

British whaling policy in the 1970s

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Abstract: The United Kingdom conducted pelagic whaling in the Antarctic Ocean until the mid-1960s and took a moderate position in the International Whaling Commission (IWC) after its establishment in 1946. The UK's stance changed in 1972, when the government supported a 10-year moratorium on commercial whaling at the United Nations Conference on the Human Environment as well as the IWC. The UK has consistently backed moratorium motions since 1972 and is now a leading anti-whaling nation, insisting that no kind of commercial whaling should be permitted. The purpose of this paper is to examine why the UK altered its policy on whaling and whale conservation in the 1970s and to shed light on the decision-making processes that affected government whaling policy in this pivotal period.

Keywords: International Whaling Commission, the United Kingdom, whaling, Friends of the Earth.

1. Introduction

All commercial whaling has been banned since the International Whaling Commission (IWC) introduced a commercial whaling moratorium in 1982. Although the member nations of the IWC agreed to use a revised catch-limit calculation method in 1994, no agreement was reached on an international inspection and verification system. This has prevented the IWC from resuming commercial whaling activities.

The moratorium proposal was first tabled at the United Nations Conference on the Human Environment (UNCHE) in 1972 under the initiative of the United States. The moratorium proposal was one of the highlights of the conference and was passed by an overwhelming majority of votes. Although the IWC initially rejected the recommendation, it gradually tightened whaling regulatory measures before finally adopting an indefinite commercial whaling moratorium in 1982.

Since the UNCHE, the UK has consistently pledged its support for US-initiated proposals to prohibit commercial whaling and it is now one of the leading anti-whaling nations in the IWC. Given that the UK has both participated

in and shown sympathy for commercial whaling activities in the past, its position on whaling raises a number of questions. Why did the UK change its policy in 1972? What concerns occupied its bureaucrats and scientists in the 1970s? How has UK whale conservation policy evolved thereafter? Although numerous articles have dealt with international whaling policy in the 1970s, the exploration of British whale conservation policy in this period has been minimal. This paper examines UK whaling politics at the international level, particularly in the IWC — as well as domestic measures prohibiting the importation of whale products into the UK — to shed light on the UK government's internal decision-making processes.

2. Whaling regulation at the international level

2.1 The IWC and whaling regulation from 1946 until the 1960s

The International Convention for the Regulation of Whaling was negotiated and adopted by 15 states¹ during the IWC of 1946. The Convention consists of 11 articles, which stipulate the function and the mandate of the IWC, and the Schedule which provides for concrete regulatory measures. The IWC initially comprised a Finance and Administration Committee, a Technical Committee and a Scientific Committee.² Proposals for amendments of the Schedule were considered by the Scientific Committee, discussed at the Technical Committee and tabled for adoption at the plenary.³ Now, as in the past, each member country is represented by a commissioner, who is assisted by experts and advisers. Recommendations to the contracting governments and changes to the Rule of Procedures can be adopted by a simple majority but amendments to the Schedule must be supported by three quarters of the votes.

The main whaling ground in 1946 was the Antarctic Ocean, where fleets from Japan, the Netherlands, Norway, the Soviet Union and the UK conducted their operations. The IWC set a total catch limit under the Blue Whale Unit (BWU) system, in which one blue whale was equal to two fin whales, two-and-a-half humpback whales or six sei whales. The whaling conference held in 1944 had adopted 16,000 BWU as the total catch limit in the Antarctic Ocean and the IWC initially inherited this quota. Although many scientists noticed the rapid and severe depletion in the population of great whales in the 1950s, the IWC reduced the catch quota by no more than 1,500 BWU and did little to protect whales from over-exploitation. This was because scientific knowledge of whales was as yet inadequate and scientists from whaling nations refrained from recommending drastic cuts at the Scientific Committee, since their respective whaling industries opposed such measures (Sanada 2007a: 93–95).

A special meeting of the IWC held in 1965 redressed this problem to some extent. The IWC had set up a special committee of scientists, drawn from countries not engaged in Antarctic whaling, in 1960 under the initiative of the UK and the US. Reports published by this special committee presented its estimates of whale populations to show the devastation of whale populations in the Antarctic Ocean and to call for drastic action. The IWC special meeting in 1965 paid heed to these reports, reducing the catch quota to 4,500 BWU (Sanada 2009). Further catch quota reductions were intended to arrest the depletion of whale populations. However, regulatory measures have since proved to be insufficient for reasons relating to four main factors:

1) *Continued use of the BWU management system to set the catch quota.* Although the Scientific Committee repeatedly recommended that the BWU limit should be abolished and replaced by total numerical quotas for the different species, whaling nations remained firmly opposed to such quotas.

2) *Inadequacy of scientific knowledge.* When severe depletion of blue and humpback whale populations prompted the IWC to prohibit the slaughter of these species in the mid-1960s, whaling nations simply targeted sei, fin and sperm whales instead. The discovery of new scientific knowledge about the age determination of fin whales prompted some scientists to insist that catch quota reductions in the latter half of the 1960s were too lenient to prevent fin whale numbers from decreasing to a dangerously low level. A debate over population estimates ensued between US and Canadian scientists, who recommended total catch quota reduction, and Japanese scientists, who refuted the need for further reductions (Sanada 2007b: 143).

3) *Circumvention of IWC regulations by member countries.* As the IWC reduced catch quotas in the Antarctic Ocean over the years, Japan and the Soviet Union intensified the slaughter of whales in the North Pacific, where there was no regulation of catch limits under the IWC. Even though Iwao Fujita, Japanese Commissioner to the IWC from 1957 to 1975, admitted that whaling in the Pacific was “surely excessive” (Fujita 1980: 650), quota regulation in the North Pacific under the IWC was delayed until 1970 owing to conflict over national quotas between Japan and the Soviet Union. Japanese whaling companies further circumvented IWC prohibitions by carrying out whaling operations in non-member countries (Sanada 2007b: 143–44).

4) *Under-reporting of catch sizes.* The Soviet Union routinely under-reported its whaling catch statistics and slaughtered threatened species

such as humpbacks. Other whaling nations were aware that illegal hunting was taking place but did not broach the issue in the IWC because they lacked definitive evidence. Japanese coastal whalers also routinely under-reported their catch of sperm whales (Kondo and Kasuya 2002; Kondo 2001). An attempt by IWC member nations to establish an international observer scheme to prevent this kind of deception foundered when the Soviet Union repeatedly raised trivial objections, leading the negotiations to a dead end.

2.2 British whaling policy before the UNCHE

The UK was a leading whaling nation before World War II owing to an expansion in its pelagic whaling activities in the Antarctic Ocean in the 1920s. The IWC secretariat was located in the UK for this reason. Although the UK resumed whaling operations after the war, increased competition caused by the over-exploitation of the whale population in the Antarctic Ocean meant that the British whaling industry's obsolete factory ships lost out to newcomers Japan and the Soviet Union. The UK gradually reduced its fleets, finally selling its last whaling factory ship to a Japanese whaling company in 1963. After the cessation of hunting operations, interest in whaling decreased and British whaling policy was increasingly determined by a small number of scientists and bureaucrats from the Ministry of Agriculture, Fisheries and Food (MAFF) and the Foreign and Commonwealth Office (FCO). These British decision makers on whaling acknowledged that "it is abundantly clear that catch limits in the past have been over-generous and that the [International Whaling] Commission's aim to secure the conservation and rational exploitation of whale stocks has not been achieved".⁴ To rectify this situation, the UK supported the lowest catch limit among proposals tabled in the IWC. Presumably, as the UK no longer had an economic interest in whaling, it was easy for UK decision makers to advocate the adoption of stricter protective measures for great whales.

2.3 The United Nations Conference on the Human Environment and the British response

Concerns over whale conservation were increasingly voiced by environmentalists in the US from the late 1960s. The Secretary of the Interior, Walter J. Hickel, responded with an announcement in 1970 that eight species of great whales⁵ would be listed as endangered under the Endangered Species Conservation Act of 1969. In 1971, the US introduced a domestic ban on commercial whaling and an import ban on whale products. The last whaling company in the US ceased operations in the same year.

The IWC annual meeting, held in late June 1971, received extensive media coverage in the US, partly because the meeting was held there. The American delegation urged the introduction of an international observer scheme, species-by-species quotas and more conservative catch limits. Although member nations of the IWC agreed in principle to introduce quotas by species, the implementation of this measure was delayed for procedural reasons: the countries concerned were only able to agree on the framework for the international observer scheme and to initiate negotiations enforcing the scheme. The reduction of the catch limit adopted at the meeting was deemed lenient by the US delegation. The *New York Times* criticized the outcome as a “dismal fiasco,”⁶ and the result of the annual meeting was greeted with disdain in the US. The US House of Representatives subsequently adopted a unanimous resolution calling for a 10-year moratorium on all commercial whaling.

In the months that followed, the Soviet Union employed transparent delaying tactics to impede negotiations over the international observer scheme before further jeopardizing the scheme by allowing its whaling fleets to set sail to the Antarctic Ocean without international observers on board in October 1971. US officials from the Council on Environmental Quality strongly urged the IWC to enforce monitoring in the light of this development and the US Interior Secretary publicly announced support for a commercial whaling moratorium. Finally, in January 1972, the US Secretary of State for Commerce decided to propose or support a moratorium on commercial whaling at the upcoming UNCHE (Sanada 2007b).⁷

Support for whale conservation had been growing in the UK over the same time period. A BBC Horizon program about whaling aired on March 3 1971 “aroused enormous public indignation”⁸ by portraying whales as under threat and highlighting the fact that whales were processed into cat food. Noting that the US had already banned the import of whale products, the narrator suggested that Britain and other nations should follow suit.⁹ The Horizon program attracted attention from J. R. A. Bottomley, who was the Deputy Under Secretary of State and a high-ranking official in the FCO. After watching the TV program, Bottomley suggested to F. M. Kearns at MAFF: “I should... like to see us prohibit the importation of whale products into the United Kingdom and, if possible, persuade other European countries to follow suit.”¹⁰ Kearns observed that, although the IWC had previously “allowed [whale stocks] to reach a very low level before taking any effective action to conserve them”, catch levels in the Antarctic had been significantly reduced in recent years. Adding that “the extinction of great whales is not a foregone conclusion”, Kearns objected that “the pressure for an immediate cessation of commercial whaling rests on the

assumption that without it the whale stock will be extinguished”.¹¹ Kearns ended by proposing that MAFF should hold consultations to consider the issue further.¹² MAFF hosted several meetings with the FCO and a final consultation was scheduled to be held in mid June just after the UNCHE. Up until this point, MAFF officials were still maintaining that the British delegation should oppose the proposal for a whaling moratorium in the IWC meeting on the grounds that it was unnecessary. The comments of one MAFF bureaucrat to a Japanese embassy official, that “a 10-year total prohibition of whaling proposal by the United States... is scientifically groundless and, I have to say, that it is nonsensical” mirrored the views held by many MAFF officials and showed sympathy with the Japanese position.¹³

Aware that a Japanese amendment, which proposed to limit the scope of the moratorium to endangered species, was attracting a fair degree of support from other countries, the US pursued the moratorium proposal more vigorously. The US argued that, although the concept of establishing moratoria on endangered species was familiar to the IWC, its application at this stage would be a case of too little, too late. The US instructed all diplomatic posts located in participating countries to enlist support for a 10-year moratorium on all commercial whaling¹⁴ shortly before the UNCHE began. Intense lobbying for the moratorium proposal continued during the conference, with Maurice Strong, Secretary-General of the UNCHE, appearing at a non-governmental organization-sponsored rally for whale conservation held near the conference venue, stressing that the success of the conference hinged on the adoption of the moratorium resolution. A crowd of demonstrators marched through the streets near the conference hall on the next day and a 10-year moratorium proposal rapidly gained momentum among participating countries.

As the atmosphere of anti-whaling sentiment mounted, government representatives previously in favor of the Japanese position suddenly began to adopt a cautious attitude.¹⁵ Peter Walker, the UK Secretary of State for the Environment, and attendee at the UNCHE, concluded that it was difficult to oppose or abstain on the moratorium resolution. In a telephone conversation with MAFF Minister James Prior, Walker and Prior agreed that “the UK should abstain if possible but vote in favor if it was necessary to do so”.¹⁶ In the event, the UK decided to support the US-led resolution on a 10-year cessation of all commercial whaling. This non-legally binding resolution was subsequently adopted by an overwhelming majority, with 53 votes in favor, none against and three abstentions. At an inter-departmental meeting held just after the UNCHE, the FCO stressed that “the UK delegation should certainly not come out in flat opposition to the United States’ moratorium proposal”.¹⁷ A draft position paper

previously prepared by MAFF officials had instructed the UK to “positively oppose”¹⁸ the moratorium: this was quickly amended under the terms of new brief, to “make it clear that the UK delegation should support the US proposal, in the light of the Stockholm vote [on a 10-year moratorium]”.¹⁹

As a 10-year moratorium recommendation had been adopted by overwhelming majority at the UNCHE, the US tried to carry a temporary moratorium proposal at the IWC meeting held just after the UNCHE in an effort to enforce the recommendation. The motion for a 10-year moratorium received little support at the IWC, however. The Scientific Committee pointed out that “a blanket moratorium on whaling could not be justified scientifically” (IWC 1972a) and the Japanese delegation argued that it “is all too obvious that a proposal for a total ban on the taking of all whale species. . . has no sound scientific basis whatsoever” (IWC 1972b: 10), citing the results of the Scientific Committee. The proposal was defeated at the plenary with four countries (Argentina, Mexico, the US and the UK) in favor, six against and four abstentions.

2.4 The adoption of the New Management Procedure and the UK

The UK supported the moratorium proposal both in the UNCHE and the IWC, despite the opinions of some MAFF officials and Ray Gambell, a well known British cetologist, who had served on the Scientific Committee of the IWC and who thought that a moratorium on all whale species was unnecessary. A MAFF bureaucrat opined that although the US advocated a moratorium on the grounds that “time is needed for scientific research to develop more accurate knowledge of each species and its relationship to the ecosystem”, this was “really a dishonest plea since. . . if we waited on completely accurate knowledge, we should never exploit anything”. The same official urged that “we should explain to the US delegation that we do not feel that we could again vote in favour of a moratorium”.²⁰ The FCO reminded MAFF that the FCO “would find such a reversal of policy difficult” as “we already have a number of current difficulties relating to international fishery organizations”.²¹ The FCO asked MAFF “to avoid voting against the American moratorium proposal or abstaining in such a way that it was clear to all concerned that we have effectively withdrawn from the position we adopted last year.”²² In addition, US officials approached their UK counterparts and explained that the moratorium proposal was an “opening bid” to win concessions from whaling nations.²³ The final word on the matter came in June 1973 from the Minister of State for MAFF, who instructed the British delegation to support the moratorium proposal.²⁴

At the 1973 IWC annual meeting, the moratorium motion received eight supporting votes (from Argentina, Australia, Canada, France, Mexico, Panama,

the UK and the US) compared with four votes in the previous year. While five countries (Ireland, Japan, Norway, South Africa and the Soviet Union) voted against this moratorium proposal — thereby depriving it of the required three-quarters majority — the IWC passed a motion to phase out the fin whale catch in three years as well as further catch limit reductions for other whales.

Objections promptly followed. Strong opposition from the Japanese whaling industry led Japan to lodge objections to the phasing out of the harvest of fin whales and to the catch quota for sperm as well as minke whales, and the Soviet Union soon followed suit with the same objection. The US responded angrily with a strong protest lodged by the US government in October followed by a boycott of Japanese products by NGOs active in the US, such as the Friends of the Earth and the National Audubon Society, one of the country's oldest and largest conservation organizations. Hundreds of letters of protest were sent to Japanese embassies and consulates in the US and the US Department of State.²⁵ Backed by a growing anti-whaling movement, the US encouraged other member nations to support the moratorium proposal as they had in the previous year (Sanada 2006).

Before the 1974 IWC annual meeting, officials from MAFF asked the UK delegation to balance three issues: the need to act consistently with previous votes by the UK and support for the US at the UNCHE; the need to maintain an effective IWC by retaining Japan and the Soviet Union as members; and the need to act in accordance with the advice from the Scientific Committee of the IWC. MAFF officials considered it likely that if a moratorium resolution was passed, Japan and the Soviet Union would simply continue as they had done the previous year, that is, they would object to the decision by the IWC and would reach bilateral agreement on catch quotas. Fearing that Japan and/or the Soviet Union would leave the IWC and that the commission would cease to have any practical importance, MAFF officials proposed that “the UK delegation should continue in form to support the idea of moratorium but behind the scenes they should continue to impress upon the USA the vital importance of decisions accepted by the Japanese and the USSR”.²⁶

Ultimately, a change in attitude on the part of the US delegation saved both MAFF officials and the UK delegation from the need for further backstage diplomacy. Recognizing that the moratorium would not be passed through the IWC because Japan, Norway, South Africa and the Soviet Union would oppose it and a three-quarters majority would not be achieved, the US delegation began to hope instead for “a compromise which would allow them to maintain their moratorium proposal on the surface, while allowing it to be superseded by a more moderate system of automatic moratoria on stocks reaching over-exploited levels”.²⁷ A timely proposal tabled by Australia at this juncture offered all parties

a way out of the impasse. The proposal was to divide whale stocks into three categories — over-exploited, fully exploited, and under-exploited — rather than impose a blanket moratorium of the nature proposed by the US. According to this Australian amendment, the definition of the above three categories would be left to the Scientific Committee but whaling would not be permitted on any stocks that the Scientific Committee designated as over-exploited. The UK urged the US to accept the proposal and the US delegation at length deferred to the Australian amendment as a compromise.²⁸

The Australian proposal was adopted with 13 countries in favor and two (Japan and the Soviet Union) against at the 1974 IWC annual meeting. The categorization scheme it introduced was hereafter called the New Management Procedure (NMP) and has been applied since 1975. The two objectors acquiesced to the IWC's decision. The Japanese Commissioner Iwao Fujita, later stated that “we [the Japanese delegation] decided that further conflict between Japan and the United States should be avoided”.²⁹ The Soviet Union was also in a conciliatory mood, at least on an informal basis. Its delegates hinted to the British delegation that they would have supported the proposal, or at least abstained from voting against it, had they had time to get revised instruction from Moscow.³⁰

3. The UK anti-whaling movement and government initiatives at the domestic level

3.1 Friends of the Earth and the anti-whaling movement in the UK

A number of environmental NGOs, such as the World Wildlife Fund, had paid increasing attention to the conservation of great whales from the mid 1960s. Their cause was further strengthened from the 1970s by the active involvement of Friends of the Earth (FoE), Project Jonah and Greenpeace. In the UK, the role of leading the anti-whaling movement was taken on by FoE, inspired by the 10-year moratorium recommendation tabled in the UNCHE in 1972. FoE held a public demonstration outside the conference hall at which the IWC met in London in 1972.

The British government responded to increasing concern over the plight of whales by introducing an import ban on products from baleen whales, such as blue, fin, humpback, sei and minke. This prohibitive measure was not extended to sperm whales, which are toothed and not baleen whales. Sperm whales were not considered to be an endangered species and there was a certain amount of demand for products such as sperm oil, spermaceti wax and ambergris to be used as lubricants, tanning agents and in perfume. FoE was not satisfied with the ban and continued to appeal for an all-out import ban, lobbying Members of

Parliament as well as journalists. FoE argued that the so-called Maximum Sustainable Yield (MSY) theory, which the IWC used to determine catch limits of whale populations, was limited owing to the lack of critical data and the fact that it did not take into account the interaction between other species in the marine ecosystem. FoE published a campaign manual and contributed articles to academic journals in which it described the situation of whales and called for their protection (FoE 1972; King and Burton 1975). FoE sought to reach as large an audience as possible with its anti-whaling campaign, posting advertisements in newspapers and holding a charity concert starring David Bowie (Lamb 1996: 61–75). These campaigns resulted in the submission of an Early Day Motion in the House of Commons in January 1976 calling for an import ban on all sperm whale products.³¹ While this motion was initiated mainly by Liberals, it gathered as many as 263 signatures from backbenchers on all sides of the House. The Leader of the House Michael Foot, registered his sympathy for the cause by saying that if he were free to do so, he would have signed the motion himself.³²

Faced with the surge of interest in whaling and whale conservation, government officials from MAFF and the Department of Industry defended the use of sperm whale products on the grounds that while the sperm whale was not considered to be endangered, account must be taken of the industries using sperm oil. They argued that the leather industry would be hard hit economically if sperm oil were banned because of its dependence on sperm oil as a softening agent. It was also argued that banning sperm oil would harm the engineering industry, which used it as an additive. Although sperm oil could be replaced by other products in each case, it was cheaper than the available substitutes. The Department of Industry commissioned a leather industry association to produce a report on the use of sperm oil. This report, published in August 1976, recognized that sperm oil could be replaced by other products in some applications but concluded that there was no single product that could replace sperm oil in leather treatment and, in some cases, there was no substitute for it at all (British Leather Manufacturers' Research Association 1976).

3.2 Import ban on sperm whale products by the Ministry of Defence

In these circumstances, the Ministry of Defence, which was not concerned with wildlife conservation matters, took steps to strengthen regulation relating to sperm whales. In 1977, a Member of Parliament inquired whether the Defence Ministry purchased products that were treated with sperm oil. Dr John Gilbert, Minister of State for Defence and a member of the World Wildlife Fund, took an interest in the matter, sending a reply to the MP³³ and ordering his staff to investigate the issue. Upon finding that almost all products purchased by the

Ministry could be substituted by products that were not processed with sperm oil, the Defence Ministry informed the leather industry that it would prohibit, to the maximum extent possible, the use of sperm whale oil in the manufacture of products purchased under Ministry contracts.³⁴ When the leather industry asked the Defence Ministry to rescind this decision on the grounds that it was in conflict with the Department of Industry, which allowed the use of sperm oil,³⁵ the Defence Ministry instead explained to the Department of Industry that this action was not inconsistent with the Department of Industry policy. The aim of the measure, it claimed, was to protect the Defence Ministry from any difficulties that might arise when stocks of sperm oil became scarce.³⁶ This reasoning gained approval from other department officials. In June 1978, when the annual meeting of the IWC was held in London, Dr Gilbert announced publicly that his ministry would not buy products processed with sperm whale oil.

Gilbert's announcement coincided with another Early Day Motion, submitted by 15 MPs from the ruling Labour party and the opposition Conservative party, calling for support for an indefinite whaling moratorium proposal tabled by the Panamanian delegation at the 1978 IWC annual meeting.³⁷ While the moratorium proposal was ultimately withdrawn by Panama, the IWC voted to prohibit sei whale slaughter in the Southern Hemisphere and reduce the catch quota for sperm whales in the same area. Further, John Beddington, lecturer in population biology at the University of York, contended at the Scientific Committee of the IWC that the pregnancy rate of sperm whales in the Pacific Ocean was decreasing and that harvesting should be banned (Beddington 1978). The IWC therefore decided to hold a special meeting to set a catch limit for this species in the Pacific.³⁸

In light of the growing anti-whaling sentiment and the strengthening of regulatory measures internationally and domestically, MAFF minister Edward Bishop, Defence Minister John Gilbert and Industry Minister Alan Williams held a meeting with other concerned ministers to discuss the possibility of moving toward a ban on imports of sperm oil into the UK.³⁹ After discussions among the ministers of Defence, Industry, and Agriculture, it was agreed that officials of the three departments would debate the issue thoroughly then coordinate and expedite the research that was being carried out into commercially viable substitutes for sperm oil.⁴⁰ The Department of Industry funded a second leather industry association review of replacements for sperm oil and a report was completed by the end of 1978. The results were similar to those of the first review and offered little prospect of the industry making immediate progress in finding commercially viable alternatives to sperm oil. In response, Dr Gilbert expressed disappointment, saying that "the conclusions... give a misleading impression that

all sperm oil substitutes are unsuccessful” despite the fact that the Ministry of Defence had been assured by the supply leather product suppliers that they could provide, with few exceptions, goods manufactured without sperm whale oil at virtually no extra cost.⁴¹ MAFF officials were also frustrated by the result of the report and requested that the Department of Industry should reconsider the findings of the report in the light of the Ministry of Defence’s findings.⁴²

3.3 Transformation of British whaling policy

A critical turning point for British whaling policy came in May 1979, when the Conservative Party led by Margaret Thatcher won the general election. After the election, Conservative and Labour MPs submitted a motion urging the government to ban the import of all whale products and to work to secure a worldwide ban on the slaughter of whales. Public support for anti-whaling legislation had been growing for some months: environmental NGOs, including FoE, the World Wildlife Fund and Greenpeace, had intensified their anti-whaling activities in the UK. Greenpeace, in particular, had been hugely successful in creating media events that captured the public’s attention.⁴³ This may partly explain why the motion received wide support from MPs across the political spectrum.⁴⁴

The newly appointed Secretary of State for Trade John Nott, responded to these developments in June 1979 by suggesting to Michael Heseltine, Secretary of State for the Environment, that the British government should seek to promote a European Community ban on the import of sperm whale products or, in the absence of Community agreement, take unilateral action. While Keith Joseph, the Secretary of State for Industry, took a negative view of this proposal,⁴⁵ Heseltine replied that he would “strongly support” Nott’s initiative, saying that an import ban could be justified on the grounds that the IWC quotas were not low enough.⁴⁶ After further government consultation, the UK representative at the IWC finally proclaimed the UK’s decision to support a commercial whaling moratorium and seek an EC-wide ban on sperm whale products in an opening statement at the IWC annual meeting in July 1979 (IWC 1979: 6–10).

Members of the leather industry criticized the policy change as a top-down decision made by cabinet secretaries, saying they had not been consulted during discussions held before the new policy was decided and had learned about it only from TV broadcasts.⁴⁷ After the annual meeting of the IWC, government officials held a meeting with representatives of the leather industry. Inquiries from industry representatives at the session as to why the government had changed its policy so suddenly met with the response that the ministerial decision had already been made and there would be no room for further discussion. With no

choice other than to accept the change in policy, the industry representatives requested that the government should seek an EC-wide or worldwide ban on sperm oil because without it the British leather industry would suffer a competitive disadvantage.⁴⁸

The Department of the Environment was in charge of matters relating to a ban on sperm oil.⁴⁹ The department initially insisted on prompt action and said that should it fail to get agreement for a ban from the rest of the EC, it should impose a unilateral UK ban before Christmas 1979. However, opposition from the leather industry and the Department of Industry delayed this schedule: it was January 1981 before the Council of the European Community finally adopted a regulation prohibiting the import of all whale products for commercial purposes.⁵⁰

4. Conclusion

This paper has focused on several watershed events that led the UK to change its position on whaling and whale conservation in the 1970s. Initially, MAFF officials concerned directly with whaling policy held a negative view on a moratorium proposal advocated by the US in the UNCHE as well as the IWC, despite their admittance that the regulatory measures of the IWC were not severe enough to prevent great whale numbers from decreasing dangerously. MAFF officials started to appear increasingly isolated, however. When the moratorium motion gained momentum at the UNCHE in 1972, the Secretaries of State for Environment and Agriculture decided in a telephone conversation to support the proposal without prior consultation with MAFF officials⁵¹ and the British delegation continued to uphold the proposal at the IWC meetings. The contradiction between ministry support for international measures in some government departments and internal opposition from fisheries bureaucrats was eventually resolved without ever being given full expression by the adoption of the New Management Procedure at the 1974 IWC annual meeting.

A number of factors had played a role in engineering the changing attitudes that transformed UK government policy in this key period. Environmental NGOs, especially Friends of the Earth, made vigorous calls for an import ban on all whale products and succeeded in rousing public opinion against whaling, thereby leading a significant number of MPs to take up the issue. Scientists also played a key role: IWC regulations were strengthened year on year based on the arguments of many scientists, who claimed that existing measures were insufficient to conserve the whale population. These views were widely accepted at the plenary of the IWC in which non-whaling member nations held an

overwhelming majority. The Ministry of Defence was another key player in the developments that took place in the 1970s: although the leather industry and government officials from the Department of Industry insisted that an import ban on sperm whale products was impossible because no substitute was available, the Ministry of Defence showed that virtually all the products manufactured using sperm oil could be made without it, thereby decisively undermining the leather industry's objections. Finally, a change of government to the Thatcher administration led the UK to seek an EC-wide import ban on sperm whale products and a moratorium on all commercial whaling in the IWC. These British initiatives brought about the first EC regulation against whaling and helped form the anti-whaling stance that prevails today among member nations of the European Union, which continues to act as a bloc in the IWC, insisting on the prohibition of commercial whaling and urging Japan to stop its so-called "scientific" whaling.⁵²

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Disputes on whaling and whale conservation are no less charged today than they were in the 1970s. Japan, Iceland and Norway continue their whaling operations either in the name of science, as in Japan's case, or under commercial exception, as in the case of Iceland and Norway. These three countries' activities take place in defiance of repeated recommendations from the IWC calling for their discontinuance and strong criticism from a large number of scientists, who point out that Japanese "scientific" whaling does not have a sufficiently scientific basis (Gales et al. 2005). Backed by anti-whaling sentiment in western countries, a number of environmental groups such as Sea Shepherd adopt radical maneuvers to prevent whalers from hunting. IWC meetings, unlike other international forums that negotiate environmental matters, frequently end in pandemonium with precious little being achieved. Efforts by pro- and anti-whaling nations in the IWC to start negotiations under an inter-sessional working group to resolve the impasse paralysing IWC proceedings remain stymied by the inability of participating parties to overcome their differences and reach a compromise. Pro-whaling nations continue to call for an end to the ban on commercial whaling, the adoption of a moderate supervision scheme under the IWC and the continuance of "scientific" whaling without any kind of restriction. Anti-whaling members continue to contend that the resumption of commercial whaling should not be permitted without exceedingly stringent international controls administered by the IWC and insist that "scientific" whaling is a loophole that should be closed. Finally, the UK holds firm on the anti-whaling position it adopted in the 1970s, when MPs first acted against whaling with the backing of

their constituencies. UK public opinion on whaling has not changed substantially since the 1970s. As long as the EU countries in the IWC act as a bloc and the UK has a considerable voice within the EU, the position of the EU will not change to allow commercial whaling unless radical compromise proposals are obtained first from whaling nations on contentious issues such as the complete cessation of so-called “scientific” whaling.

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Notes

¹ Argentina, Australia, Brazil, Canada, Chile, Denmark, France, Netherlands, New Zealand, Norway, Peru, South Africa, the UK, the US and the Soviet Union.

² The IWC set up a Conservation Committee at the IWC meeting in Berlin in 2003.

³ Although the Technical Committee has not been abolished formally, it has not met in recent years.

⁴ Her Majesty's Government, 'International Whaling Commission: 23rd Annual Meeting 1971', n. d., 1971, MAF 209/3030, National Archives, London.

⁵ The listed whale species were right, bowhead, gray, blue, fin, sei, humpback and sperm. The IWC had already prohibited the killing of right, bowhead, gray, blue and humpback whales.

⁶ *New York Times*, July 6 1971.

⁷ Letter from Maurice H. Stans (Secretary of Commerce) to William P. Rogers (Secretary of State), January 24 1972, file INCO WHALES WHALING 4 1-1-70, box 1337, Subject Numeric Files, Record Group 59, National Archives II, College Park, Maryland.

⁸ Memorandum from D. P. A. Gilbert, July 1972, MAF 209/3117, NA.

⁹ Telegram No. A-391, London to Washington D. C., 9 March 1972, file WHALES A 1-1-70, box 1337, Subject Numeric Files, Record Group 59, National Archives II, College Park, Maryland.

¹⁰ Letter from J. R. A. Bottomley to F. M. Kearns, 16 March 1972, MAF 209/3057, NA.

¹¹ Letter from F. M. Kearns to J. R. A. Bottomley, 22 March 1972, MAF 209/3057, NA.

¹² Ibid.

¹³ Telegram No. 727, London to Tokyo, 30 May 1972, file name: Kokuren Ningen Kankyō Kaigi / Syōgyō hōgei kinshi mondai (UNCHE: Problems on a Ban on Commercial Whaling), created date of the file: 1 May 1972, Ministry of Foreign Affairs of Japan (available under the Information Disclosure Act).

¹⁴ Telegram No. 98471 from Washington D. C. to All Embassies, 3 June 1972, file INCO WHALE 3 6-1-72, box 1337, Subject Numeric Files, Record Group 59, National Archives II, College Park, Maryland.

¹⁵ Telegram No. 307 from Stockholm to Tokyo, 11 June 1972, file name: Kokuren Ningen Kankyō Kaigi / Syōgyō hōgei kinshi mondai (UNCHE: Problems on a Ban on Commercial Whaling), created date of the file: 1 May 1972, Ministry of Foreign Affairs of Japan (available under the Information Disclosure Act).

¹⁶ Memorandum from W. R. Small to Graham, 19 June 1972, FCO 61/930, NA. See also 'UN Conference on Human Environment, Stockholm, 5-16 June 1972', 7 July 1972, FCO 61/930, NA.

¹⁷ Memorandum from M. Elliott to Campbell, 14 June 1972, FCO 76/502, PRO.

¹⁸ Her Majesty's Government, 'International Whaling Commission: Standing Brief (Draft)', 30 May 1972, MAF 209/3057, NA.

¹⁹ From D. A. Campbell (Marine and Transport Department) to Bottomley, 14 June 1972, FCO 76/502, NA.

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- ²⁰ Letter from J. Graham (MAFF) to Burne, 19 June 1973, MAF 209/ 3117, NA.
- ²¹ Memorandum from H. A. Dudgeon to Wright, 'International Whaling Commission', 6 June 1973, FCO 76/ 776, NA.
- ²² Letter from J. Q. Davies (Marine and Transport Department, FCO) to P. Pooley (MAFF), 18 June 1973, MAF 209/ 3117, NA.
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- ²⁴ Memorandum from A. R. Burne to Maude, 22 June 1973, MAF 209/ 3117, NA.
- ²⁵ Amerika-kyoku Hokubei-daiichi-ka (First North America Division, North American Affairs Bureau, Ministry of Foreign Affairs), 'Hogeï mondai to Nichibeï kankei (Whaling issues and Japan-American relations)', 31 July 1974, file name: Kokusai Hogeï Torishimari Jyōyaku Kankei Ikken, Hogeï linkai Kankei, Dai 1 Kan (International Convention on the Regulation of Whaling, IWC, Vol. 1), CD-ROM No. B'-191, Diplomatic Record Office of the Ministry of Foreign Affairs of Japan, Tokyo.
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- ²⁷ Fisheries III B 'International Whaling Commission: Report of Annual Meeting, 24-28 June 1974', July 1974, MAF 209/ 3143, NA.
- ²⁸ Ibid.
- ²⁹ *Asahi Shinbun*, 26 June 1976 (evening edition).
- ³⁰ Letter from J. R. Moss to Burne, 3 July 1974, MAF 209/ 3143, NA.
- ³¹ Early Day Motion No. 109, 'Moratorium on Whaling', Thursday 15 January 1976. Government officials considered that "(t)he early day motion had undoubtedly been inspired by Friends of the Earth" (see Memorandum, MAFF, "Early Day Motion: Background Note," n. d., MAF 209/ 3143, NA).
- ³² K. J. A. Brown, 'Minister of State's Meeting with Mr Alan Williams MP (MoS, Industry) and Mr Denis Howell MP (MoS, Environment): 11 June 1976', 14 June 1976, MAF 209/ 3083, NA; House of Commons Hansard: Extract from Business Statement, Thursday 18 November 1976, MAF 209/ 3083, NA.
- ³³ Reply from John Gilbert to Stephen Ross, 16 May 1977, MAF 209/ 3084, NA.
- ³⁴ Letter from R. F. W. Phillips (Ministry of Defence) to Guy Reaks (Director, British Leather Federation), 'Sperm Whale Oil', 4 October 1977, MAF 209/ 3084, NA.
- ³⁵ Letter from Guy Reaks (Director, British Leather Federation) to R. F. W. Phillips (Ministry of Defence), 20 October 1977, MAF 209/ 3084, NA.
- ³⁶ C. J. Marsh (CT 4 B, Department of Industry), 'Note of a Meeting Held at 11. 00 AM on Tuesday, 15 November 1977 in Room 723 Millbank Tower to Discuss Sperm Whales and Sperm Oil', 16 November 1977, MAF 209/ 3084, NA.
- ³⁷ Early Day Motion 498, 'Slaughter of Whales', 28 June 1978.
- ³⁸ At the special meeting, the sperm whale catch in the Pacific Ocean was decreased from 6,444 to 3,800.
- ³⁹ Memorandum from B. J. Harding to Dobrin, 'Sperm Whale Oil', 12 July 1978, MAF 209/ 3085, NA.
- ⁴⁰ Memorandum from B. J. Harding to Gurd, 'Sperm Whale Oil', 19 July 1978, MAF 209/ 3084, NA.
- ⁴¹ Letter from John Gilbert (Minister of State, MOD) to Alan Williams (Minister of State, Department of Industry), 14 December 1978, MAF 209/ 3085, NA.
- ⁴² Letter from A. Church (Fisheries Division IIIB, MAFF) to Kelsey, 'British Leather Manufacturers' Research Association's Draft on Investigating of Sperm Oil Analogues for Use in the Lubrication of Leather', 21 December 1978, MAF 209/ 3085, NA.
- ⁴³ In December 1978, several Greenpeace members supported by Friends of the Earth were arrested in an attempt to stop a Danish ship from landing sperm whale oil at Glasgow. In February 1979, the World Wildlife Fund gathered around 700,000 schoolchildren's signatures against whaling. The Greenpeace action was reported in *The Guardian* (4 December 1978) and *Daily Express* (5 December 1978). The World Wildlife Fund petition was reported as far abroad as Japan in the *Asahi Shinbun* (6 February 1979; evening edition).
- ⁴⁴ Early Day Motion No. 17, 'Ban on Import of Whale Products' (21 May 1979, MAF 209/ 3086, NA) obtained 347 signatures from MPs. Some 10,600 early day motions were submitted between the 1939/40 session of the House of Commons to the 1979/80 session. Only 18 of them — including the ban on import of whale products — received more than 300 signatures (House of Commons Information Office 2008).

- ⁴⁵ Letter from Keith Joseph (Secretary of State, Department of Industry) to John Nott (Secretary of State, Department of Trade), 6 July 1979, MAF 209/3086, NA.
- ⁴⁶ Letter from Michael Heseltine (Secretary of State, DoE) to John Nott (Secretary of State, Department of Trade), 3 July 1979, MAF 209/3086, NA.
- ⁴⁷ A. Barber (CT 2 b, Department of Industry), 'Note of a Meeting at the British Leather Federation, London, 25 July 1979', n. d., MAF 209/3086, NA.
- ⁴⁸ Ibid.
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- ⁵⁰ Council Regulation (EEC) No. 348/81 of 20 January 1981 on common rules for imports of whales or other cetacean products.
- ⁵¹ Memorandum from W. R. Small to Graham, 19 June 1972 (FCO 61/930, NA); Foreign and Commonwealth Office, 'UN Conference on Human Environment, Stockholm, 5–16 June 1972', 7 July 1972, FCO 61/930, NA.
- ⁵² Article 8 of the International Convention for the Regulation of Whaling stipulates that any IWC member country may unilaterally grant a special permit authorizing the slaughter of whales for scientific research and that the killing of whales in accordance with the provision of this article shall be exempt from the operation of the Convention. Although commercial whaling has been prohibited, Japan continues to kill more than 1,000 whales annually for "scientific research" despite severe criticism from many member nations of the IWC.

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