

CHAPTER III

JAPANESE WHALING

A. History of Japanese Whaling

A.1. Pre-modern Times

Whaling in Japan has occurred for hundred years.⁷¹ During those years, there are some changes including the improvisation of technology, in species caught, in hunting grounds, and in the location of whaling communities. Historically, whaling was not established as a business. Whales were taken with bows or ordinary fishing nets. They could be trapped by nets and mostly they were either dead or wounded while drifting in the seas nearby. This type of whaling was remarked as passive whaling, in contrast with active whaling, where hunters were pursuing healthy whales.

Active whaling has been known to be started in the sixteenth century, but it was actually developed as a large-scale of business by the end of that century. The operation of Japanese whale hunters was using several boats and bringing harpoon in the hunt. Afterwards, killed whales were brought back to the shore to be processed. In addition, Japanese whale hunters had already set up the facilities in the shore. The procedure was adopted in several parts of the country such as Wakayama, Shikoku, Northern Kyusu and on the coast of Yamaguchi facing the sea of Japan.

Some communities such as Taiji and Katsuyama have been known for continuing the practice of using the harpoon to hunt small cetaceans including dolphins, pilot whales, and

⁷¹ Junichi Takahashi, Arne Kalland, Brian Moeran, Theodore C. Bestor, *Japanese Whaling Culture (Continuities and Diversities)*. Retrieved from <http://www.marecentre.nl/mast/documents/Japanesewhalingculture/pdf> on November 27, 2017.

Baird's beaked whales. The new net method was also invented by the end of seventeenth century, exactly in the 1675 by Wada Kakuemon in Taiji.⁷² The operation of this method was using a large whaling group to drive whales into the shore where the large nets have been set around processing facilities. However, the target was only the slow-moving species for example right and humpback whales. The net method was quickly spread out to the southwestern Japan and continued to dominate Japanese whaling until the end of the nineteenth century.

The uniqueness of Japanese whaling was rights to exploit particular whaling grounds, in the provision of feudal fiefs as exchange fees to the authorities and compensation to the local communities for the inconvenient operations they have made. On the other hand, the regulations might more flexible by distributing the meat as a payment to the whalers and compensation to the exploited villages.

The net method operation is divided into three stages. First, the preparation for the new season is usually held in September. It consists of several activities centered on the land station. Women who live in the host or neighboring villages were tasked to make the ropes using the raw material nearby. Meanwhile, the male experts used to change it to be the nets since it should be replaced every single year. Moreover, the old boats had also to be replaced by specially employed boat builders.

Second, some activities also had to be done in the hunting of whales. The hunters would start to initiate the hunting when the weather was suitable. The operation was started by plotting five people on the hilltops to convey the information of the whales they had spotted by sending smoke or flag signals. On the other hand, the search boats also looked for the whales in the area where there were no suitable lookout points and informed the land station through flag signals.

⁷² Ibid.

Once it had been already spotted and the land station was informed, about fifteen swift hunting boats were used. Each boat contains of twelve people under the command of an expert harpooner. The boats were split into three different directions aimed at frightening the whales to the desired direction. Afterwards, the net-boats and the assistant boats lowered the nets under the direction of a commander and worked in pairs.

Immediately after the whale was trapped in the nets and the speed was slowed down, the hunting boats threw harpoons secured with ropes to the whale. The reward was financially given to the first harpooner who had been succeeded to spear the whale. Meanwhile, the harpooner had to climb onto the whale's back, in order to secure the whale and cut a hole near its nose and threaded a rope through the hole. The other daring task was to dive in and to tie the whales on the beams between two boats so that it flowed. After that, the whale was killed by the sword and dragged to the land station, while the hunting boats pursued another whale.

The last stage was processing the whale. It involved varied operations. First the hunters brought the whale to the shore, and then it was cut by separating the blubber from the meat. After that, it was cut into smaller pieces carried by two people. This process was crucial regarding to the requirement of Japanese cuisine which needed high skilled slashes.

A.2. Modern Times

Japanese whaling is mostly controlled by the government bodies. There are some aspects that strictly regulate it including licenses, quotas, seasonal limitations, catching grounds, species of whale, the size of a whale, the use of technologies, and the size of boats. The government also defines some types of whaling proceeded by the Japanese whalers. These various forms of whaling are categorized based on their stages of production.

A.2.1. Large Type Coastal Whaling (LTCW)

LTCW pursues certain species of whale such as sperm whales and the large baleen whales (except minke whales). It also runs in the absence of mother ships. Each boat consists of about 20 crews handling and expected to make all decisions in whaling including to initiate the area and the time of whaling.⁷³

In the past, the gunner and the bosun (boatswain) had to be precise on knowing about the whale behavior in order to be successful in the pursuit. However, in the 1960, *geitanki* or whale searching device was invented and introduced to ease the hunting process. The *geitanki* is both sonar-like devices aimed at locating the whales through returned echoes, and apparatus that can also passively receive the sounds of whales. The device has only been used when the boat was approaching the whale. If it was used too early, the signals would scare the whales away. In fact, the catcher boat had to be in range for about 40 to 60 meters in order to shoot a whale. After the whales were brought to the land stations, there are seven main processing activities that have to proceed: flensing, oil extraction, salting, icing of fresh meat, crushing of bones for fertilizer production, drying of sinews, and boiling of entrails for food.

A.2.2. Pelagic Whaling

Mostly, the procedure in pelagic whaling is quite the same with LTCW, but there are some particular differences in the search, in carcass collecting phases, on the one hand, in processing, and others. A major difference between both pelagic and LTCW is the hunting phase of whaling was closely coordinated and directed by a commercial-in-chief from the mother ship. However, the catcher boats take over to hunt and to pursue the whales in the same proceeding as the LTCW.

⁷³ Ibid.

The manner of taking care and retrieving the carcass, conducted right after a whale was killed is another major differences between pelagic and LTCW whaling. In the process, before the catcher boat left, the gunner marked the carcass with a long bamboo pole with a flag on top to identify ownership and which catcher boat that was responsible for it. A pelagic fleet was conducted for months at a time.

The relative importance regarding to the various products prepared by the pelagic fleet, changed over the years. It was followed by the changes of the demand for whale products in the market. In fact, the demand for whale oil dropped in the 1960s. At the same time, it declined the number of whale that has been hunted and its stock in the market, especially as a food. This issue also led to the shifting-use of the blubber from oil extraction to the freezing and salting for food.

A.2.3. Small-Type Coastal Whaling (STCW)

Small-Type Coastal Whaling (STCW) has been started since the 1930s. The characteristics of this type of whaling are, firstly, the species it pursues (minke and Baird's beaked and pilot whales), and secondly, by the smaller size of whaling vessel roughly 15 and 50 tons. The STCW was conducted when whales are nearby the coast area. The crew in each vessel is a lot smaller compared to the other types of whaling catcher boats. It consists of five until eight people.

In this type of whaling, the gunner has a more important role than the previous two and might become a gunner, captain, and the owner of the boat all at once. The rest of the crew are the engineer and deckhands only. All whales that have been taken by this operation must follow the law and were taken back to the designated land station for flensing. The land station in STCW is also smaller compared to the one operated in LTCW. The scale smallness of the STCW landing stations influences the structure of organization proved by the lack of specialists are employed. So, it is not surprising that the operation of STCW is slower, either on pelagic whaling or on LTCW.

B. Japanese Integrated Whaling Culture

The whaling issue has been a controversy for recent decades, and Japanese public and leaders perceive that it is a cultural matter. They believe that Japanese has a distinct culture called *gyoshoku-bunka* (whale-eating culture). This unique culture took back in the prehistoric times. Many scientists have discovered ancient burial mounds of whaling drawings, whale bones, and hand harpoon. It was all started in the Jomon period (10,000-300 BC).⁷⁴ The invention of nets in the end of 17th century has brought Japanese to begin commercial whaling in Taiji (near Osaka) and in the 18th century. It spread to southern Japan, then to northern Japan in the following century.

The whaling-eating culture also made Japanese develops their own unique whaling cuisines. It indicates that Japan has taken the advantage of whales in a distinct manner, compared to the western countries such as US, UK, and Holland that produce extract oil. Japanese tends to use the entire parts of the whale for food and oil. This whale-eating culture historically was only practiced in certain coastal regions of Japan. In the World War II period, consuming the whale meat has begun as common practice for the whole population.

The Japanese speculation arises about the anti-whaling movement led by the US, which as they thought is an aggressor in international relations. At the 1989 IWC meeting, Japan's commissioner saw that IWC took advantage to destroy the whale-eating culture from Japan. In addition, Japan defences their whale-eating culture as stated by the Ministry of Agriculture, Forestry, and Fisheries (MAFF):

⁷⁴ Keiko Hirata, *Examining Japan's Rejection of an International Norm*, (Oxford University Press, 2004), 177-197.

The consumption of whale meat is not an outdated cultural practice and ... eating beef is not the world standard ... For many cultures, in other parts of the world, the consumption of beef, or pork, is unacceptable. Clearly, the acceptance of other cultures' dietary practices and the promotion of cultural diversity is as important as saving endangered species and the promotion of biological diversity. If the consumption of whale meat does not endanger whale species, those who find the practice unacceptable for themselves should not try to impose their view on others.⁷⁵

On the other hand, the Japanese youth seem more open-minded toward the issue than the older generations. Along with the decreasing of whale consumption in Japan since 1970, youth have grown up eating less whale meat. Reaching out to this open-minded young generation, some Japanese environmental NGOs have taken action on the whaling issue as well. However, it was not really effective in affecting policy on this issue.⁷⁶

Based on the previous explanation, Japanese integrated whaling culture has been proved by the co-existence of three forms of whaling and two sub-cultures based on hunting and processing. However, there are other factors that need to be considered. First, it shows a consistent and diverse usage of whale products that have been changed over the years. The entire part of the whale is used for varied purposes especially for food, oil, fertilizer, and handicrafts. Both in the pre-modern and modern times, meat has been developed into a variety of products. Whale meat, in particular, needs to be processed carefully for the Japanese cuisines. Second, whaling in Japan is regulated by the government and it is taxed as well by the government bodies such as feudal fiefs, prefectural government, and the national government. Furthermore, the host villages are receiving a compensation by the producers

⁷⁵ Ibid.

⁷⁶ Ibid.

due to the inconvenience throughout the whaling operation in the coastal area and land station.

The whale meat is used as gifts for friends and neighbors and becomes a stabilizing force to tie up the community together especially between the whalers and non-whalers. Lastly, the ritual activities are also practiced in order to reveal the whaling operators' indebtedness to the host villages and it becomes integrated totally in community affairs. By the whole story of the continuity of the Japanese whaling operation conducted in the past and the varied changes of the whale products over the years, it indicates that Japan has an integrated whaling culture.

C. Japanese Whaling under Special Permit

The number of non-whaling and anti-whaling countries gained in the 1970s, and they become the majority of the IWC.⁷⁷ These countries along with the United States which previously a pro-whaling country, impose the moratorium for all type of whaling and took effect in 1986. The main purpose of the moratorium is due to the recovery of an endangered species. Since the non-whaling and anti-whaling countries joined the IWC, IWC has shifted its focus on purely for the conservation of whales. However, in the establishment of IWC, it aims at managing, developing and conserving the whales for the proper whaling industry in the future. The moratorium still allows countries to conduct whaling for the subsistence and scientific purposes. Subsistence whaling means a permit for the indigenous people to treat, to kill or to hunt whales in particular countries. Meanwhile, the scientific whaling is a permission to conduct whaling of an un-endangered species due to the development and furthering the knowledge of whales.

⁷⁷ Angela Lang, *Overview of International Whaling Commission*, (Michigan State University, 2002).

Japan has applied for the special permit and get the authority to conduct scientific whaling by IWC. Basically, right after the moratorium took effect, in October 1987, Japan established the Institute of Cetacean Research (I.C.R.) in order to get the special permit⁷⁸. I.C.R. is a unique organization specializing on the biological and social sciences related to whales. The Institute attempts to contribute to the proper conservation, management, and rational utilization of marine resources. As the scientific contribution to conduct scientific whaling, Japan issued its permit called Japanese Whale Research Program under Special Permit in the Antarctic (JARPA). JARPA was conducted between the austral summer seasons of 1987/88 and 2004/05. JARPA has four main objectives:

1. Estimation of biological parameters to improve the stock management of the Southern Hemisphere minke whale;
2. Elucidating the role of whales in the Antarctic marine ecosystem;
3. Elucidation of the effect of environmental change on cetaceans; and
4. Elucidation of the stock structure of Southern Hemisphere minke whales to improve stock management.⁷⁹

Based on the IWC's record on the Special Permit Catches, Japan has killed 10 fin and 856 minke whales in 2005 in the Antarctic Ocean, at that period of time, when JARPA II was

⁷⁸ The Institute of Cetacean Research, *Overview and Purpose*. Retrieved from <http://www.icrwhale.org/abouticr.html> on November 27, 2017.

⁷⁹ The Institute of Cetacean Research, *Scientific Contribution*. Retrieved from <http://www.icrwhale.org/scJARPA.html> on November 27, 2017.

conducted.⁸⁰ The objectives of the JARPA II are the following: a) monitoring the Antarctic ecosystem (whale abundance trends and biological parameters; krill abundance and the feeding ecology of whales; effects of contaminants on cetaceans; cetacean habitat); b) modelling competition among whale species and future management objectives (constructing a model of competition among whale species; new management objectives including the restoration of the cetacean ecosystem); c) elucidating of temporal and spatial changes in stock structure; and d) improving the management procedure for Antarctic minke whale stocks.⁸¹

Table 3.1. The Record of Special Permit Catches

Nation	Area	Type	Fin	Sperm	Sei	Bryde's	Minke	Total
Iceland	Iceland	Small Type	0	0	0	0	39	39
Japan	Japan	Coastal	0	0	0	0	121	121
Japan	NW Pacific	Pelagic	0	5	100	50	101	256
Japan	Antarctic	Pelagic	10	0	0	0	856	866
Total			10	5	100	50	1,117	1,282

Source: International Whaling Commission, *Catches Taken: Special Permit*. Retrieved from https://iwc.int/table_permit on November 27, 2017.

⁸⁰ International Whaling Commission, *Catches Taken: Special Permit*. Retrieved from https://iwc.int/table_permit on November 27, 2017.

⁸¹ The Institute of Cetacean Research, Loc. Cit.

A lot of anti-whaling countries inveigh against Japanese act on whaling including Australia which is geographically near to the Antarctic Ocean. The Australian ambassador to the Kingdom of the Netherlands asks to proceed the dispute in International Court of Justice concerning Japan's JARPA II program over its scientific whaling.⁸² Afterward, on March 31, 2014, the ICJ issued that Japanese Antarctic whaling was declared as an illegal act.

Finally, the court found out that Japan's whaling program in the Antarctic (JARPA II) was not in accordance with the three provisions of the Schedule to the ICRW or Convention. In the Remedies section, the ICJ's ruling letter states that "Japan should revoke any extant authorization, permit or licence to kill, take or treat whales in relation to JARPA II, and refrain from granting any further permits under Article VIII, paragraph 1, of the Convention, in pursuance of that programme."⁸³

⁸² International Court of Justice, *List of Cases referred to the Court since 1946 by date of introduction*. Retrieved from ICJ database at <http://www.icj-cij.org/files/case-related/148/148-20140331-JUD-01-00-EN.pdf> on November 27, 2017.

⁸³ International Court of Justice, *Judgments, Advisory opinions and Orders by chronological order*. Retrieved from ICJ database at <http://www.icj-cij.org/files/case-related/148/148-20140331-JUD-01-00-EN.pdf> on January 31, 2017.

The court has issued that JARPA II violated the Convention. Firstly, in paragraph 7 (b), the ICRW has assigned to ban any whaling activity in the Southern Hemisphere. Secondly, paragraph 10 (e) states about the moratorium of factory ships to refrain any kind of whaling to certain species such as sperm whales, killer whales, and baleen whales, except minke whales. Lastly, according to the paragraph 10 (d) the catch limits for the commercial whaling should be zero for any kind of whale stocks.⁸⁴

⁸⁴ Intenational Court of Justice, *The Court finds that Japan's whaling programme in the Antarctic (JARPA II) is not in accordance with three provisions of the Schedule to the International Convention for the Regulation of Whaling*, (The Hague: Press Release, 2014), 3-4.