tends to fall short when it comes to a final analysis. They are responding to a resurgence of the term in recent years but fail to truly understand its implications for scholarship—implications which I will show with regard to scholarship on anti-whaling activism—by underestimating the extent to which the term has seen a revitalization. Bleakly and Jones are simply questioning the content of a term which they see as relativized and appear to be unaware that far to the contrary, many scholars are using it in a very specific way.

For example, Jones simply concludes that his critique of the classical theorists of totemism is aimed at uncovering "the value of reading these writers" in terms of "the very things which separate their assumptions, questions, and answers from our own."[42] He does not acknowledge or critique the fact that scholars like Kalland and Van Ginkel, and a number of others are reading the likes of Freud and Durkheim and using their "assumptions, questions, and answers" to explain contemporary people and movements. .

There also is a great deal of scholarship on the topic of Native American stereotypes. Works by Shephard Krech, Michael E. Harkin and David Rich Lewis,

---

[41]Alan Bleakly, *The Animalizing Imagination: Totemism, Textuality and Ecocriticism* (New York: MacMillan Press, Inc., 2000).
[42]Robert Alun Jones, *The Secret of the Totem: Religion and Society from McClennan to Freud* (New York: Columbia University Press, 2005), 305.

and Ter Ellingson (written between 1999 and the present year) all provide a framework for discussion of the "Green Indian" stereotype and its various incarnations in the contemporary period. The Ecological Indian, by Krech, will provide us with a working definition of the "Green Indian" stereotype. Krech writes that this "Green Indian," is, quite simply, "the Native American as ecologist and conservationist."[43] Much of Krech's work is devoted to dispelling this stereotype by systematically showing that many tribes were not really conservationists at all.

His intention is not to denigrate Native Americans, of course, but the controversy the book sparked was so great that Native Americans and the Environment was compiled by Harkin and Lewis as a response to it. They underline one of the main problems with the "Green Indian" stereotype, primarily that it is applied to "diverse, disparate groups of people" who cannot "seriously be called by a single name."[44] Ellingson, in The Myth of the Noble Savage, focuses on these issues with regards to the Makah case, arguing that "Ecologically Noble Savage theory is as substantively empty as any other form of Noble Savage discourse."[45] It is this conclusion that this thesis is mainly concerned with, because in their attempts to show this fact in the case of anti-whaling controversies, the scholars I will argue against engage in an equally empty discourse about anti-whaling activism as totemism.

All of the authors listed in the above paragraphs are indebted to Robert

---

[43]Shephard Krech III, *The Ecological Indian: Myth and History* (New York: W.W. Norton and Co., 1999), 17.
[44] Miachael E. Harkin and David Rich Lewis, "Introduction," in Native *Americans and the Environment: Perspectives on the Ecological Indian* (Lincoln: University of Nebraska Press, 2007), xxi.
[45]Ter Ellingson, *The Myth of the Noble Savage* (Berkeley: University of California Press, 2001), 372.

Berkhofer, who argued forcefully, in his seminal work, The White Man's Indian, that "Native Americans were and are real, but the Indian was a white invention."[46] Berkhofer sought to trace the history of the idea of the "Indian" as something that "began as a reality for Europeans ended as an image and stereotype for whites, and [that] began as an image alien to Native Americans [and] became a reality for them."[47] He concludes his study by writing, "[f]or Native Americans the power of White all too often forces them to be the Indians Whites said they were regardless of their original social and cultural diversity."[48]

The general body of relevant literature being established, this thesis will now begin its evaluation and critique of the ways in which such works have been used by scholars to support their claims that anti-whaling activism is essentially totemistic.

[46]Robert Berkhofer, Jr., *White Man's Indian: Images of the American Indian from Columbus to the Present* (New York: Alfred A. Knopf, 1978), 3.
[47]Ibid.,195.
[48]Ibid.

CHAPTER 3: Background of the Conflict

I. A Brief Overview of the Makah and Their Whaling Tradition

The Makah tribe inhabits a reservation of about 27,000 acres[49] in Neah Bay at the northwestern corner of the Olympic peninsula in Washington State, bordered on the north by the Strait of Juan de Fuca. According to the most recent tribal census data, the tribe has an estimated enrolled population of 1,214 members. The vast majority (1,079 individuals)[50] choose to make their residences on the reservation.[51]

According to their website, before coming onto the reservation, the Makah, a group of around 4,000 people who referred to themselves as Qwiqwidicciat ("people who live by the rocks and seagulls"), were really five individual villages (Waatch, Sooes, Deah, Ozette and Bahaada)[52] which spoke a common language, a derivative of Nootkan bearing the same name as the tribe.[53]

The Makah came to the reservation after the signing of the Treaty of Neah Bay by forty-two tribal representatives and territorial Governor Isaac Stevens in 1855. The treaty, in its fourth article, guaranteed the Makah people "The right of taking fish and of whaling or sealing at usual and accustomed grounds," and of "erecting temporary houses for the purpose of curing, together with the privilege of hunting and

---

[49]Melissa Peterson, "Makah," in *Native Peoples of the Olympic Peninsula: Who We Are*, ed. Jacilee Wray (Norman: University of Oklahoma Press, 2002), 159. This total does not include later purchases made by the tribe, which expanded the reservation to in excess of 30,000 acres.
[50]Peterson notes that more recent unofficial data places these numbers at 2,303 and 1, 400 respectively.
[51]Renker, "The Makah Tribe: People of the Sea and the Forest," (accessed March 25, 2008).
[52]Makah Website "Our History," <http://www.makah.com/history.html> (accessed March 25, 2008).
[53]Makah Website "Our Language," <http://www.makah.com/language.htm> (accessed March 25, 2008).

gathering roots and berries on open and unclaimed lands. . . "[54] These provisions represented an important factor in the Makah's agreeing to hem themselves into reservation boundaries. Excavators of the Ozette site claim that "archaeological deposits dating from 2,000 years ago hold humpback and gray whale bones and barbs from harpoons."[55] According to Ann Renker, the relationship of the Makah to gray whale populations goes back even further, to a time before the Makah actively took to the water to hunt whales. Renker writes that artifacts recovered from "a recent excavation at the Makah village of Wa-atch indicate that whalebones were present some 3,850± 75 years b.p. (before present)."[56]

In pre-hunt times, the Makah utilized drift whales, whale carcasses washed up onto the shores of their lands, as an uncultivated resource. Renker observes that "Food use of drift and stranded whale predated hunting technology."[57]

Whaling played an integral part in Makah cultural and religious life, according to various individuals who have studied and spent time with the tribe. In his 2000 nonfiction volume, A Whale Hunt, Robert Sullivan writes, "the hunting of the whale is what, for thousands of years, made the Makah the Makah, what identified them among the tribes that live along the northwest coast of Canada and the rest of America as the tribe that hunts the whale."[58] Tribal authority was transferred among

---

[54]"1855 Treaty of Neah Bay," University of Washington Libraries Digital Collections <http://content.lib.washington.edu/cdm4/document.php?CISOROOT=/lctext&CISOPTR=1576&CISOSHOW=76> (accessed March 25, 2008).
[55]Makah Website "Makah Whaling Tradition" <http://www.makah.com/whalingtradition.html> (accessed March 25, 2008).
[56]Anne M. Renker, "Whale Hunting and the Makah Tribe: A Needs Statement," (April 2007): 11.11.
[57]Ibid.
[58]Robert Sullivan, *A Whale Hunt* (New York: Scribner's, 2000), 13.

member of families through the inheritance of whaling equipment such as harpoons, sealskin floats and canoes. A typical whaling team was headed by "chief, or the whaler," writes Renker, "[who] owned the canoe and the whaling equipment, and acted as the sole harpooner in the whaling canoe. He also owned important ceremonial privileges acquired through his hereditary status and his ability to interact with the natural and the supernatural to assure a successful hunt."[59]

In Makah culture, whaling activity "was restricted to the men who could physically and mentally withstand the rigors of intensive ritualized training, possessed the hereditary access to the position and its ritualized knowledge, and/or underwent a supernatural encounter which engendered the gift of whaling ability."[60] What this supernatural encounter consisted of is difficult to detail because many of its aspects were and are still regarded as secret by the tribe. According to the Makah, it is known that during these times of preparation, whalers underwent what can only be described as physically harsh activities. Renker cites a 1911 account from Edward Curtis, which recounts these ritual practices. According to Curtis:

> *Prayers and numerous songs form a part of every whaler's ritual. The secrets of the profession are handed down from father to son. As soon as the boy is old enough to comprehend such matters and to remember his father's words, he is permitted to accompany the whaling crew on short expeditions. Now also begins his instruction concerning the most propitious spots for ceremonial bathing places in lakes and rivers considered the most dangerous. At the age of twelve, he is taken at night and shown how to bathe and to rub his body with hemlock twigs so as to remove the human taint and render the body acceptable to the whale spirit which is being supplicated. Thereafter he bathes alone at intervals, while his instruction in prayers and songs continues until the*

[59]Renker, "Whale Hunting and the Makah Tribe," 15.
[60]Ibid., 15-16.

father deems it proper to retire in the young man's favor.[61]

It is clear that whales were, for the majority of the Makah's history, a key part of their culture. Women were also involved in the whaling process. The wives of whaling chiefs practiced abstention from sex with their husbands during preparation periods and while crews were at sea, and were required to lie utterly motionless for the duration of the hunt lest disaster strike the crew or the hunt end in the taking of a whale too small to meet the community's needs.[62]

Before hunts, whales were prayed to in an effort to entice them to give their lives for the benefit of the tribe and, once a whale was caught, the "The next step was to tow the whale home—a distance of only a few miles if its spirit had heeded prayers to swim for the beach, perhaps 10 miles or more if not."[63] Upon the crew's return, the catch became a community affair:

> *As the whale was staked and readied to be butchered, the community gathered for this event. Strict protocol governed the butchering process, specifying which portions of the whale were to be cut in sequence. Some regulations identified the pieces of the whale which had to be decorated and ceremonially treated.*[64]

Songs were sung to mourn and thank the whale for giving its life in benefit of the tribe. One such song recorded by Sullivan and sung as the whalers neared shore reads "Whale, I have given you what you wished to get--my good harpoon. Please hold it with your strong hands . . . Whale, tow me to the beach of my village, for when you come ashore there, young men will cover your great body with bluebill duck feathers

---

[61]Quoted in Renker, "Whale Hunting and the Makah Tribe," 16.
[62]Ibid., 14.
[63]Makah Website, "Makah Whaling Tradition," <http://www.makah.com/whalingtradition.html> (accessed March 25, 2008).
[64]Renker, "Whale Hunting and the Makah," 18.

and the down of the great eagle."[65]

The tribe continued its whaling and fishing practices for another seven decades after the signing of the Neah Bay treaty before abandoning them in the early or mid-1920s, a decision precipitated by the disastrous commercial whaling practices of industrialized operations throughout the world that devastated whale populations. A number of other disasters for the Makah occurred before and during this time: "By the late 1700s, indirect contact with Europeans had a devastating effect on the lives of Makah people. Thousands of tribal members died from epidemics of smallpox, tuberculosis, influenza and whooping cough, thus leaving large gaps in families."[66] These outbreaks occurred with intermittent frequency throughout the post-contact history of the tribe. In 1853, the tribe numbered only about five hundred.[67] Furthermore, "The unexplained loss of their family members caused the Makah unfathomable grief, confusion and fear."[68]

Carroll Riley depicts attempts by the United States Federal government to curtail Makah cultural practice and even discourage their guaranteed right to whale after they had settled on the reservation in the following passage:

> *There were drastic changes in the life of Cape Flattery Indians in the second half of the 19th century. Attacks on the religious and social parts of the culture were especially heavy. An attempt was made to discourage the winter ceremonies of the Klukwalle [an initiation ritual] and there was powerful government opposition to such items as the "potlatch," which seems to have been regarded by some of the agents as sinfully improvident. Efforts were even made to wean the*

[65]Sullivan, 14.
[66]Makah Website, "Our History," <http://www.makah.com/history.html> (accessed March 25, 2008).
[67]Patricia Pierce Erickson, *Voices of a Thousand People: The Makah Cultural and Research Center* (Lincoln: University of Nebraska Press, 2002), 45.
[68]Ibid.

> *Makah from their dependence on the sea and to make them agricultural in spite of the fact that the area was and is an extraordinarily poor one for farming. The campaign to make farmers of the Indians failed but there was a drop off in one traditional occupation, that of whale hunting.*[69]

On and off the reservation, day schools and eventually a boarding school were constructed "[w]ith the backing of the Christian Church" with the aim of "[separating Makah] children from their parents so that Euro-American lifeways could more easily influence their morality."[70] Such attempts by the federal government were largely unsuccessful with the Makah. According to the website maintained by the Makah:

> *Representatives of the U.S. Government such as Indian agents, missionaries and schoolteachers sought to assimilate the Makah through the implementation of laws against potlatches, ceremonies and the Makah Language. Their continued resistance against completely conforming to Euro-American standard is evident today in the Makah peoples' continuance of their ancient culture.*[71]

This is evidenced by the fact that the Makah retained their language and by the fact that whaling, though a discontinued practice, continued to hold a place in Makah life. Peterson notes that in the1960s, the reservation high school, now administered by the tribe itself, began offering curriculum that focused on Makah culture including "basket-weaving, Makah language, carving instruction, and story-telling."[72] As Renker notes, the tribe "never stopped educating their children about their respective familial whaling traditions. Makah children in the public school on the reservation experienced whaling curriculum every year as a part of the standard

---

[69]Riley, 65.
[70]Erikson, *Voices of a Thousand People*, 73.
[71]Makah Website, "Our History," <http://www.makah.com/history.html> (accessed March 25, 2008).
[72]Peterson, 160.

school curriculum, as well as through special cultural and linguistic initiatives."[73]

While the Makah may have retained whaling as an important, if not practiced, part of their culture, the possibility of their ever being able to whale again became a legally byzantine issue. Their primary prey as whalers, the Pacific gray whale, was granted full protection by the IWC in 1947,[74] effectively shutting down all hunting, and the species was placed on the U.S. Fish and Wildlife Service's Endangered Species List in 1970.[75]

II. The Ozette Archaeological Site

Between these dates, a discovery was made that raised Makah interest in their past whaling practice to a new level. The village of Ozette, one of the original five, was at some point in the sixteenth century buried by a catastrophic mudslide. The site remained all but forgotten until 1966, when University of Washington Archaeologist Richard Dougherty obtained permission from the tribe to dig a test trench, believing he would uncover something. The pit struck a long house containing several well-preserved artifacts of Makah life. Dougherty was not able to complete his dig, being called away to oversee a more urgent salvage project elsewhere.[76]

In 1970, winter high tides caused another mudslide and exposed a portion of another longhouse and excavation began in earnest as a joint venture between Washington State University and the Makah tribe. In all some 55,000 artifacts were

---

[73]Renker, "Whale Hunting and the Makah," 34.
[74]American Cetacean Society Online, "Gray Whale," <http://www.acsonline.org/factpack/graywhl.htm> (accessed March, 25 2008).
[75]U.S. Fish and Wildlife Service, "Species Report: Gray Whale," <http://ecos.fws.gov/speciesProfile/SpeciesReport.do?spcode=A02P> (March, 25 2008).
[76]Erikson, "A-Whaling We Will Go," 527.

excavated from the site and the dig became a community affair. Archaeologists, graduate students and tribe members worked together for nearly ten years to "remove the mud from buried houses and the exterior midden where household items were discarded."[77]

The tribe regarded the discovery of the Ozette site as the beginning of "a cultural renaissance."[78] Artifacts, well preserved under the pressure of so much damp soil,[79] attested to all aspects of past Makah life and culture, "among them, beautifully carved house boards… numerous styles and sizes of baskets, boxes, clothing, cradle boards, mats, hats, looms and toys, fishing, sealing and whaling equipment, ceremonial gear, and metal tools."[80] Among the most startling finds was a red cedar carving of a whale's saddle (the part of the whales back containing the dorsal fin) adorned with some seven hundred otters' teeth.[81]

In 1979, the Makah Cultural and Research Center was built to house the thousands of artifacts uncovered at Ozette and to serve as center for both tribal and non-tribal outreach, and to

respond to "thousands of requests annually from the Makah and non-Makah groups and individuals seeking information about Makah Culture and Neah Bay community. . . ."[82] The discovery of the Ozette longhouses, in the words of Rob Van Ginkel, was

---

[77]Makah Website "Ozette," <http://www.makah.com/ozette.htm> (accessed March 25, 2008).
[78]Ibid.
[79]Such "wet sites" are not unlike tar pits or garbage dumps, where items as delicate as animal hides and newspaper are preserved by intense pressure and lack of oxygen despite the presence of moisture.
[80]Makah Website "Ozette," <http://www.makah.com/ozette.htm> (accessed March 25, 2008).
[81]Peterson, 163. This particular part of the whale was always set aside and decorated with eagle feathers after the completion of a hunt .
[82]Makah Website "Makah Cultural and Research Center," <http://www.makah.com/mcrchome.htm> (accessed March 25, 2008).

the catalyst for a renewed desire on the part of the Makah to begin whaling:

> *The cultural self-awareness of the Makah that was expressed in their whaling claims had received a fillip after archeological excavations in the 1970s retrieved thousands of whaling artifacts from the now uninhabited Ozette village that was covered by a mudslide centuries ago. This sparked the tribe's interest in, and appreciation for, its heritage. . . .*[83]

III. The Gray Whale is Removed from the Endangered Species List

Though the idea of renewing a hunt was moot in the late seventies and early eighties, a 1986 action by the International Whaling Commission prompted discussion among the tribe about a possible return to the practice. That year, the IWC passed an international moratorium on all whaling. This action would have put an end to all Makah hopes or intentions to whale. However, a clause in the moratorium provided an inroad. Whaling was banned in all instances except for scientific studies and in cases of a clear subsistence need for indigenous peoples. This provision was originally aimed at Alaskan Eskimos and Siberian Chuktchis who "couldn't take enough whales to harm whale populations, and . . . needed the meat to survive."[84] In 1994, after a successful petition from the Makah, the gray whale, the Eastern Pacific Stock of which had rebounded to a population of around 22,000-24,000, was removed from the endangered species list and the Makah moved quickly to reassert their 1855 treaty rights. They claimed that they met IWC standards for permissible aboriginal subsistence whaling, defined as whaling "for purposes of local aboriginal consumption carried out by or on behalf of aboriginal, indigenous or native peoples

---

[83]Van Ginkel, 64.
[84]Rixhard Blow, "The Great American Whale Hunt," *Mother Jones*, September/October 1998 <http://www.motherjones.com/news/feature/1998/09/blow.html> (accessed March 25, 2008).

who share strong community, familial, social and cultural ties related to a continuing traditional dependence on whaling and on the use of whales."[85]

Tribal representatives met with officials from the National Ocean and Atmospheric Administration (NOAA) in 1995 and secured a grant of $200,000 to establish a tribal whaling commission and prepare for future hunts.[86] The Makah's proposal was scoffed at when it was presented by D. James Baker of the NOAA during the IWC's 1996 meeting, with various member nations raising a number of concerns about the fact that for some seventy years the Makah had demonstrated no continuous whaling practice:

> *The IWC's dryly written meeting report speaks volumes about the extent of opposition to the United States' plea: "France . . . asked how subsistence requirements could arise after 70 years of non-whaling . . . The Netherlands expressed concern at the widening of the scope of whaling activities . . . The People's Republic of China . . . regretted that the request was not completely in accordance with the IWC definition of aboriginal subsistence . . . Oman asked why the Makah, who had survived without whaling for 70 years, could not continue to survive without whaling . . . Australia questioned whether IWC nutritional subsistence criteria had been met . . . Chile expressed its doubts . . . The People's Republic of China and New Zealand had similar concerns on continuity and need, a position shared by Mexico. . . ."*[87]

Baker tried again in 1997 and was successful. The IWC granted the tribe a waiver to take up to five gray whales a year between 1998 and 2002. His argument rested on the fact that "Subsistence hunting includes far more than physical survival. It is a way of life that includes historical practices and is the cultural 'glue' that holds the Tribe

---

[85]Cited in Randall R. Reeves, "The Origins and character of 'Aboriginal Subsistence' Whaling: A Global Review," *Mammal Review* 32:2 (2002): 76.
[86]Blow (accessed March 25, 2008).
[87]Ibid.

together."[88] This definition of subsistence was reiterated by the Makah who, in the Whaling Q&A section of their website, have this to say:

> *Many Makah feel that our health problems result, in some degree, from the loss of our traditional diet of seafood and marine mammal meat . . . Many of us also believe that the problems besetting our young people stem from lack of discipline and pride. We believe that the restoration of whaling will help to restore that discipline and pride.*[89]

Renker points out that these concerns are not unfounded. The reservation has been beset by economic problems and, in 2002, had a 51% unemployment rate with 40% of households living below the poverty level.[90] These economic problems, in turn, lead to social ones. Alcoholism and drug abuse are common[91] as well as increased "[t]eenage pregnancies, high school drop-out rate

. . . and an increasing juvenile crime rate."[92]

There is also some evidence to back up the claim that the Makah's health problems stem from a changed diet. Renker argues that "For approximately 2,000 years, the Makah people relied on the nutritional products of the whale, and evolved as a biological population within this context" and that "professionals in the health and social science fields appear to agree that the introduction of western foods like refined sugar and flour, beef, and lard have had a dramatic negative effect on the health of American Tribal members in general."[93] For some members of the tribe, the

---

[88]Ibid.
[89]Makah Website, "Q&A," <http://www.makah.com/makahwhalingqa.pdf> (accessed March 25, 2008).
[90]Renker, "Whale Hunting and the Makah Tribe," 48.
[91]Van Ginkel, 60.
[92]Renker, "Whale Hunting and the Makah Tribe," 50.
[93]Ibid., 55-57.

matter could be put more succinctly. As Marcy Parker told a journalist: "Our purpose for the whaling is ceremonial and subsistence . . . To resume whaling it would be, you know, like another piece of the puzzle that's been out of place, and by doing this it will help push that piece back into the puzzle and make a complete picture."[94] Another tribe member simply said, "The return to whaling is a return to praying."[95]

IV. Paul Watson and Sea Shepherd Conservation Society

When the news broke in 1997 that the Makah would begin whaling as early as the next year, opposition was swift and vitriolic. Chief among those opposed to the hunt was a group called Sea Shepherd Conservation Society, an organization whose stated mission is "the eradication of pirate whaling, poaching, shark finning, unlawful habitat destruction, and violations of established laws in the world's oceans."[96] The organization was founded in 1977 in British Columbia as Earth Force Society by Paul Watson, a founding member of GreenPeace who resigned from that organization in 1977 after questions were raised about his aggressive tactics dealing with sealers in Newfoundland. In 1981, the society formally incorporated in the United States under its current name.

From the start, the Society's reaction to the hunt was almost rabid in its intensity. In some instances, members of Sea Shepherd characterized the Makah's desire to resume whaling in financial and economic terms, as when Paul Watson, Sea

---

[94]Sullivan, 13-14.
[95]John Dougherty, "Resurrection: After a 70-year hiatus and a confrontation with the world, the Makah tribe resumes its communion with the gray whale," *San Francisco Weekly*, July 11, 2001 <http://www.sfweekly.com/2001-07-11/news/resurrection/1> (accessed March 25, 2008).
[96]Sea Shepherd Conservation Society, "About," <http://www.seashepherd.org/about-sscs.html> (accessed March 26, 2008).

Shepherd's chief spokesperson, claimed:

> *The real reason for this initiative by the Makah is because they know very well that whale meat goes for eighty dollars per kilo in Japan, and that one of those whales is worth close to one million dollars. So--what they have their mind set on here is a commercial whaling operation. And that doesn't just mean the five whales they say they want to kill--which will probably escalate quite rapidly if they get it off the ground. . . .*[97]

Of key concern to groups like Sea Shepherd was the fact that other traditional whaling cultures like the Japanese, the Russians, and the Norwegians might view the new initiative by the Makah as an invitation to begin anew their own whaling operations. Such operations never occurred, but SSCS and other animal rights groups had no shortage of rhetoric when it came to arguing with the Makah's position--rhetoric that questioned the Makah's authenticity and intentions. This is a topic I will discuss later.

V. The Unsuccessful 1998 Hunt

The Makah, in spite of this opposition, went ahead with their plans. The tribe decided on a compromise system for manning the whaling crew, choosing to have as many families as possible represented on the eight-man boat crew. A forty-eight year-old Makah man named Wayne Johnson was selected to be the crew's leader.

As early as 1996, whaling opponents had been working to undermine the Makah's intention to renew the whale hunt. According to Alx Dark, various groups "contacted the Congressional House of Representatives Resource Committee, and the Committee unanimously passed a resolution condemning the [Clinton]

---

[97]Sullivan, 15.

administration's support for the hunt (there are 52 members on the Committee)."[98] Objections grew increasingly strident as the months passed and the 1998 whale season neared:

> *In the fall of 1998, the Makah attempted to implement the first season of their hunt, and a flotilla of protest vessels, spearheaded by the Sea Shepherd Conservation Society, began a two month occupation of Neah Bay to prevent them from taking a whale. From late September to late November over fifteen protest vessels trailed any boat that left Makah Marina. The Makah Tribal Council passed an ordinance prohibiting any of these vessels from docking at the Makah Marina. Most of the protest actions of the fleet involved defying the ordinance or coming near the docks to deliver speeches to the Makah via loudspeaker.*[99]

The hunt, slated to begin on October 1, 1998, was initially delayed for a month so that it could avoid the taking of "resident" populations of gray whales, those that tended to linger in Neah Bay before continuing down to wintering waters off Baja California. The tribe agreed to the delay and, on October 31, prepared to begin again. As Alx Dark writes, confrontations between the Makah and environmentalists quickly became heated:

> *A protest march on October 31st led to confrontation between whaling opponents and Neah Bay residents. Tribal Police stopped the march at the borders of the reservation. Members of the whaling crew came out to speak to the protesters, but were received with insults such as "How many of you will be drunk when you all go out in your canoe after your big party tonight?," and "What is a Makah whaler? A harpoon on Viagra." A distraught woman yelled, "You are evil! Evil! Evil! You have a black heart…Real men don't kill animals. Only a coward kills whales. You are a coward and a sissy."*[100]

---

[98]Alx Dark, "The Makah Whaling Conflict: The Return to Whaling," *Native Americans and the Environment*, National Council for Science and the Environment <http://ncseonline.org/nae/cases/makah/m2.html> (accessed March 29, 2008).
[99]Ibid.
[100]Ibid.

This sort of rhetoric characterized most such interactions, both direct and indirect. Members of SSCS and other groups alternated between what could be labeled racist rhetoric and a more subtle implication that the Makah had lost their right to whale when they started wearing Nike shoes and watching television. This thesis will address these matters later. At one point, members of SSCS attempted to enter the reservation to attend dinner at the home of one of only two Makah elders who opposed the hunt, Alberta Thompson. Four of them were arrested and tribal police confiscated an inflatable Zodiac.

IV. The Successful 1999 Hunt

The anti-whaling activists left Neah Bay in November when the gray whale migration period ended. The Makah did not take a whale. Activists returned in 1999 as the tribe geared up for another hunting season, this time hoping to take a whale migrating up the coast to northern summering waters. On May 17, 1999, the whaling crew slipped out of Neah Bay in the early morning hours, hoping to avoid protestors who had, in previous attempts to take a whale that spring, blocked the Makah's 32 foot cedar canoe with smaller Zodiacs.[101] The following account is given of the day before the successful hunt by journalist John Dougherty:

> *On May 16, the whalers had spent more than 10 hours on the ocean stalking whales. The protesters repeatedly buzzed the canoe with jet skis and Zodiacs… The aggressiveness of the protesters was evident. Two of their vessels struck gray whales while trying to interfere with the whaling canoe.*
>
> *"One vessel ran over the top of a whale and temporarily stunned the whale, while another vessel hit the flukes of a diving whale beside*

[101] Dougherty, (accessed on March 25, 2008).

> *the canoe," federal reports state…The Coast Guard arrested four protesters and confiscated three watercraft. Despite the arrests, the protesters considered the day a success. Parker had twice thrown the harpoon at gray whales, but missed the target*.[102]

The next day, after the canoe crew had successfully evaded protestors, most of whom were reportedly hung over from the previous night of celebration, Wayne Johnson met the crew on the water at 6:45 a.m. He came with a team of NOAA scientists who were to observe the hunt and he was armed with a high powered rifle—an addition to the hunt mandated by the federal government to ensure that any whale taken would experience minimal suffering. The crew took a whale at 7:03 a.m. with only a single media helicopter present in the skies.[103] It took eleven hours to tow the whale back to the village where the crew was greeted with cheers and traditional songs. Prayers were said on behalf of the whale and a "few days later, the tribe threw the biggest potlatch in decades as thousands of people ate whale."[104]

In the coming months, the tribe saw a clear revitalization. Makah language classes filled up at the school and high school students took an active role in cleaning and articulating the taken whale's skeleton for display at the cultural center. According to the tribal chairman John McCarty, "The interest of the people in our culture was sparked by the whale. It brought a lot of talk about the culture and how the Makahs were in the past. That was our aim: to revitalize the culture."[105]

---

[102]Ibid.
[103]Ibid.
[104]Ibid.
[105]Paul Shukovsky and Mike Barber, "'Resident' gray whales now fair game for Makah," *Seattle Post-Intelligencer*, Saturday, July 14, 2001 <http://seattlepi.nwsource.com/local/31319_makah14.shtml> (accessed March 29, 2008).

VII. Court Battles

The protest groups, however, somewhat humiliated by their tardiness on the scene of the 1999 hunt, were undeterred. Protesters watched the 2000 hunt with more scrutiny and all attempts to take a whale failed. Later that year, U.S. Representative Jack Metcalf, a Washington State Republican, brought suit and was granted hearing by a Federal Appeals Court in Seattle (earlier suits, brought by Metcalf in 1998 and earlier in 2000, were dismissed and lost in lower court battles respectively). Among the accusations made by Metcalf in his brief to the appeals court was one that claimed that the NOAA and the National Marine Fisheries Service had violated the Federal Marine Mammals Protection Act (MMPA) by granting their "go-ahead without conducting the required environmental assessment. . . ."[106] According to Stephanie Showalter, a law professor at the University of Mississippi's Sea Grant Law Center, the court sided with Metcalf and two more years of litigation followed along with three new drafts of Environmental Impact Statements (EIS). Finally a district court ruled in the Makah's favor, saying that the 1855 treaty overrode the MMPA.[107]

On appeal in 2004, a three judge panel from the Ninth Circuit Court of Appeals reversed the lower court's decision and ruled that all future Makah whaling was contingent on two actions. First, "the NMFS [National Marine Fisheries Service] must prepare a full EIS addressing the concerns raised by the court," and second, "the

---

[106]Ross Anderson, "Lawyers spar in court over Makah whaling," *The Seattle Times*, Tuesday, February 8, 2000 <http://archives.seattletimes.nwsource.com/cgi-bin/texis.cgi/web/vortex/display?slug=4003681&date=20000208> (accessed March 29, 2008).

[107]Stephani Showalter, "Makah Whaling Plans Delayed Again," Sea Grant Law Center, University of Mississippi <http://www.olemiss.edu/orgs/SGLC/SandBar/2.1whale.html> (accessed March 29, 2008).

Tribe must apply for a permit or waiver under the MMPA before whaling may resume legally."[108] The tribe complied and in 2005 submitted its waiver request. It is still pending.

VIII. The Unauthorized 2007 Hunt

i Controversy struck the tribe again in 2007, when on September 8, five men, two of them lead members of the 1999 whaling crew (Wayne Johnson and Theron Parker), hunted and killed a gray whale without sanction from the U.S. Government or the Makah Tribal Council. The five men on the boat "drove a harpoon into the whale's flank at least four times. They also shot the animal at least 16 times with large-caliber rifles. However, before they could deliver the coup de grace, the Coast Guard arrested them. Twelve hours passed before the whale died, sinking in 700-foot-deep waters in the Strait of Juan de Fuca."[109]

The five men, who claim their unauthorized hunt was a protest against government red tape and that they were simply exercising religious freedom and treaty rights, could face up to a year in federal jail as well as time in tribal jail. The case is currently pending and several recent motions to drop the case have been refused.

SSCS reacted in due course and on November 23, issued the following statement: "five extremely inept members of the tribe, men who reportedly were considered the most competent and skilled modern whalers of their people have

---

[108]Ibid.

[109]Paul Shukovsky, "Makah 'treaty warriors': Heroes or criminals? Whaling case has political implications for all U.S. tribes," *Seattle Post-Intelligencer*, updated March 16, 2008, 11:10 p.m. PT, <http://seattlepi.nwsource.com/local/355205_makah17.html?source=mypi> (accessed March 29, 2008).

together displayed an exhibition of gross dishonor, unbelievable disrespect and colossal incompetence with their cruel and tragic murder of a defenseless gray whale."[110] Currently, the tribe's ability to whale in the future is unknown.

IX. Scientific and Economic Concerns About Makah Whaling

When the Makah announced their plans to begin whaling again there were a number of scientific concerns that needed to be addressed. The failure of the Fisheries Service to address these concerns led, in part, to Makah whaling's being halted.

To begin, concerns were voiced by economic interests that allowing hunting off the coast of Washington would change the behavior of whales migrating between the southern and northern Pacific. Effectively, this changed behavior would make it hard for whale-watching operations to find them and thus to keep their businesses solvent. It would also limit the ability of scientists, supposedly, to study whales in the wild. It was argued that if whales were attacked from boats, they would inevitably become skittish around all boats. The fisheries service answered this concern thus:

> *While the behavior of individual whales near boats might be affected if they are wounded but not killed by Makah hunting, it is unlikely that this will change the behavior of other gray whales. This population is already hunted by Russian natives each summer in the Bering Sea. The ongoing Russian hunt has not translated into a general avoidance of boats by gray whales. NMFS is unaware of any reason why the much lower level hunt by the Makah Tribe should cause a broader impact on the general behavior of the population than the Russian hunt has caused.*[111]

---

[110]Watson, Paul, "Five Incompetent Makah Make a Mockery of Traditional Whaling," Sea Shepherd Conservation Society, 11 November 2007 <http://www.seashepherd.org/editorials/editorial_071123_1.html> (accessed March 29, 2008).

[111]"Environmental Assessment on Issuing a Quota to the Makah Indian Ttribe for a Subsistence Hunt on Gray Whales for the Years 2001 and 2002." Prepared by U.S. Department of Commerce National Oceanic and Atmospheric Administration National Marine Fisheries Service (July 12, 2001), 69.

Of more concern was the effect of taking an additional five gray whales per year (in addition to those taken by other groups operating under the subsistence waiver) would have on overall gray whale population health. Given that the population had rebounded to pre-1920 levels with an impoverished gene pool, what would the impact be on the whales if more of them were allowed to be taken? The Fisheries Service managed to show that the impact would be negligible. It outlined Potential Biological Removal (PBR) data (the number of whales that can be taken from a population not including natural deaths without significantly impacting the health of the population) that maintained that as many as 600 whales could be taken every year without adversely changing the gene pool:

> *The proposed action will not jeopardize the long-term productive capability of the gray whale population. The proposed action is well within the IWC quota for gray whales, which is set to ensure that the risks of extinction to individual stocks are not seriously increased by subsistence whaling, and to enable aboriginal people to harvest whales in perpetuity. The IWC Scientific Committee has concluded that a take of up to 482 eastern North Pacific gray whales per year is sustainable, and is likely to allow the population to stabilize above the maximum sustainable yield level.* [112]

The Fisheries Service acknowledged that the PBR was subject to change and thus implemented a sliding scale for permissible takes that would automatically lower them if negative population changes did begin to occur because of factors such changes in plankton bloom dispersal due to ocean warming, water quality, or other changes in habitat. As of 2001, the maximum potential number of whales taken by all groups--the Makah included--with waivers from the IWC fell well below the PBR

[112]Ibid., 70.

number. The fisheries service concluded, "Provided that harvests remain at the same general magnitude in the future, aboriginal whaling should have the same or less effect on the stock as it has for the past thousand years."[113]

The fisheries service also dispelled claims the hunts would have an adverse impact on other species in the Neah Bay area. These concerns mainly centered on the effect of the firing of the .50 caliber rifle mandated for use in the hunt. The report of such a weapon is quite loud and could potentially disrupt the behavior of other aquatic and ocean-dependent life, such as sea otters, sea lions, and populations of sea birds. The Fisheries Service admitted that such animals "that may occur in the immediate vicinity of the whaling activity may be temporarily displaced as a result of the noise from the whaling activity (as described above), but will not otherwise be affected."[114] The Fisheries service also pointed out that such species were more likely to be disturbed by the ruckus created by a gaggle of noisy protest boats and media helicopters than by the activities of eight men in a dugout canoe with a rifle and a single tailing motor boat carrying NOAA observers.[115]

While the fisheries service endeavored to make a case on the Makah's behalf for allowing them to whale, the rhetoric forwarded by those protesting the new hunt rarely if ever touched on scientific or economic concerns. Though those concerns have been alleviated for the scientific community and such large and well-known environmental groups as GreenPeace and The Sierra Club, which decided to remain silent on the issue of Makah whaling, a vocal and media-savvy contingent of anti-

[113]Ibid.
[114]Ibid., 60.
[115]Ibid., 61.

whaling activists, led by the SSCS, came to the fore.

It is apparent that the opposition they held and still hold toward the prospect of Makah whaling runs deeper than a purely scientific concern or even a political one like the position held by Jack Metcalf, whose main purpose in bringing his case to court was to undermine special treaty rights.

As Rob Van Ginkel writes, the groups who remained to question Makah whaling in the fight sought to question "the merits and demerits of Makah culture and the genuineness and legitimateness of the tribe's wish to reconnect to its tradition, mobilizing it for present and future use in identity politics."[116] The Makah, for their part, considered the issue of their authenticity resolved, since they had already addressed the issue before the IWC and the Federal Government. What is troublesome is that the debate took on such a dark tone.

For example, protestors made an issue of the use by the tribe of a .50 caliber rifle in the new hunts. In 2007 after a whale was shot and killed by tribe members with such a rifle, weblogger Andrew Kantor, a former technology writer for publications such as *PC Magazine*, wondered "how deeply spiritual you can get with a .50 cal machine gun. . . ."[117] Kantor then went on to imagine the answer to his own question sardonically: "Then they practiced disassembling their weapons and reassembling them, doing so only by the light of a special spirit-guide lamp. The magazines were loaded slowly and deliberately, every one of the bullets blessed by a

---

[116]Van Ginkel, 59.
[117]Andrew Kantor, "The Makah tribe's version of 'cultural purposes,'" <http://www.kantor.com/blog/2007/09/the-makah-tribes-version-of-cultural-purposes-4/> (accessed March 30, 2008).

tribal chieftain."[118]

To drive his point home, Kantor included juxtaposed pictures of a Navy crewman aiming and firing a single-barrel BMG GAU-16 (which was not the same weapon used by the tribe in the hunt) with a digitally-altered black and white photograph taken from the tribe's website. Upon the black and white photo, Kantor superimposed a machine gun into the hands of an early twentieth-century Makah whaler wearing traditional skins and carrying sealskin float.

In addition to being arguably racist, Kantor's creative use of photography supported attempts by The Sea Shepherd Conservation Society to create cognitive dissonance in the minds of those viewing or reading about the whale hunt from afar by contrasting images of modern weaponry to be used in the hunt with "traditional" whaling implements used by the tribe in the past. The Makah had attempted to explain the presence of the rifle already:

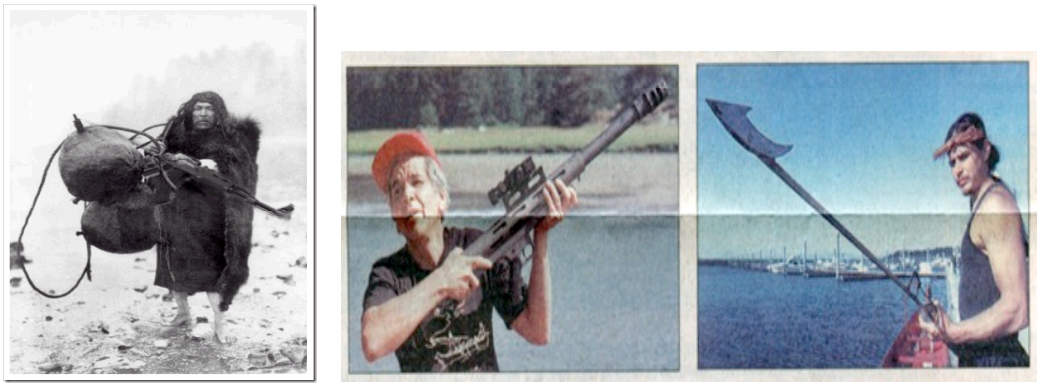
> *There were . . . certain regulations set forth by the International Whaling Commission which deviated from the traditional methods of Makah whalers in the past. Whereas the traditional hunt involves using only harpoon strikes and a final strike with a special "killing lance," the new method required a quicker and thus more humane kill. Working with a veterinarian, the Makah used both a traditional harpooner and a rifleman. The rifleman uses a specially designed large caliber rifle which, soon after the harpoon hits its mark, delivers the fatal blow. None of the spiritual, physical, and mental preparations needed to harvest a whale are interrupted by the substitution and implementation of this technique.*[119]

Also problematic is the way in which the hunt's protestors characterized the hunt itself and the way in which the Makah related to it.

---

[118]Ibid.

[119]Makah Website, "Recent Makah Whaling," <http://www.makah.com/whalingrecent.html> (accessed March 30, 2008).



A digitally altered photograph taken from Andrew Kantor's blog (L) and a scan (R) taken from an unspecified print news source and reused on the Sea Shepherd Conservation Society website with the caption: "Juxtaposition: The 50-caliber rifle (i.e., elephant gun) and the 'traditional' harpoon - partners in the modern Makah whale hunt."[120]

In addition to questioning the Makah's financial stake in reinstating the whale hunt, Paul Watson sought to link the tribe's practices to a "primitive" and ugly past. "A society," he maintained, "can never evolve by adopting archaic or inhumane rituals. Progress affects every one living in this new era of the Global Village. No legitimate argument can be made that the Makah, or any other ethnic group, can move their culture forward through ritual killing."[121]

Kantor's blog post echoed the evolutionary rhetoric present in Watson's pronouncement. Beneath the photo-shopped picture of the Makah man holding a machine gun he wrote, "Perhaps the tradition simply evolved. . . ."[122]

In the next chapter, this thesis will examine such rhetoric in the context of the stereotype of the "Green Indian."

---

[120]Images available at : <http://www.kantor.com/blog/2007/09/the-makah-tribes-version-of-cultural-purposes-4/> and <http://www.seashepherd.org/whales/whales_world_Makah_articles.html> respectively (accessed March 30, 2008). I have been unable to find the original source of the newspaper material and reproduce these images here with the understanding that both images fall under fair use standards for scholarship. The black and white photo, minus the gun, is a snapshot of Makah man, Wilson Parker, taken in 1925 by Edward Curtis and is kept by the University of Washington's Special Collections (NA556).

[121]Quoted in Sullivan, 14.

[122] Kantor, (accessed March 30, 2008).

Chapter 4: Makah Whaling and the "Green Indian" Stereotype

Much of the rhetoric that came from the anti-whaling activists, and especially from SSCS, is most easily described as being a part of the tradition of the stereotype of the "Green Indian." Before looking specifically at how stereotypes were applied to the Makah, it is necessary to look at them in broader terms.

As anthropologist Michael Harkin and historian David Lewis observe, "The gap between expectations and reality can cut in different ways . . . images of Indians are organized around several foci, including primitivism (which can have positive and negative aspects), savagery, violence, child-like naïveté, wisdom and vanishing."[123] For the purposes of this work, the focus is primarily "the notion of Indians living in harmony with nature."[124] This notion has, write Harkin and Lewis, "the potential to deny Indians their history, their humanity, and even their modernity."[125] The anthropologist Shephard Krech expands on what the "green," or "ecological Indian," is: "Time and time again the dominant image is of the Indian in nature who understands the systematic consequences of his actions, feels deep sympathy for all living forms, and takes steps to conserve so that earth's harmonies are never imbalanced and resources never in doubt."[126] This Indian is characterized by his "silent"[127] opposition to "white people [who] are polluting. He cries because he feels

---

[123] Harkin and Lewis, xxii.
[124]Ibid.
[125]Ibid.
[126] Krech, 21.
[127]This aspect of the stereotype also turns the Indian into something of a passive bystander in global events.

a sense of loss, as . . . other Indians do also."[128]

This stereotype is not only popular, it has cropped up in relatively recent scholarship from time to time and is embodied, even crystallized, in the following passage from J. Donald Hughes:

> *Indians hunted Buffalo on the plains and deer in the eastern forests. They planted corn in rich river bottomlands and near springs in the high desert. They caught salmon in the northwestern streams and set their boats on Pacific waves in search of the great whales. Everywhere they went they had learned to live with nature, to survive and indeed prosper in each kind of environment the vast land offered in seemingly infinite variety . . . And they did all this without destroying, without polluting, without using up the living resources of the natural world.*[129]

This sort of thinking inevitably leads to the problem of trying to dispel the stereotype of the "Green Indian." One might simply dismiss it altogether as unrealistic and unfounded given the diversity of the peoples it attempts to represent. However, more often than not, in attempts to dispel the stereotypes, scholars tend to cite (equally de-contextualized) examples of how Native Americans did not fit the ecological model to which they were subjected. Roy Ellen does so does here:

> *The problem is that far from such societies being universally "in harmony" with nature, they are often cruelly the victims of it . . . Small populations with minimal technologies may also, themselves, be perpetrators of environmental havoc. The Plains Indians, whose tepee . . . has become one of the cult symbols among one sect of the green movement, were in part responsible for widespread deforestation and the elimination of the North American buffalo*.[130]

In this quote, indigenous peoples are essentialized by a stereotype that was thrust

---

[128]Krech, 21.
[129]J. Donald Hughes, *North American Indian Ecology*(El Paso: Texas Western Press, 1996), 1.
[130]Roy F. Ellen, "What Black Elk Left Unsaid: On the Illusory Images of Green Primitivism," *Anthropology Today* 2:6 (December 1986): 10.

upon them as a group (a disparate group) and they are now subject to a deconstruction of that stereotype that, by its nature, tends to make a point of various happenings in the history of certain populations within that group that were not environmentally sound. In doing so, the fact that those actions may have taken place in a time when ecological soundness was a concept that had not yet been invented is ignored. This essentialization has obvious political implications. Harkin and Lewis write of the way "right wing commentators embraced [The Ecological Indian by Shephard Krech], using it selectively to criticize Native Americans on sovereignty issues."[131]

Ter Ellingson, a Washington ethnomusicologist and anthropologist, who paid special attention to the Makah case in his book, The Myth of the Noble Savage, calls this reversal "backlash," and defines it as follows: "the inevitable hostile backlash against romantic stereotypes of indigenous peoples living in 'perfect harmony' with their environment, acting as the infinitely kindhearted guardians of all living creatures."[132] This backlash was very evident in the wake of the Makah's announcement that they would again hunt gray whales.

When tribes fail to fit within the limits of "normative" ecological boundaries or standards it appears to many non-Native Americans that they are hypocritical. This is the case with the Makah; certain non-Makah people maintain that whaling is wrong and that any society which is thought to be as environmentally enlightened as that of Native Americans could not possibly conclude otherwise. When the Makah did conclude otherwise they challenged and confounded a standard set for Native

[131]Harkin and Lewis, xxiii.
[132]Ellingson, 360.

Americans and were thus deemed hypocritical, unenlightened, and un-evolved. The view taken by activists that any deviation from older tradition in the new hunt destroyed its legitimacy was widespread. In some instances, activists managed to see themselves as having a stronger link to Makah tradition than the Makah themselves. When the successful 1999 hunt concluded, activists characterized it thus: "People are dancing and cheering. That's a far cry from 150 years ago when [the Makah's] ancestors were more sad and somber after a whale hunt. They can celebrate and dance in the streets. We'll do what their ancestors did. We'll mourn for the whale."[133]

The evolutionary rhetoric employed by the likes of Kantor, which is outlined in the previous chapter, and by SSCS spokesman Paul Watson, is difficult to parse. It is, by its nature, somewhat contradictory. When it is used in terms of constructions of the noble savage or the Green Indian, it conveys a positive image, even though this positive image is a stereotype. This stereotype is characterized by a perception of intellectual inactivity on the part of the indigenous society under scrutiny. It is precisely Native Americans' perceived lack of progress in terms of technology that has put them in the "green" position.[134]

As David Noble observes, "Progress, for the average American of the nineteenth century, was a law whose validity was beyond doubt. During the first decade and a half of the next—our present—century, this deep-rooted affirmation reached a high point of intensity, calling forth an emotional and intellectual

[133]Quoted in Van Ginkel, 79.
[134]Ellen, 10.

enthusiasm that has indelibly labeled these years as the Progressive Era."[135] Thus, Native American societies are caught in the middle. If they fail to progress in the ways defined by the dominant culture they suffer for it and are subject to the paternalism of non-Native culture and the complexity of their humanity is boiled down to a caricature—like Iron Eyes Cody. So, what is the right way for Native Americans to progress? The ideal of the "noble savage" is conceived by Euro-Americans as "gradually tak[ing] on the virtues, though not the vices, of the civilized world."[136] It seems plausible that it is the perceived failure of the Makah to live up to the norms and standards of the dominant Euro-American culture that many who protest the new whale hunts find so irksome.

These conceptions are slow to die. That the environmental movement co-opted Native Americans for use in its message is also important. This co-opting took place without acknowledging the myriad of Native environmental practices and the contexts in which they were used. A contemporary whale hunt was nothing new for the Makah but it was a shock to a larger public who had been fed on a steady diet of images of Native Americans in essentialized and pastoral forms as well as to the environmental movement which had forged some kind of imagined alliance with Native Americans in the past. The Makah claimed they could not deny their own heritage and they no longer could conform to the heritage constructed for them by non-Indians. Neither could they avoid the steady build-up of that constructed identity

[135]David W. Noble, "The Paradox of Progressive Thought," *American Quarterly* 5:3 (Autumn 1953): 201.
[136]Bernard W. Sheehan, "Paradise and the Noble Savage in Jeffersonian Thought," *The William and Mary Quarterly* 26:3. (July 1969): 329.

over centuries and the pressure it placed on their culture. Eva Kornfeld puts this process of the dominant, paternalistic culture's assignment of narratives succinctly when she writes:

> *Inscribed and reinscribed in popular and elite culture, these stories attain the indisputability of myth. The categories of identity constructed in these learned and popular narratives are taken to be divinely ordained, immutable, or natural, determined by biological or psychological heredity. They acquire the status of knowledge, even of self-evident fact. This fixity is precisely their strength: once established, the cultural categories lend stability and teleological justification to profoundly unstable and contestable identities and relationships of power.*[137]

Anti-whaling activists also attempted to undermine the tribe by questioning its intentions and authenticity. As I wrote above, Paul Watson claimed that the Makah were not as interested in revitalizing their culture as they were in the fact that whale oil and meat can be sold overseas at very high prices. Although before it was granted waivers, the tribe had considered the possibility of a commercial operation to supplement tribal income, this possibility was quickly abandoned when the tribe learned that such sales would have made the tribe ineligible for an IWC waiver in the first place. SSCS also claimed that the Makah were covertly working with the Japanese and the Norwegians, not just because there was and still is a market for whale products in those countries, but also because a Makah hunt would open the door for claims by the populations of Norway and Japan that certain segments of their population might also qualify as subsistence whalers.

The point being made here is subtle. It allows anti-whaling activists to make

[137]Eva Kornfeld, "Encountering "the Other": American Intellectuals and Indians in the 1790s," *The William and Mary Quarterly* 52:2 (April 1995): 287-288.

the case that it "is not the Makah who are our enemy. We were in Neah Bay to oppose the Japanese and the Norwegians."[138] Thus, the activists are able to avoid seeming insensitive. As Alx Dark points out, it also leads into an assumption that "Native American political activity must be 'incited' by outsiders because they cannot act by themselves."[139] Indeed, by claiming that "the Makah are pawns in a global Japanese chess game," Watson and the SSCS "have accorded the Makah the status of co-conspirators in his chess match . . . drawing directly on an image of the Makah as a passive people easily manipulated by non-natives."[140]

But the Makah were neither passive nor easily manipulable. It is well known that the Makah were "trading skins and whale oil for powder and musket balls" by 1840.[141] To some extent, their whaling had been commercialized, in at least a limited way, for some time. In the construction of the noble savage as innocent, ecologically harmonized and devoid of monetary concerns, this possibility that Native Americans have long been engaged in commerce simply isn't comprehensible. There is also some question as to whether or not five whales' worth of whale oil would even have much place in the market for whale products in Japan and Norway as these nations have been conducting regular (and highly controversial) "scientific" whaling for many years and have no qualms about selling its byproducts. In reality, the extent of the Makah's relationship with Japan and Norway was extremely limited and perhaps entirely non-existent. Dark notes that "The only Japanese involvement in west coast

[138]Quoted in Dark (accessed March 31, 2008).
[139]Dark (accessed March 31, 2008).
[140]Ibid.
[141]Ellingson, 368.

whaling has been a $20,000 start-up grant for a Nuu-chah-nulth whaling organization, the World Council of Whalers. The Makah are not members of this organization."[142]

The tribe responded to the accusation that they were interested in money, or that they were merely the tools of other nations, by pointing out that they had chosen to go ahead with the hunt in spite of the fact that a concrete financial benefit would be non-existent. As then-tribal president Keithe Johnson made clear in an open letter to the public:

> *[G]roups like Sea Shepherd continue to insist that we secretly plan to sell whale meat to Japan. That claim has been repeated endlessly by other animal rights groups. It is utterly false . . . We are bound by Federal Law and our own Tribal Law not to sell any whale meat . . . the whale hunting program . . . is conducted solely because that is our Treaty right and because it fulfills a deep cultural need in our members.*[143]

Ironically, efforts have been made to entice the Makah to give up their new whaling operations by offering them a number of financial incentives. It was suggested by the SSCS that the Makah would benefit greatly from running whale-watching businesses instead of hunting the whales. Such ventures would provide revenue for the tribe and keep whales from being killed. This solution sounds plausible and desirable on its surface, but it is problematic for a number of reasons. For one, whale-watching simply has not taken off in Neah Bay as it has in other parts of Washington State:

> *In Neah Bay, several attempts have been made in past years to establish scheduled whalewatching excursions on salmon and halibut charter vessels during the spring gray whale migration, but they were*

[142]Dark (accessed March 31, 2008).
[143]Ibid.

> *not successful. Wildlife or whale watching trips can be arranged directly with charter boat operators in Neah Bay. But, because of the remote location of Neah Bay and unpredictable whale sighting conditions, few whale watching trips occur in northern coastal Washington and the western Strait of Juan de Fuca.*[144]

Not only was such a proposal a financial non-starter but it also ignored the fact that the Makah were simply not interested in trading whaling for money. In The Eye of the Whale, Dick Russell details how overt offers of financial assistance were made to the Makah by billionaire Craig McCaw, most famous for financing the return to the ocean of Keiko the killer whale, star of the *Free Willy* Films. McCaw offered the Makah everything from an unspecified amount of cash, financing for wind power and reforestation programs, to offering to buy land once held by the Makah so that it could be returned to them as a gift.[145]

The tribal council met to discuss these offers but ultimately concluded that accepting any of them would amount to a forfeiture of their treaty rights and would affirm the arguments from their opponents that they were only interested in money. Ironically, opponents of the whale hunt had accused the Makah of being bought by outside interests only to find themselves hoping that the Makah could be bought after all. But the treaty right was simply not for sale and many Makah believed that is was insulting to think that there were those who believed that it ever could be, reducing the traditions of the tribe and its concentrated efforts to a commodity.

For anti-whaling activists, the Makah had also forfeited their right to whale when they modernized the hunt. The gun was probably the key issue here, as I

[144]"Environmental Assessment on Issuing a Quota," 53.
[145]Dick Russell, *The Eye of the Whale: Epic Passage From Baja To Siberia* (Chicago: Island Press, 2004), 135.

discussed earlier, but other issues of modernization were also involved. The use of a high-caliber rifle was just one change necessitated by the modern context of the reinstated hunt and not one that the Makah originally conceived. Some of the older ritual practices I outlined previously were abandoned outright as impracticable. Others were retained (like songs) or re-imagined (as was the case with preparation rituals).[146] This creativity and innovation underscores the inaccuracy of notions of intellectual inactivity on the part of Native societies. The ritual, as the Makah argued, was adaptable and not static. It could be changed and reshaped for modern needs just as the tribe had changed into order to survive. As Van Ginkel observes, this argument was not good enough for those opposed to the hunt:

> *Animal rights campaigners and environmentalist hardliners did not regard the Makah whale hunt as a tradition but as an anachronism, an antiquated practice that was completely at odds with modernity, yet conducted with modern tools in a modern society. They claimed that such traditions should either go along with a complete return to traditional tools and traditional values and beliefs or become extinct. In their view, reviving old traditions with the help of modern equipment amounted to 'cultural bastardization.'*[147]

One observer, a whale-watching tour boat operator, wondered, "If they are so hell bent on going back to their roots, why the hell do they insist on: driving cars, using internal combustion engines, fibreglass, aluminum, roads, shopping centres, all the other stuff that has improved their lives since the coming of the 'White Man.'"[148] Another commentator, this time responding under the name "Dave Dyson" to Andrew

---

[146]"Makah Whaling Q&A," Makah Website <http://www.makah.com/makahwhalingqa.pdf> (accessed May 25, 2008).
[147]Quoted in Van Ginkel, 70.
[148]J. Bray, "Makah Whale Hunt," Whales on the Net <http://whales.magna.com.au/alert/makah/bray.html> (accessed March 31, 2008).

Kantor's 2007 post, managed to be even less poised in his reaction to Makah whaling:

> *My message to them:*
>
> *Congratulations on the "Big Kill"! You bastards are out of fucking control. You're damn lucky that the US Govt. is in charge and not the people of this country or you cocksuckers would be hanging from the highest limb on the reservation. Leave the animals alone! Let go of your bullshit past and just take the white man's money at the casino like a good little indian. Last I checked, whale blubber isn't accepted at the local Cadillac dealership.*
>
> *Questions? Call. 1-800-EAT-SHIT*[149]

This was a recurring theme in the debate. Dark writes, "Few people would confuse Americans and Japanese just because we share a fondness for Sony Playstations, yet the Makah are told their modernity 'proves' they are no longer 'authentically' Makah."[150]

In responding to the types of attacks made above, Keithe Johnson was particularly flabbergasted:

> *Recently the Progressive Animal Welfare Society (PAWS) distributed a brochure in which they implied we have lost our cultural need for whaling because we have adapted to modern life. They cite our " . . . lighted tennis courts . . . Federal Express . . . and other amenities . . . " Well, excuse me! I want to tell PAWS that the two tennis courts on our high school grounds have no lights. How about the fact that Federal Express makes deliveries to our reservation? Does that mean that we have lost our culture?*[151]

It is apparent that anti-whaling activists would have been more comfortable if the Makah had chosen to restrict their whaling heritage to a museum even as the

[149]Kantor, (accessed March 31, 2008).
[150]Dark (accessed March 31, 2008).
[151]Quoted in Dark (accessed March 31, 2008).

Makah claimed this would amount to a dead culture.[152]

This work now come to the question of why activists ignored most relevant science and instead relied on the kinds of stereotyping discussed above to make their case. I will evaluate the proposed explanations of Rob Van Ginkel and Arne Kalland, who seek to interpret this casting aside of science and relying on stereotypes on the part of the activists as stemming from totemism.

[152]Van Ginkel, 74.

Chapter 5: Evaluating the Claim that Activists are Totemizers

As this thesis has illustrated above, many environmentalists view the whale in a somewhat reverential manner, at least in the view of some observers. It is for these reasons that this thesis maintains what has been stated above, that the primary concern of anti-whaling groups in the case of the Makah hunt was not the potential impact to a sustainable gray whale population. Rather, it was a felt need to depict the whale as an animal that ought to be protected on its own merits and one that human beings have a moral obligation not to harm. As Steven Yearly observes, often environmentalists, weary of the flaws in flatly scientific thinking, "seek to underpin an ecological worldview in conventionally religious or other spiritual ways."[153]

In his essay on the Makah controversy, Rob Van Ginkel, who has done extensive research on traditional fishing communities in Scandinavia, makes the assertion that "the anti-whaling movement refrained from using any unsustainability allegation in their discrediting of the Makah whale hunt."[154] Instead, "[t]he environmental movement has totemized cetaceans that have come to represent the 'goodness' of nature."[155] Van Ginkel does not explain this claim, nor does he define how he uses the term "totem." After a brief overview of scholarship on the term itself, I will turn to Van Ginkel's usage of it.

The term totemism has fallen into rather ill repute. As Adam Kuper observes, "The theory was debated for a generation, but interest was clearly fizzling out by . . .

[153]Steven Yearly, "Green Ambivalence About Science: Legal-Rational Authority and the Scientific Legitimation of a Social Movement," *The British Journal of Sociology* 43:4 (December 1992): 515.
[154]Van Ginkel, 69.
[155]Ibid., 77.

the early years of the First World War."[156] In subsequent years, "anthropologists abandoned totemism. . . ." en masse.[157]

Totemism, as a theory of religion, has been incarnated in many ways. Bronislaw Malinowski argued, for example, that totem animals constituted "[e]very such species which is habitually pursued," and that such species, "[form] a nucleus round which all the interests, the impulses, the emotions of a tribe tend to crystallize. A sentiment of social nature is built round each species, a sentiment which naturally finds its expression in folklore, belief, and ritual."[158] That is to say, if an animal was important to a tribe, it followed that it would take on some significance beyond the dietary.

Emile Durkheim, in 1915, argued that totem animals were really symbolic representations of societal groups and rituals surrounding the totems were used to "affirm [the group's] collective existence," and are the "means by which the social group reaffirms itself periodically."[159] Sigmund Freud, in his work Totem and Taboo, argued that "the bond between totemism and exogamy exists and it is clearly a very firm one."[160] From Freud's standpoint, totemism was the result of guilt linked to a primal patricide "the guilt over this act . . . became the source for religion."[161] Freud argued that a primal father had been murdered by his sons in order that they might

---

[156]Kuper, 111.
[157]Ibid.
[158] Bronislaw Malinowski, *Magic, Science, and Religion, and Other Essays* (Westport, CT: Greenwood Press, 1984), 44.
[159] Emile Durkheim, *The Elementary Forms of the Religious Life*, Joseph Ward Swain, trans. (New York: The Free Press, 1965), 432.
[160] Sigmund Freud, *Totem and Taboo: Some Points of Agreement Beteween the Mental Lives of Savages and Neurotics*, James Strachey, trans. (New York: W.W. Norton and Company, Inc.), 1950.
[161] Jones, 290.

attain his harem of females and in subsequent generations, the horror of this murder developed into totemistic practices aimed at alleviating guilt and reinforcing taboos against endogamy. I utilize examples from these three scholars for two reasons. First, Freud and Durkheim are used heavily by Kalland, and second, the variety of theories of totemism, it can be seen, seem to be almost as numerous and disparate as the cultures such theories purportedly described.

According to the anthropologist and critic of totemism Claude Lévi-Strauss, the term "totem" itself is derived from an Ojibwa word, "ototeman . . . which means, roughly, 'he is a relative of mine.'"[162] This term eventually began to be used as something of an overarching term for describing "primitive" societies. This usage exists despite the fact that its supposedly essential features, "exogamy, taboo, religious regard, totemic names, [and] descent from totem…are independent of one another and coexist in any single culture only occasionally, if at all."[163]

In the late nineteenth century, totemism became a popular tool for theorists of religion, as it allowed them to interpret as forms of the same phenomena any practices that had a fundamental understanding of human-animal relationships. This was in spite of the fact that those practices labeled totemism across cultures were often "separate examples of two, quite different phenomena."[164] Totemism, then, is not unlike the concept of the "Green Indian." It is universalism at its most inclusive. They are both instances, as Robert Berkhofer writes, of "Whites [categorizing a] variety of cultures and societies as a single entity for the purposes of description and analysis,

[162] Lévi-Strauss, 18.
[163] Jones, 292.
[164] Ibid., 292.

thereby neglecting or playing down the cultural and social diversity of Native Americans then—and now—for the convenience of simplified understanding."[165] As Roy Wagner observes, totemism was "postulated as an institution of primitive thought, a necessary stage of religious conception that all people must pass through in the course of their evolution."[166]

Additionally, totemism is just one constructed category among many others, all Western. Alice Keohe lists them thus: "mythology, shamanism, owner/[master of] animals, trickster, culture hero, totemism, quest, High God, and so on." Keohe concludes that all are "firmly rooted in the imperial ideology of the European Age of Exploration."[167] Keohe's point is that, regardless of how indigenous societies viewed their own traditions, Western ideas about them were more correct and their [categories] more accurate. Theorists using such categories were apparently less interested in learning about indigenous peoples from their own viewpoints than they were in asserting the primacy of Western models.

Because totemism was bound up with ideas about "primitive" societies, it was often viewed as inferior to religious systems in Western, "civilized" culture. Adam Kuper notes that the commonly held view in the last decades of the nineteenth century amounted to the idea that "eventually, the descent [totemistic] groups withered away, private property rights were established, the modern family was born

---

[165]Berkhofer, 4.
[166] Wagner, 9250.
[167] Alice B. Kehoe, "Eliade and Hultkrantz: The European Primitivism Tradition," *American Indian Quarterly* 20:3/4 (Summer - Autumn, 1996): 377-392

and territorial states emerged."[168] Study of so-called "primitives" was desirable not so that they could be understood in terms of themselves but so that the "civilized" world could get a look at its religious origins by examining the systems of inferior peoples. The anthropologist Johannes Fabian has commented on this process:

> *For better or worse, these were the epistemological conditions under `which ethnography and ethnology took shape . . . Anthropology contributed above all to the intellectual justification of the colonial enterprise . . . It promoted a scheme in terms of which not only past cultures, but all living societies were irrevocably placed on a temporal slope, a stream of Time--some upstream, others downstream*.[169]

It was this mindset that informed the U.S. government's attempt to "civilize" the Makah and to ignore the stipulations of the 1855 treaty, sending the Makah plows and seeds instead of nets and harpoons.

Additionally, the views of primitivism drove much missionary work. Native Americans, in this view, practiced a false religion and thus, they required saving, according to many American Christians. As Vine Deloria, Jr. writes, "Missionaries approached the Indian tribes in an effort to bring them into Western religious life . . . [they] looked at the feats of the medicine men and proclaimed them to be works of the devil."[170] Deloria also argues that Christianity "resent[s] deeply any interspecies communication."[171] Thus, one might be able to infer why totemism, as scholars had constructed it, was so distasteful to the Christianized world, and why that world felt

---

[168]Kuper, 5.
[169]Johannes Fabian, *Time and the Other: How Anthropology Makes its Object* (New York: Columbia University Press, 1983), 17.
[170] Vine Deloria, Jr., "Missionaries and the Religious Vacuum," in *For This Land: Writings on Religion in America* (New York: Routledge, 1999), 23.
[171] Vine Deloria, Jr., "Christianity and Indigenous Religion: Friends or Enemies," in *For This Land: Writings on Religion in America* (New York: Routledge, 1999), 148.

that Native Americans required missions. In other words, many Christianized minds viewed pre-contact North America as religious vacuum to be filled with the gospel and Native Americans as deceived by forces which were not really Godly.

I now return to the statement by Rob Van Ginkel that members of environmental movements "totemize" whales. He cites Arne Kalland in making this assertion, so it is relevant to determine what Kalland means when he employs this term. Kalland begins his argument by quoting Claude Lévi-Strauss' The Savage Mind: "The beings which native thought endows with significance are seen as exhibiting a certain affinity with man."[172] It is unclear how this assertion supports a claim that whales amount to an environmental totem for anti-whaling activists. Kalland characterizes this affinity, which he links to a supposition on the part of activists, as a stance in which "[w]hales are often anthropomorphized by being given human traits as well. They are depicted as living in societies similar to our own."[173] Kalland further observes:

> *The whales allegedly care for the sick and dying, while people in the urbanized Western world pay hospitals and old people's homes to take care of aging relatives, thus removing the sick and dying from sight. Ours is a death-denying society… Moreover, the super-whales take care of each other's calves. They baby-sit and run nurseries… without charging anything for these services. Not only do they care for their own kind, time and time again tales of whales rescuing humans are told.*[174]

So why must one see these ideas specifically in terms of totemism? It appears just as plausible, if not more so, simply to say that whales represent an ideal type of

[172]Arne Kalland, "Management by Totemization," 128.
[173]Kalland, "Whale Politics and Green Legitimacy," 4.
[174] Ibid.

society for activists. Is it really necessary to say that such a typology amounts to an aspect of totemism? Is there a way in which such views are better explained than by totemism? Kalland does not answer these questions.

Given what Lévi-Strauss wrote in Totemism about the concept of a totem in general, it is difficult to understand why Kalland would even cite him. To wit: "Totemism is like hysteria, in that once we are persuaded to doubt that it is possible arbitrarily to isolate certain phenomena and to group them together as a diagnostic sign of an illness, or of an objective institution, the symptoms themselves vanish or appear refractory to any unifying interpretation."[175] In short, Lévi-Strauss actively criticized totemism as being an invented category "projected onto a bewildering mass of information concerning human-animal relations in small scale societies, in order to make sense of such societies."[176]

As Bleakly explains, Lévi-Strauss' view of human-animal relations "demands that we see animals as a structural system performing a semantic function… Natural stimuli are transformed into animals of the mind, becoming cognitive phenomena… the biological animal is reduced to a mere instrument in a logical game of classification, as a sign only."[177] Clearly this notion does not describe the viewpoint of the anti-whaling activists, because if they really viewed the whale only as an instrument for classification, would there be such an outcry surrounding the hunt? Moreover, if the whale acts in the same way that a "totem" might for a hypothetical tribe, why has the environmental movement extended its efforts toward other species?

[175] Lévi-Strauss, 1.
[176] Bleakly, 135.
[177] Ibid., 140-141.

Further, why have environmentalists not factionalized into groups working specifically to save one kind of animal apiece, as one would expect if totemism were truly at play and various groups (tribes) were identifying specifically with one animal?

Kalland cites Lévi-Strauss' view of homology in order to assert that activists see themselves as having an affinity with the whales in terms of temperament. This Kalland contrasts with the supposedly violent and greedy temperament of whalers or shared characteristics based on shared ancestry. Lévi-Strauss argued that homology as seen by totemistic cultures was not one of direct kinship "between social groups and natural objects."[178] Rather, the homology "manifests itself on the level of groups on the one hand and that of species on the other."[179]

Yet Kalland contradicts himself by saying that "by stressing the antiquity of whales and by claiming that whales might be placed on a higher level than Homo sapiens [sic] on the evolutionary pyramid (by being a more ancient species, more intelligent, more apt at handling social affairs, etc.), it can be argued that they [whales] have come to play the role of pseudo-ancestors."[180] In this specific instance, Kalland has hit on a rather intriguing point, for in the past few years there has been a growing movement among activists for an "aquatic ape" theory of human origin. The belief that humans' simian ancestors were first amphibious creatures before they ever became permanent land dwellers is expressed by Paul Watson below:

---

[178]Quoted in Kalland, "Management by Totemization," 129.
[179]Ibid.
[180]Ibid.

> *I think the fossils exist. We've just been looking for them in the wrong places. Look instead to where the shores of Africa once were, some two million years ago, places that today are deep beneath the sea. There in the benthic muck, alongside the fossilized shells and fish bones, I am of the opinion we could find the skulls and bones of those water-loving ancestors whose chosen habitat has made us what we are today-the naked, swimming, dive-reflex-equipped, vocalizing and intelligent primates that we are.*[181]

Still, even given the evidence for a belief in pseudo-ancestry (or even direct ancestry), Kalland has failed to note whether he sees the homology as one of shared ancestry, temperament, or both. They do not necessarily contradict one another, but he has not given us the keys for sorting them out. Further, he doesn't tell us why we ought to connect homologies like the ones he outlines to totemism other than to say that scholars like Lévi-Strauss have already done so.

In addition to Kalland's claiming that totemism is a unifying principle for the environmental movement, he fails to circumscribe his argument within one system to define totemism. Kalland's assertion also is complicated by the Makah case because those differences denoted by the totem animal are difficult to explain satisfactorily when one considers a situation in which two opposing groups claim an affinity with the same would-be totem animal. It may be possible to reconcile this incongruity, but Kalland does not offer any answers. One wonders if he thinks that the activists believe they have a claim to whale ancestry that supersedes the Makah's (for the record, Makah origin stories make no such claim) or if they see themselves as sharing

---

[181]Paul Watson, "The Aquatic Ape," *Ocean Realm*, Spring 2001, reprinted at: <http://www.seashepherd.org/ocean_realm/ocean_realm_spr01.html> (accessed March 24, 2008).

a temperament with the whales that the Makah lack. [182]

If, as Lévi-Strauss suggests, totemism is nothing more than attempt by groups of people to define themselves in terms of perceived relationships in the animal and plant worlds, what is the "totem" of the whalers?[183] Kalland suggests that it is money.[184] What then is one to make of the fact that in the Neah Bay case, the Makah had already shown themselves to be uninterested in a financial gain from whaling? After an initial period in which the activists called the Makah greedy, they (the activists) abandoned the financial argument and instead favored pointing out the perceived hypocrisy of the hunt's modernization. This heuristic shift is perhaps a minor problem, given that Kalland then attempts to wed the theories of Lévi-Strauss to those of others.

I have already discussed what Wagner calls the earlier "evolutionary school" of totemism, in contrast to the "systematic school" represented by Lévi-Strauss. This school of theory "allows for a wide ranging variance in specific schemes of symbolization and classification."[185] Amazingly, Kalland attempts to combine aspects of both schools in his use of totemism to describe the activists.

In his attempts to incorporate the "evolutionary school" theories of Emile Durkheim and Sigmund Freud into his argument, Kalland assumes implicitly that when they talk about totemism, they mean precisely the same thing, when in fact they do not. He then picks and chooses passages from their work which support his

[182] "When the Animals and Birds Were Created," Native Languages of the Americas <http://www.indigenouspeople.net/created.htm> (accessed April 25, 2008).
[183] Lévi-Straus, 31.
[184] Kalland, "Management by Totemization," 129.
[185] Ibid.

argument. For example, at one point in his discussion of activists, he notes that in exchange for acting as helpers and teachers, those who value the whale are under an obligation to abstain from killing the whale.[186] He attributes these ideas to Freud but does not acknowledge that Freud worked into his interpretation of totemism points at which the totem animal could be sacrificed and eaten. This sacrifice, according to Freud, was done in remembrance of a primordial patricide (the original father now being embodied in the totem animal) and as a reminder of the taboos against killing the totem animal and incest.[187] Furthermore, writes Freud, "we can recognize in these rituals the effect of the crime by which men were so deeply weighted down but of which, they must nonetheless feel so proud."[188]

Clearly, for Freud, the relationship between totem and totemizer is an ambivalent one, but in the anti-whaling movement, no such ambivalence exists. Even if one accepts Kalland's proposition that the whale acts as a pseudo-ancestor, he again presents us with a problem when he turns his attention to Durkheim. Kalland notes that "Durkheim . . . makes the important point that this [totemic] relationship is not that of a believer towards his god, but rather one between two beings on the same level, between equals."[189] This indeed may be the case with members of the anti-whaling movement, whether or not one conceives of it as totemism, but Kalland fails to reconcile this egalitarian feature with his use of the Freudian prohibition against the eating of the totem animal outside of a ritual context. This is a taboo which, for

[186] Kalland, "Management by Totemization," 129.
[187]Daniel Pals, *Eight Theories of Religion*, Second Edition (New York: Oxford University Press, 2006), 67.
[188]Quoted in Jones, 287-288.
[189]Kalland, "Management by Totemization," 128.

Freud, clearly arises from an unequal power relationship: "The totemic system was, as it were, a covenant, in which he [the father] promised them [the sons] everything . . . protection, care, and indulgence--while on their side, the undertook to respect his life."[190] Furthermore "it became possible for an ideal to emerge which embodied the unlimited power of the primal father . . . as well as [the] readiness to submit to him."[191]

As outlined above, Kalland presents an idiosyncratic view of totemism, drawing selectively from the work of Freud, Durkheim, and Lévi-Strauss, and combining their ideas in a way that does not explain the attitudes of anti-whaling activists. Moreover, there are other problems with labeling anti-whaling sentiment as totemism. For one thing, totemism is extremely hard to define unless one takes as a point of departure a specific theorist. Bronislaw Malinowski simply stated that a totem animal was good to eat.[192] This characterization contrasts starkly with Freud's assertion that totemism originated as a way for coping with guilt that eventually led to theism and Durkheim's belief that the worship of the totem was really a statement of clan or tribe loyalty. Perhaps Kalland alternates between theorists because it is difficult for him to find a single theory of totemism that can explain the activists' behavior.

Kalland, in utilizing the theories of Freud, Durkheim and Lévi-Strauss, also fails to provide answers to critiques of their theories that would strengthen his own

---

[190]Quoted in Jones, 286.
[191]Quoted in Jones, 286.
[192]Pertti Alasuutari, *Researching Culture: Qualitative Method and Cultural Studies* (Thousand Oaks, CA: Sage Publishers, Inc., 1995), 28.

argument. Clifford Geertz has argued that Lévi-Strauss' formulation of totemism is "is an infernal culture machine. It annuls history, reduces sentiment to a shadow of the intellect, and replaces the particular minds of particular savages in particular jungles with the Savage Mind immanent in us all."[193] In other words, the universalism inherent in earlier conceptions of totemism has taken on a new form in the work of Lévi-Strauss. Additionally, according to Wagner, Lévi-Strauss' formulation "tends to underplay the distinctiveness of the term and the usages to which it refers."[194] This is the same criticism that can be made of scholars who use the term to describe activists as totemizers. They have ignored the context and content of the term itself and the opinion of religious studies scholars (who no longer use it for good reason).

Furthermore, Daniel Pals points out that, for Durkheim, "the beliefs found in totemism are not the most important thing about it. Rituals are."[195] This is difficult to reconcile with the core commitments of anti-whaling activism. To be sure, Kalland identifies some activist rituals. There are the protests, of course, the grave making for killed whales, and the expeditions mounted by the SSCS every year to take down illegal whaling outfits.

The problem with using Durkheim's model to explain these rituals is that it gets the order wrong. If rituals reinforce loyalty to a group, it must follow that the group came first and not the beliefs associated with it. This simply cannot be the case with anti-whaling activists because opposition to whaling is a fundamental

---

[193]Clifford Geertz, "The Cerebral Savage: On the Work of Claude Lévi-Strauss" In *The Interpretation of Cultures* (New York: Basic Books, Inc., 1973), 355.
[194] Wagner, 9250.
[195] Pals, 103.

requirement for being a part of the group. Without that belief, no group would exist. Kalland does not answer this criticism or any of the others I have outlined.

A memorial erected by activists after the successful 1999 Makah Whale Hunt.[196]

Additionally, Kalland has ignored a crucial part of Durkheim's larger theory of religion that would probably have strengthened his case. Kalland argues that the whale being totemized is not a particular species of cetacean, but rather an amalgamation of all species. He calls this imagined whale, the "Super Whale," and he characterizes it thus:

> *We are told that 'the whale' is the largest animal on earth (this applies to the blue whale); that it has the largest brain on earth (the sperm whale); that it has a large brain-to-body-weight ratio (the bottlenose dolphin); that it sings nicely (the humpback whale); that it has nurseries (some dolphins); that it is friendly (the gray whale); that it is endangered (the blue and right whales) and so on. By talking about the whale, an image of a single whale possessing all these traits emerges.*[197]

Durkheim includes in his theories the supposition that "[r]eligion is more than the idea of gods or spirits, and consequently cannot be defined exclusively in relation

[196]Van Ginkel, 73. The photo is unattributed by Van Ginkel and is reproduced with the understanding that the image falls under fair use standards for scholarship.
[197] Kalland, "Whale Politics and Green Legitimacy," 4.

to these latter."[198] For Durkheim, couching religion in terms of supernatural beings was too limiting. For him, the sacred was the primary feature of what religion was.[199] One might argue that the "super whale" is not a supernatural being, but a suprahuman one and is thus a sacred thing for activists. Surely this is a better place to start if one wants to see anti-whaling activism in terms of religion and use Durkheim to support such a claim. Such an interpretation might eliminate the need to include totemism as a factor altogether.

Given that the term "totemism" once was used exclusively to describe beliefs and practices of indigenous cultures, and to explicitly entail that they were less advanced than Victorian cultures, there is certainly some irony in using this term to describe facets of the modern environmental movement which is made up largely of middle-class Europeans and Americans. For one thing, because Kalland's and Van Ginkel's views of anti-whaling activists are decidedly negative ("[s]uch a development is hardly in the interest of the environment") it is troublesome that they would connect this negative activity to a category that that was once applied specifically to indigenous groups.[200] This is especially so because Kalland views the term as a legitimate one, calling "Aborigines in Australia and Indians in North America" examples of "traditional totemic society."[201] It appears that Kalland is engaged in the very sort of universalism for which early theorists have already been criticized. It is the same sort of universalism through which the "Green Indian"

---

[198]Quoted in Marco Orrù and Amy Wang, "Durkheim, Religion, and Buddhism," *Journal for the Scientific Study of Religion* 31:1 (March 1992): 51.
[199] Jones, 220.
[200]Kalland, "Management by Totemization," 132.
[201]Ibid., 129.

stereotype is employed.

Not only has Kalland attempted to revive a term which has fallen into disuse for very good reasons, he also argues for the identification of what he sees as a negative trend in the environmental movement with a term he believes is legitimate for describing native societies. Thus one can infer that totemism, for him, is negative in any context. This denigration of "totemists" is probably not his intention, but it does make his use of totemism as a paradigm for explaining the anti-whaling stance more troubling. If some totemism is good and some is bad, then one must ask in what cases are totemic societies legitimate, what makes them good or bad? Kalland seems to conclude that anti-whaling totemism is undesirable because he does not agree with the goals that he sees as resulting from it. Additionally, if one places totemism within a normative set of standards making it either good or bad, desirable or undesirable, what is then left is a necessary search for an authority by which such judgments can be made. This lack of clear specification of authority has some very serious implications.

That is, the assumption being made here is that a modern group made up of non-indigenous people should resist "primitive" forms of religion and instead rely on the science--something it has not done. Kalland seems to be rebuking adherents of this line of thought for their "primitivism." One might argue that if anti-whaling totemism is not legitimate then a traditionally "totemic" society that wished to hunt their totem animal using modern equipment would not be legitimate either.

I conclude, for all of the reasons discussed above, that reviving the outdated

category of "totemism" is not useful in terms of explaining the behaviors and beliefs of anti-whaling activists. One wonders how totemism explains anything at all in the context of anti-whaling activism. It might just as easily be explained in terms of radical ideology, or even mysticism. What Kalland has constructed and what Van Ginkel has utilized is a tautology. It begins with the assumption that anti-whaling activism is totemism, finds evidence of this claim using scattered and un-unified theories, and then circles back to proclaim that anti-whaling activism is totemism. One might conclude with what the zoologist Alan Bleakly has written about totemism. The category, he states, is akin to "a person searching for his or her keys under the streetlamp, not because they lost them there, but simply because that is where the light is."[202]

[202]Bleakly, 135.

Chapter 6: Conclusions

Now that this thesis has shown that the outlook underlying anti-whaling activism does not fit the category of totemism as that category is used and recapitulated by scholars observing and analyzing the anti-whaling movement, it is important to investigate the implications of such findings.

As I have written earlier, it may indeed be possible to characterize activists as motivated by a religious conviction that whales are not to be harmed in any circumstance, but to do so is exceedingly difficult without participating in the same kind of intellectual acrobatics in which Kalland, Van Ginkel, and others have engaged. Still, there are aspects of the anti-whaling movement that, at face value, do seem definitively religious (at least for those so inclined to look for religious aspects in things which are not explicitly religious). It is crucial that at least some of them be identified so that scholars examining the anti-whaling movement can avoid the kind of questionable claims made by earlier investigators.

To begin, there is the artwork. Christian Lassen, whose work is reproduced earlier, is just one of many artists working closely with the movement, and it is fair to say that his paintings do seem to evoke a kind of "whale mysticism." That is to say, these works reflect ideas about whales' being connected to some higher truth about the cosmos. But what that truth is and whether or not activists associated with Lassen believe it exists and are thus pursuing it is almost impossible to say.

Additionally, whales are certainly anthropomorphized by the movement, and, as Van Ginkel has observed, "They were incorporated in human society first by

keeping them in oceanariums, then by turning them into film and TV heroes (Flipper, Willy the killer whale) and stuffed toys. Whales became 'pets.' Individual whales were also given names."[203] Thus, it is perhaps no accident that much of the propaganda that comes from anti-whaling organizations features graphic photographic portrayals of whales being hunted and killed, not unlike anti-abortion pamphlets that feature bloody pictures of post-extraction fetuses aimed at emphasizing the opinion that a human life has been lost.

There is also the matter of the presence of a charismatic leader (Paul Watson) who seems to have had what some might call a conversion experience. Belden Lane, in his writings on sacred space, has argued that "participation in deliberate ritual activity is what invariably occasions the transition from experiencing a place as topos, . . . [a] location, a measurable, quantifiable point, neutral and indifferent . . . to encountering that same place as chora, . . . an energizing force, suggestive to the imagination, drawing intimate connections to everything else in our lives. . . ."[204] Lane argues that when a life-changing experience has happened in a place, that place is transformed from a mundane location into something far more powerful. Perhaps the ocean itself is such a place for activists. One might also argue that the whale has a similar sort of power. Until one sees it as more than an animal, it will remain just that. A transformative experience must be had before one begins to see the whale as somehow "sacred." Paul Watson had such an experience:

---

[203]Van Ginkel, "Makah Whaling and Leviathan's Death," 77.
[204]Belden C. Lane, "Giving Voice to Place: Three Models for Understanding American Sacred Space," *Religion and American Culture* 11: 1 (Winter 2001): 54.

> *In the early seventies, Watson, along with some two dozen other environmental activists, created Greenpeace. In 1975, alarmed by the declining number of whales, the group decided to confront a Soviet whaling fleet off the coast of California. Their plan was to use Zodiacs to put themselves between the harpooners and the whales. When Greenpeace caught up with the fleet, Watson jumped into a Zodiac with Fred Easton, a cameraman. The two men witnessed a Soviet harpooner firing into a pod of whales. At one point, an injured sperm whale charged toward them. "It scared the hell out of us in the beginning," Easton said. "I just remember Paul saying, 'Here he comes!,' and we sat there. I couldn't get my camera going, and we both sat at the edge of the Zodiac, on the other side of which the whale was approaching. He swam right past us, and I swear to God he couldn't have been any more than ten feet away, and he was a huge male sperm whale, and he had an eye about the size of a dinner plate, and he did look at us with some sort of compassion, in the sense that he was certainly capable of doing harm to us in the circumstances, and had he been human we might have expected him to." The two men, watching the whale swim away, were overcome with emotion. "In an instant, my life was transformed and a purpose for my life was reverently established," Watson later wrote.*[205]

Lane argues that by viewing such experiences in terms of how they relate to place and to the natural world, scholars can begin to "[give] voice to the natural world (honoring it as participant with us in the creation of meaning). . . ."[206]

All of the above might lead some scholars to call the movement religious. In my view, the scholar who has come closest to describing the movement in such a way is Bron Taylor, whose formulation of "dark green religion" (see introduction) depicts accurately the relationship between the activists and the animals they are trying to protect. But it is crucial to question whether or not the fact that activists want to preserve animals regardless of their value to human society makes their actions religious. It may be that Taylor has correctly described the relationship but given it

[205]Khatchadourian (accessed April 8, 2008).
[206]Lane, 56.

the wrong name. This is a question I will return to shortly.

Similarly, because anti-whaling propaganda looks a great deal like anti-abortion propaganda, can it be said that the two come from the same sort of religious conviction? Because Paul Watson is the charismatic founder of a movement, can he be called a prophet? Can his life-changing experience be labeled a religious conversion? These questions are difficult to answer and any attempt to correlate them with a theory or definition of religion will remain arbitrary unless activists begin to characterize themselves as such--something they have resisted.

The fact that some scholars have called them religious may stem from the fact that because anti-whaling activism is difficult to categorize as strictly a political, economic, or social phenomenon, scholars tend to want to see it as something connected to intangibles. In other words, the category of religion seems to come into play when other categories are perceived to have fallen short.

The question regarding the potentially religious nature of anti-whaling activism speaks to the larger disciplinary discussion concerning the definition of religion. As W. Richard Comstock has noted, there simply is no "norm through which to distinguish essential from [the] nonessential. . . ." when it comes to calling something religious or non-religious.[207] In 1984, Comstock posed the problem of normative definitions in the form of a question: "Should a creature with human thought, an insect's body, a lack of emotions and a penchant for tobacco be deemed a

---

[207]W. Richard Comstock, "Toward Open Definitions of Religion," *Journal of the American Academy of Religion*, 52:3 (September 1984): 501.

human being?"[208] That is to say that a human being is an ambiguous subject and cannot be defined easily as easily as it would seem in terms of various markers or traits by which it is distinguished from other species. The same principle applies to the category of religion, while many definitions have been proposed, it is difficult for one to formulate a set of requirements that don't leave out what might be regarded as important features by others. The flexibility offered by such ambiguity inherent in the term religion is, for Comstock, something of an advantage. He advocates "open definitions." a term slightly different from stipulative definitions in which one simply stipulates how he or she is using a term before using it.

An open definition, says Comstock, is "nothing more than a brief text initiating an open set of interconnected texts providing the linguistic context through which the sense of the word to be defined receives specification and clarification."[209] In other words, a definition of religion, or anything else, need not really be definite or closed, according to Comstock. It can be refined by new information and new thought, new data. In a sense, making a definition is a task that is never really finished (thus, an open definition avoids the closedness of a stipulative framework). This, of course, lends to the criticism that if making a definition is a never-ending process, what good can a definition be?

Comstock answers this by saying: "An open definition is a process of continuous interrogation rather than a definitive answer provided in advance of the

[208]Ibid. It is also the same sort of question an activist might pose: "If a whale possesses emotions and family bonds that are at least analogous to those found in human beings, might not they be eligible for a greater level of consideration when it comes to our hunting them?
[209]Ibid., 509.

empirical investigation that it initiates. It is a point of departure, not a conclusion."[210] The question is still, though, whether or not such an open definition can be applied to anti-whaling activism, and, if it can, at what point does the application of such definitions to subjects who are not self-described as religious stop? If "religion" as a category comes to be as flexible as that of its subcategory totemism, which has "come to be used in a wider and more relaxed way" to describe "the special kinship and/or ritual relationship between humans and animals in the widest sense" how can we, as scholars, ever hope to use it effectively or specifically?[211] One might argue that if scholars come to the point where religion can mean virtually anything, they may have also come to the point where it means virtually nothing. But Comstock's arguments are still useful and he deserves a great deal of credit for acknowledging the limits of the terminology while at the same time understanding that these limitations do not impose an end to the discipline of religious studies. Rather they suggest new areas of inquiry which need to be addressed in order for the field to move forward.

Comstock's project seems to be in response to questions raised earlier in the history of religious studies about the boundaries of the field as new or alternative religions began to attract attention. The sociologist Charles Lemert, identified the implications of the prominence of these younger traditions and argued that definitions of religion need to be more inclusive because of the emergence of what he calls "non-church religions," saying:

Our topic clearly requires risk on the side of inclusive definitions. If in

[210]Ibid., 510.
[211]Bleakley, 134. The problem with such relativism is that it raises more questions than it answers. For example, are pets totems?

> *the end it is possible to speak empirically of non-church religion, we will undoubtedly be referring to emergent forms of religion that cannot be expected necessarily to have analogues in primitive or traditional religion. We may take this risk legitimately if we understand inclusive in the precise sense of the broadest definition that still refers to phenomena that can be explicitly described as religion.*[212]

If scholars do accept a program of inclusiveness, then open definitions may indeed have their uses by allowing scholars to travel outside traditional avenues and sites of investigation. By broadening the scope of investigation in general, it may eventually become clearer what exactly the "precise sense" of which Lemert writes actually is. In other words, Lemert identified the issue and Comstock, writing later, attempted to formulate a potential solution.

While Lemert, Pap and Comstock all wrote about religion in the 1970s and 1980s, the debate over definitions of religion has continued. Jonathan Z. Smith famously claimed that religion has "no independent existence apart from the academy" and this assertion has been the basis, implicitly or explicitly, for a great deal of scholarly argument in recent years.[213] For example, in 1997 Russell McCutcheon claimed that "[l]ike the category of myth . . . *sui generis* religion is a constructed, analytical tool, with an occluded *manufacturing* history and disguised material implications."[214] Further, McCutcheon argues that "the trace of the concept religion's construction is overlooked, ignored, or possibly disguised; sui generis religion is to that degree an ideological construct whose authority is based on its

---

[212] Charles Lemert, "Defining Non-Church Religion," *Review of Religious Research* 16:3 (Spring 1975): 186.
[213] Jonathan Z. Smith, *Imagining Religion: From Babylon to Jonestown,* (Chicago: University of Chicago Press, 1982), xi.
[214] Russell T. McCutcheon, *Manufacturing Religion: The Discourse on Sui Generis Religion and The Politics of Nostalgia*, (New York: Oxford University Press, 1997), 5.

supposed autonomy."[215] Comstock, to his great credit, had anticipated such questions and criticisms. He writes, "The claim that religion is a recent invention is a vivid way of making the point that the word 'religion' as now used by scholars has the stipulated meaning they have assigned to it, not one determined by some religious quality inherently present in the data to which the word is supposed to refer."[173] That is to say, that defining the word religion by means of saying what religion really is, is less important than defining the word religion in terms of how it can be used or how it has been used. In the former case, what we might call the essential definition, we are trapped by the problem of what the essence of something might even be:

> *There is, of course, no difficulty in assigning by stipulation one meaning rather than another to a term; but it is not possible to demonstrate that the one selected is the essential meaning of the term in a way that the rejected options are not . . . This is so because the notion of a primary or essential feature is unclear. However, those who seek the primary or essential meaning of a term are after something more. They want the essential aspect of the meaning in the sense of that which necessarily belongs to it and without which its true or normative sense has not been designated . . . it turns out that every attempt to specify such an essence exacerbates the very tangle of hopeless confusions for which it is offered as a solution; and the solution itself proves to be elusive and incapable of realization*.[216]

Of course, neither Smith nor McCutcheon suggest that religion as a subject of study ought to be abandoned.[217] As Hans Penner points out, Smith's observations in

---

[215] Ibid.
[216] Comstock, 504.
[217] Lars Albinus, in his review of McCutcheon's work, has characterized McCutcheon's mission in the following way: "The goal is to change the perspective from a naïve or ideologically charged notion of religion as a reality *sui generis* to a critical, genealogical description of the social and historical conditions of possibility for defining something within the category of "religion" in the first place." Lars Albinus, "The Discipline of Religion," *Journal of the American Academy of Religion* 74:2 (2006); 284.

particular put scholars in a position of having "no privileged material . . . no boundary . . . to restrict their investigation."[218] This fact certainly reshapes the field of study, but does not destroy it. Smith concludes his remarks with a statement on methodology:

> *The student of religion must be able to articulate clearly why 'this' rather than 'that' was chosen as an exemplum. His primary skill is concentrated in this choice. This effort at articulate choice is all the more difficult, and hence all the more necessary, for the historian of religion who accepts neither the boundaries of canon nor of community in constituting his intellectual domain, in providing his range of exempla.*[219]

Comstock and Smith both essentially argue that it is not necessary to identify the irreducible essence of "religion" in order to study it. Indeed, there seems to be something of an advantage in the very fact that religion is a construction. While it is somewhat specious to connect religious studies or anything like it to the natural sciences too closely, when it comes to investigations, scholars need to acknowledge, as is done in the sciences, that they are always ongoing, unending, constantly subject to new data and interpretation. If an essential definition of religion were possible, the whole field of investigation would essentially be done with and no one would be bothering to read this investigation or one like it: "it would be a serious misunderstanding of the function of a definition to expect it to provide an answer to this question which can only be obtained, if at all, at the end of the process of exploration. Any open definition of religion sets the scholar on his way. It does not

---

[218] Hans Penner, "Creating the Object for the Study of Religion," *History of Religions* 23:3 (1984): 266.
[219] Smith, xi.

announce for him the end of his search, if there is an end."[220] That is to say, scholars can certainly claim that religion is a constructed term, but that does not eliminate the importance of the term itself and the phenomenon that it refers to when it is used. Victoria Harrison has echoed this sentiment: "Is it the case, however, that terms with no clear meaning are not analytically useful and should be eliminated from our discourse?"[221] Harrison continues with the assertion that "A vague concept typically has a range of applications that are undisputed alongside other possible applications in which there is no clear answer to the question of whether or not the concept is appropriately applied."[222] That is to say that Harrison is more or less in agreement with Comstock. It is true that religion is a constructed term and that it is a vague one at that, but this does not necessarily make it useless. Similarly, Talal Asad has argued that "there cannot be a universal definition of religion, not only because its constituent elements and relationships are historically specific, but because that definition is itself the historical product of discursive process," and, to this end, scholars are left to define how they use the term on case-specific bases.[223]

Asad has put himself on the side of stipulative definitions. As the linguist Arthur Pap observed, stipulative definitions are merely proposals: "[o]ne can accept or reject

---

[220] Ibid., 514.
[221] Victoria S. Harrison, "The Pragmatics of Defining Religion in a Multicultural World," *International Journal for Philosophy of Religion* 59 (2006): 145.
[222] Ibid.
[223] Talal Asad, Genealogies of Religion: Discipline and Reasons of Power in Christianity and Islam, (Baltimore: Johns Hopkins University Press, 1993), 29.

a proposal; but since to make a proposal is not to assert anything, the question of truth or falsehood is inappropriate."[224]

I would suggest that open definitions and stipulative definitions are mutually beneficial to the scholar: if an open definition begins to help define the boundaries of a term, a stipulative definition may attempt to highlight what the person employing it regards as the most important features within those boundaries as they shrink or expand. Thus, a scholar who stipulates his or her definition can come to conclusions by inviting his readers to accept, however tentatively, a proposition for the sake of argument. (The problem with such definitions is of course that they create closed systems in which conclusions may only be reached if one agrees to their premises).

Robert Baird argues that while stipulative definitions may be subject to premises, there are such things as premises which are good or bad: "functional [stipulative] definition are semi-arbitrary in that they are not proved by data-documentation, but are thereby judged as to their applicability and usefulness."[225]

Thomas Tweed has also argued that definitions of religion, however stipulative or inexact they may be, are a scholarly requirement. This assertion, from his book Crossing and Dwelling, is worth quoting at length:

> *Scholars, I have argued, have role-specific obligations . . . to enter the debates about how to define the fields constitutive term. We are stuck with the category religion, since it fixes the disciplinary horizon, and our use of it can be more or less lucid, more or less self-conscious. So we are obliged to be as clear as possible about the kind of definition we are offering and the orienting tropes that inform it.*[226]

---

[224] Arthur Pap, "Theory of Definition," *Philosophy of Science* 31:1 (January 1964): 49.
[225] Robert D. Baird, Category Formation and the History of Religions (Paris: Mouton & Co., 1971), 7.
[226] Thomas A. Tweed, Crossing and Dwelling: A Theory of Religion (Cambridge, MA: Harvard University Press, 2006), 53.

This assertion, in turn brings me to a question more specific to the case of the anti-whaling activists with which this study has been so concerned. The question of whether or not it is religious is not one that I am prepared to answer. Rather, I believe it is important to ask whether the discipline of religious studies has any business at all in evaluating or forwarding such a claim. The answer is, in short, yes. This owes to the fact that those outside the discipline have already made the claim and so it becomes important for those familiar with the debate over definitions to engage themselves in such instances when the term "religion" is brought out in a context that is not overtly religious. Such evaluations, regardless of their outcomes, need to be made so that they do not take the same road that claims about totemism found themselves going down. I have criticized Taylor previously and it should be apparent at this juncture that this criticism needs to be tempered. It was not he, after all, who first made claims about perceived human-animal relationships being religious in nature. Rather, what Taylor has attempted to do is circumscribe such conclusions within a useful framework. If "Dark Green Religion" is to value species above and beyond their usefulness to humanity, he asks, how and where can such a concept be applied and what are its secondary features. That is not to say that Taylor's is the only such framework.

Thomas Tweed has stipulated that "[r]eligions are confluences of organic-cultural flows that intensify joy and confront suffering by drawing on human and

suprahuman forces to make homes and cross boundaries."[227] While I will not attempt to account for correspondences between this definition and the activities of anti-whaling activists as I have done for Lane, I will note that Tweed, in addition to providing us with yet another useful framework has also suggested what might be an entry point into understanding how anti-whaling activism might be religious by nature. Tweed discusses the use and creation of artifacts in conjunction with his definition, writing that "artifacts anchor the tropes, values, emotions, and beliefs that institutions transmit…."[228] Such artifacts exists for the anti-whaling movement, they exists in the form of the works of Christian Lassen as an artists and of Paul Watson as a writer and on the numerous hats, t-shirts, coffee mugs and other paraphernalia that SSCS produces for sale and distribution. These artifacts exists separately perhaps from symbols in that they bear the image of the symbol and act as a vehicle for its dissemination, both inside and outside the movement.

To say that either Lane, Tweed, or Taylor provides us with the only approach to understand the topic at hand as religious would be foolish, just as foolish as maintaining that religion is one kind of phenomenon and that this phenomenon only takes on certain forms that are, to any eye, as clearly and overtly religious as a ceremony that mentions a God or gods. One of the most useful things about programs of open and stipulative definitions is that they often invoke that which is suprahuman as opposed to superhuman. This allows one to look at the whale as something that contains a power different from that of humans but not necessarily greater or above it.

---

[227] Ibid., 54.
[228] Ibid., 68.

It has been apparent to religious studies scholars for some time now that the presence of a god or gods in a tradition is not the only thing that can make it religious in nature. What Lane, Taylor, and Tweed do provide us with is a way of evaluating claims that anti-whaling activists are religious in ways which are instructive. This is something that the claims made by Kalland and Van Ginkel cannot do.

In short the claim that anti-whaling activists are totemizers specifically, or religious generally, has more or less forced the hand of religious studies scholarship. The claim has been made. It is therefore not only required that scholars like my self dispute such claims where it is necessary (as in the case of Kalland and Van Ginkel), but also to examine the ways in which such claims might potentially have merit (which is the project of Taylor).

We must approach such projects cautiously, however, for there is another dimension to calling anti-whaling activism religious or totemistic. The fact of the matter is that, in general, the activists themselves tend to resent such characterizations because it is often used as a tool to undermine their aims. The popular author and pundit Michael Crichton, used such a characterization to lambaste the environmental movement, as well as "religion," in a speech to the Commonwealth Club of San Francisco in 2003:

> *The reason to abandon environmental religion is more pressing. Religions think they know it all, but the unhappy truth of the environment is that we are dealing with incredibly complex, evolving systems, and we usually are not certain how best to proceed. Those who are certain are demonstrating their personality type, or their belief system, not the state of their knowledge.*[229]

[229] Michael Crichton, "Remarks to the Comonwealth Club," San Francisco, September 15, 2003,

Environmentalists, in such instances, feel that they are not being taken seriously (and in the above case, they clearly are not).

If scholars are to truly understand anything about anti-whaling activism, they first need to understand the ways in which the activists understand themselves. Otherwise they are guilty of the same kind of universalism that is inherent in suppositions about totemism and the "Green Indian." Many scholars who follow Kalland and Van Ginkel's theoretical lead also follow their lead in assuming that because anti-whaling activists supposedly are religious, their efforts need not be taken seriously (recall how amused Christopher Stone was by Kalland's "stab"). This is hardly the place for any scholar to start an investigation. Perhaps activists are religious, but calling them such and leaving it at that (as so many who have cited Kalland or Van Ginkel do) without further investigation tends only undermine our understanding and to raise the ire of our subjects to the point that further understanding becomes extremely difficult. Kalland and Van Ginkel, to wit, have applied the theory of totemism to activists precisely because they seek to undermine their position. It is not unlike Freud's project of attempting to show that religion amounts to neuroses. They seem to believe that because activists are engaged in what they see as religiously based activities and rhetoric (which has no long history behind it), their arguments need not be given the same weight as purely scientific ones.

It is worth pointing out that Kalland and Van Ginkel both hail from cultures that had strong whaling traditions, and Van Ginkel, in particular has spent a great deal

---

<http://www.perc.org/publications/articles/Crichtonspeech.php> (accessed May 11, 2008).

of time with coastal fishermen who have seen their livelihoods suffer in light of numerous factors like ocean warming and the international whaling ban. Whether or not Van Ginkel's sympathies lead him to the questionable claims I have spent these pages reviewing is difficult to say. It is fair to say that he and Kalland both believe that anti-whaling activists have constructed or imagined a relationship with cetaceans that is not founded in science or in any long tradition and because of this fact they have no grounds to oppose the Makah or any other group with a longer history of such human-animal relationships (which, I must point out, are also constructions). This difficulty aside, one must acknowledge that, constructed or not, such perceived relationships between humans and animals or humans and environment have played a crucial role in motivating people to work actively to preserve species and ecology. Certainly these relationships are fair game for critique, but scholars ought to be weary of dismantling them entirely. After all, it was activism in part that helped increase whale populations to levels where hunting them could conceivably begin again in the first place.

Ultimately, one may conclude that painting activists as totemizers is just as specious a proposition as claiming that all Native Americans fit (now and in the past) into an ecologically responsible mould, or were totemizers themselves. The case of the activism against Makah whaling is simply one example. Both Native Americans and anti-whaling activists have, at one time or another, been shoehorned into a theoretical system that does little if anything to explain the reasons for what they actually do, think, or feel. If a broader lesson can be drawn from a study such as this,

it is that scholars must conduct their investigations first, and then, if it appears possible, attempt an explanation of the facts they have uncovered or the formulation of an interpretive framework for such an explanation—as Baird suggests. The alternative is to come up with the explanation (or the framework) first and then to force-fit evidence into it. Such practices are hardly productive. The Makah case then was one of mirrored reasoning on the part of activists and scholars. Activists relied on outdated and specious ideas about what Native Americans are or should be and in turn, scholars revived outdated terminology to describe the behavior of activists. Environmental totemism as a concept, in this instance, is conceptually similar to the essentialization of Native American populations as being in harmony with nature.

In this thesis I have given a brief history of the conflict in Neah Bay, Washington. I have characterized the rhetoric of those opposed to new Makah whaling in terms of the "Green Indian" stereotype and evaluated the claims of scholars that this rhetoric is the result of the opposition's having totemized whales. I have also questioned the rehabilitation of the term totemism itself and summarily enumerated the ways in which its use by scholars in recent years has been at once ironic, inappropriate, and largely incoherent, while leaving the door open for further religious studies investigations about the potentially religious nature of the activism.

Works Cited

"1855 Treaty of Neah Bay." University of Washington Libraries Digital Collections. <http://content.lib.washington.edu/cdm4/document.php?CISOROOT=/lctext&CISOPTR=1576&CISOSHOW=760>.

Alasuutari, Pertti. *Researching Culture: Qualitative Method and Cultural Studies*. Thousand Oaks, CA: Sage Publishers, Inc., 1995.

Albinus, Lars "The Discipline of Religion." *Journal of the American Academy of Religion* 74:2 (2006); 284-287.

American Cetacean Society Online. "Gray Whale." <http://www.acsonline.org/factpack/graywhl.htm>.

Anderson, Ross. "Lawyers spar in court over Makah whaling." *The Seattle Times*. Tuesday, February 8, 2000. <http://archives.seattletimes.nwsource.com/cgi-bin/texis.cgi/web/vortex/display?slug=4003681&date=20000208>.

Asad, Talal. *Genealogies of Religion: Discipline and Reasons of Power in Christianity and Islam*. Baltimore: Johns Hopkins University Press, 1993.

Baird, Robert D. *Category Formation and the History of Religions*. Paris: Mouton & Co., 1971.

Berkhofer, Jr., Robert. *White Man's Indian: Images of the American Indian from Columbus to the Present.* New York: Alfred A. Knopf, 1978.

Bleakly, Alan. *The Animalizing Imagination: Totemism, Textuality and Ecocriticism*. New York: Macmillan Press, Inc., 2000.

Blok, Anders "Contesting Global Norms: Politics of Identity in Japanese Pro-Whaling Countermobilization." *Global Environmental Polictics* 8:2 (May 2008): 39-66.

Blow, Rixhard. "The Great American Whale Hunt." *Mother Jones*. September/October 1998. <http://www.motherjones.com/news/feature/1998/09/blow.html>.

Bray, J. "Makah Whale Hunt." Whales on the Net. <http://whales.magna.com.au/alert/makah/bray.html>

Caron, David D. "The International Whaling Commission and the North Atlantic Marine Mammal Commission: The Institutional Risks of Coercion in Consensual Structures." *Journal of International Law* 89:1 (January 1995): 154-174.

Colnett, James. *A Voyage to the Northwest Side of America: The Journals of James Colnett*. Vancouver: University of British Columbia Press, 2004.

Comstock, W. Richard. "Toward Open Definitions of Religion." *Journal of the American Academy of Religion* 52:3 (September 1984): 499-517.

Crichton, Michael. "Remarks to the Coomnwealth Club." San Francisco. September 15, 2003. <http://www.perc.org/publications/articles/Crichtonspeech.php>.

"Edward Curtis's The North American Indian." Northwestern University Digital Library Collections <http://curtis.library.northwestern.edu/curtis/toc.cgi?sec=nai.11.book,&psec=#nai.11.book>.

Dark, Alx. "The Makah Whaling Conflict: The Return to Whaling." Native Americans and the Environment, National Council for Science and the Environment. 2000. <http://ncseonline.org/nae/cases/makah/m2.html>.

Dawkins, Richard. *The Selfish Gene*. Oxford: Oxford University Press, 1989.

Deloria, Jr., Vine. "Christianity and Indigenous Religion: Friends or Enemies." In *For This Land: Writings on Religion in America*. New York: Routledge, 1999.

Deloria, Jr., Vine. "Missionaries and the Religious Vacuum." In *For This Land: Writings on Religion in America.* New York: Routledge, 1999.

Dougherty, John. "Resurrection: After a 70-year hiatus and a confrontation with the world, the Makah tribe resumes its communion with the gray whale." *San Francisco Weekly*. July 11, 2001. <http://www.sfweekly.com/2001-07-11/news/resurrection/1>.

Durkheim, Emile. The *Elementary Forms of the Religious Life*. Translated by Joseph Ward Swain. New York: The Free Press, 1965.

Ellen, Roy F. "What Black Elk Left Unsaid: On the Illusory Images of Green Primitivism," *Anthropology Today* 2:6 (December 1986): 8-12.

Ellingson, Ter. *The Myth of the Noble Savage*. Berkeley: University of California Press, 2001.

"Environmentak Assessment on Issuing a Quota to the Makah Indian Tribe for a Subsistence Hunt on Grey Whales for the Years 2001 and 2002." Prepared by U.S. Department of Commerce National Oceanic and Atmospheric Administration National Marine Fisheries Service. July 12, 2001.

Fabian, Johannes. *Time and the Other: How Anthropology Makes its Object*. New York: Columbia University Press, 1983.

Fortes, Meyer."Totem and Taboo." Proceedings of the Royal Anthropological Institute of Great Britain and Ireland" 1966 (1966). 5-22.

Freud, Sigmund. *Totem and Taboo: Some Points of Agreement Beteween the Mental Lives of Savages and Neurotics*. Translated by James Strachey. New York: W.W. Norton and Company, Inc., 1950.

Geertz, Clifford. "The Cerebral Savage: On the Work of Claude Lévi-Strauss." In *The Interpretation of Cultures.* New York: Basic Books, Inc., 1973.

Geertz, Clifford. "Religion as a Cultural System." In *The Interpretation of Cultures*. New York: Basic Books, Inc., 1973.

Goldenweiser, Alexander. "Totemism: An Analytical Study." *The Journal of American Folklore* 23 (1910): 179-293.

Harkin, Miachael E. and David Rich Lewis. "Introduction." In *Native Americans and the Environment: Perspectives on the Ecological Indian*. Lincoln: University of Nebraska Press, 2007.

Harrison, Victoria S. "The Pragmatics of Defining Religion in a Multicultural World." *International Journal for Philosophy of Religion* 59 (2006): 139-155.

Hughes, J. Donald. *North American Indian Ecology*. El Paso: Texas Western Press, 1996.

"James Gilchrist Swan." *The Online Encyclopedia of Washington State History* <http://www.historylink.org/essays/output.cfm?file_id=5029>.

Jones, Robert Alun. *The Secret of the Totem: Religion and Society from McClennan to Freud*. New York: Columbia University Press, 2005.

Kalland, Arne. "Management by Totemization: Whale Symbolism and the Anti-Whaling Campaign." *Arctic* 46:2 (June 1993): 124-133.

Kantor, Andrew. "The Makah tribe's version of 'cultural purposes.'" <http://www.kantor.com/blog/2007/09/the-makah-tribes-version-of-cultural-purposes-4/>.

Katchadourian, Raffi. "Neptune's Navy: Paul Watson's wild crusade to save the oceans." *The New Yorker*. 5 November 2007. <http://www.newyorker.com/reporting/2007/11/05/071105fa_fact_khatchadourian?currentPage=9>.

Kehoe, Alice B. "Eliade and Hultkrantz: The European Primitivism Tradition." *American Indian Quarterly* 20:3/4 (Summer - Autumn 1996): 377-392.

Kornfeld, Eva. "Encountering 'the Other': American Intellectuals and Indians in the 1790s," *The William and Mary Quarterly* 52:2 (April 1995): 287-314.

Krech III, Shephard. The *Ecological Indian: Myth and History.* New York: W.W. Norton and Co., 1999.

Kuper, Adam. *The Reinvention of Primitive Society: Transformations of a Myth*. New York: Routledge, 2005.

Lane, Belden C. "Giving Voice to Place: Three Models for Understanding American Sacred Space." *Religion and American Culture* 11:1 (Winter 2001): 53-81.

Lemert, Charles. "Defining Non-Church Religion." *Review of Religious Research* 16:3 (Spring 1975). 186-197.

Lévi-Strauss, Claude. *Totemism*. Translated by Rodney Needham. Boston: Beacon Press, 1963.

Makah Website. "Makah Cultural and Research Center." <http://www.makah.com/mcrchome.htm>.

Makah Website. "Makah Whaling Tradition." <http://www.makah.com/whalingtradition.html>.

Makah Website. "Our History." <http://www.makah.com/history.html>.

Makah Website. "Our Language." <http://www.makah.com/language.htm>.

Makah Website "Ozette." <http://www.makah.com/ozette.htm>.

Makah Website. “Q&A.” <http://www.makah.com/makahwhalingqa.pdf>.

Makah Website. “Recent Makah Whaling.” <http://www.makah.com/whalingrecent.html>.

Malinowski, Bronislaw. *Magic, science, and religion, and other essays*. Westport, CT: Greenwood Press, 1984.

McCutcheon, Russell T. *Manufacturing Religion: The Discourse on Sui Generis Religion and The Politics of Nostalgia*. New York: Oxford University Press, 1997.

Noble, David W. *The Paradox of Progressive Thought.* Minneapolis: University of Minnesota Press, 1958.

Orrù, Marco and Amy Wang. “Durkheim, Religion, and Buddhism.” *Journal for the Scientific Study of Religion* 31:1 (March 1992): 47-61.

Pals, Daniel. *Eight Theories of Religion*. Second Edition. New York: Oxford University Press, 2006.

Pap, Arthur. “Theory of Definition.” *Philosophy of Science* 31:1 (January 1964): 49-58.

Penner, Hans. “Creating the Object for the Study of Religion.” *History of Religions* 23:3 (1984): 266-269.

Peterson, Melissa. “Makah.” In *Native Peoples of the Olympic Peninsula: Who We Are*. Edited by Jacilee Wray. Norman: University of Oklahoma Press, 2002.

Pierce Erickson, Patricia. “A-Whaling We Will Go: Encounters of Knowledge and Memory at the Makah Cultural and Research Center.” *Cultural Anthropology* 14:4 (November1999): 556-583.

Pierce Erickson, Patricia. *Voices of a Thousand People: The Makah Cultural and Research Center*. Lincoln: University of Nebraska Press, 2002.

Reeves, Randall R. “The origins and character of ‘aboriginal subsistence’ whaling: a global review.” *Mammal Review* 32:2 (2002): 71-106.

Renker, Ann M. and Erna Ginther. “The Makah.” In *The Handbook of North American Indians* (Washington, D.C.: Smithsonian Institution, 1990).

Renker, Ann M. and Greig W. Arnold. "Exploring the Role of Education in Cultural Resource Management: The Makah Cultural and Research Center Example." *Human Organization* 47:4 (1998): 302-307.

Renker, Anne M. "The Makah Tribe: People of the Sea and the Forest." University of Washington Libraries Digital Collections. <http://content.lib.washington.edu/aipnw/renker.html#location>.

Renker, Anne M. "Whale Hunting and the Makah Tribe: A Needs Statement." (April 2007).

Riley, Carroll L. "The Makah Indians: A Study of Political and Economic Organization." *Ethnohistory* 15:1 (Winter 1968): 57-95.

Rosenberg, Eric. "Makah hopeful about whaling again by 2010." *Seattle Post-Intelligencer*. January 13, 2008. <http://seattlepi.nwsource.com/local/347208_makah14.html>.

Russell, Dick. The Eye of the Whale: Epic Passage From Baja To Siberia. Chicago: Island Press, 2004.

Sea Shepherd Conservation Society. "About." <http://www.seashepherd.org/about-sscs.html>.

Sheehan, Bernard W. "Paradise and the Noble Savage in Jeffersonian Thought." *The William and Mary Quarterly* 26:3 (July 1969): 327-359.

Showalter, Stephanie. "Makah Whaling Plans Delayed Again." Sea Grant Law Center, University of Mississippi. <http://www.olemiss.edu/orgs/SGLC/SandBar/2.1whale.html>.

Shukovsky, Paul. "Makah 'treaty warriors': Heroes or criminals? Whaling case has political implications for all U.S. tribes." *Seattle Post-Intelligencer*. Updated March 16, 2008, 11:10 p.m. <http://seattlepi.nwsource.com/local/355205_makah17.html?source=mypi>.

Shukovsky, Paul and Mike Barber. "'Resident' gray whales now fair game for Makah." *Seattle Post-Intelligencer*. Saturday, July 14, 2001. <http://seattlepi.nwsource.com/local/31319_makah14.shtml>.

Smith, Jonathan Z. *Imagining Religion: From Babylon to Jonestown.* Chicago: University of Chicago Press, 1982.

Stone, Christopher D. "Summing Up: Whaling and Its Critics." In *Toward a Sustainable Whaling Regime.* Edited by Robert L. Friedheim. Seattle: University of Washington Press, 2001.

Sullivan, Robert. *A Whale Hunt*. New York: Scribner's, 2000.

Swan, James G. *The Indians of Cape Flattery: At The Entrance to the Strait of Juan De Fuca, Washington Territory*. <http://www.secstate.wa.gov/history/publications_view.aspx?pub=74&p=8&i=images/publications/SL_swanindians/directory.djvu>.

Taylor, Bron. "A Green Future for Religion?" *Futures* 36 (2004): 1-19.

Tweed, Thomas A. *Crossing and Dwelling: A Theory of Religion*. Cambridge, MA: Harvard University Press, 2006.

U.S. Fish and Wildlife Service. "Species Report: Gray Whale." <http://ecos.fws.gov/speciesProfile/SpeciesReport.do?spcode=A02P>.

Van Ginkel, Rob. "Makah Whaling and Leviathan's Death: Reinventing Tradition and Disputing Authenticity in the Age of Modernity," *Etnofoor* XVII (2004): 58-89.

Wagner, Roy. "Totemism." In The Encyclopedia of Religion, 2nd Edition, Vol. 13. Lindsay Jones, editor in chief. Detroit: Macmillan Reference USA, 2005.

Watson, Paul. "The Aquatic Ape." *Ocean Realm* (Spring 2001). Reprinted at: <http://www.seashepherd.org/ocean_realm/ocean_realm_spr01.html>.

Watson, Paul, "Five Incompetent Makah Make a Mockery of Traditional Whaling." Sea Shepherd Conservation Society. 11 November 2007. <http://www.seashepherd.org/editorials/editorial_071123_1.html>.

"When the Animals and Birds Were Created." Native Languages of the Americas. <http://www.indigenouspeople.net/created.htm>.

Yearly, Steven. "Green Ambivalence About Science: Legal-Rational Authority and the Scientific Legitimation of a Social Movement." *The British Journal of Sociology* 3:4 (December 1992): 511-532.

Zumwalt, Rosemary. "Arnold van Gennep: The Hermit of Bourg-la-Reine." *American Anthropologist* 84:2 (June 1982): 299-313.

"Admiral, if we were to assume these whales were ours to do with as we pleased, we would be as guilty as those who caused their extinction."

-Mr. Spock (Leonard Nimoy), Star Trek IV: The Voyage Home, 1986