



Ben White
1951-2005

Compendium of articles by Ben White published in the
Animal Welfare Institute Quarterly

Ben White - CV



In 1951, Ben White was born in Portsmouth, Va., where his father was in the Air Force.

White lived across the Midwest near Strategic Air Command bases throughout his childhood, until his family moved to Madrid, Spain in 1961. In 1964, his father transferred to the Pentagon to work for the Defense Intelligence Agency.

At the age of 16, White infiltrated the Ku Klux Klan to write a high school paper on white supremacist groups. Members began to groom him as the leader of a new junior Klan; he escaped.

He next began working as a student organizer against the Vietnam War for the Students for a Democratic Society. He rallied picketers at a local Safeway to support Cesar Chavez's United Farm Workers.

White worked as a lifeguard during the summers of his junior and senior years in high school, until he left the job in Aug. 1969 to hitchhike to Woodstock.

The University of Virginia accepted White on a scholarship, and his dorm mates elected him to the First Yearman's Council. He led the canvassing of Charlottesville, Va. for the Mobilization Against the War and then attended the massive demonstration as a peacekeeper. At the event, police charged demonstrators and gassed White until he was unconscious.

He helped take over the Navy Judge Advocate General School at UVA when Jerry Rubin and William Kunstler announced that three students had just been shot dead at Kent State for protesting the war.

White soon quit school to begin working as a professional tree climber for Van Yahres Tree Care in Charlottesville, Va.

He eventually left Virginia and hitchhiked to Berkeley, Calif. There he became active in a political commune called the Derby Dump, and he continued his work as a tree climber for Gilbert Tree Service.

Injured on the job, White began working to clean up the oil spilled from the collision of two Standard Oil freighters off Marin County, Calif. He helped save the Bolinas Lagoon from oil contamination.

White next traveled to Hawaii and lived off the land on the Kona Coast for four months. He quickly fell in love with a local population of wild dolphins.

From 1971 to 1973, White lived with Native American leader and medicine man Rolling Thunder in Carlin, Nev. and studied native religion and medicine. At Rolling Thunder's request, he traveled to Washington, D.C. and was the only white man inside the takeover of the Bureau of Indian Affairs building by the American Indian Movement.

After leaving Nevada, White worked climbing trees for a year in Portland, Ore.

He was later hired as senior engineering inspector for Fairfax County, Va. (waving the required college degree in favor of field experience) to enforce their pioneer tree preservation ordinance for the next year and a half.

In Jan. 1976, White started Growing Earth Tree Care; it was the first company specializing in tree preservation in the Washington, D.C. area, and it once grossed over a million dollars a year and had 26 employees.

As founder of Growing Earth, he won every conservation award offered by the county, including the coveted Friend of Trees award. Clients included the rich and powerful, such as *Washington Post* editor Ben Bradlee. White chaired the committee that wrote the test to qualify for Licensed Tree Expert in the Mid-Atlantic region.

In 1981, he shipped out on the Sea Shepherd II from Alexandria, Va., journeyed through the Panama Canal to Nome, Alaska, and then invaded the waters of the then Soviet Union. White traveled to Lavrentia, the site of a grey whale slaughtering plant, to document the killing of grey whales. Helicopter gun ships and a Soviet destroyer chased him out of Soviet waters, but he returned the next day to protest the killing of whales.

continued on next page

continued from previous page

White shipped out again on Sea Shepherd II in 1983, this time as officer (bos'un). He prepared the ship in Grenada for a mission to stop the killing of 125,000 harp seal pups in Canada, and he blockaded the port of Newfoundland for 10 days to stop sealers from reaching the ice. He then followed the shore in darkness to surprise sealers in the Gulf of St. Lawrence by the Magdalene Islands, where he stopped the hunt and saved thousands of seals.

He next made a run for the United States. The boat, out of fuel and water, was caught in the ice. He prepared for imminent arrest by the Canadian Coast Guard. White led three others across the ice to try to take back the ship once it was seized. He was arrested at landfall and charged with felonies amounting to six years to life in jail—though he was only held 10 days. White was charged with a violation of the Seal Protection Act, which ironically makes it illegal to be on the ice without a permit to kill a seal.

In 1984, he became East Coast Director of the Sea Shepherd Conservation Society and the primary lobbyist in Washington, D.C. for strengthening protections for whales and dolphins.

White married in 1985. He was blessed with daughter Julia in 1986 and son Ben III in 1989. He divorced his wife in 1991, but retained full physical custody of his children.

He was the expedition leader on the vessel Divine Wind to stop the Japanese drift net fleets from setting nets near the Aleutian Islands.

White established the Dolphin Rescue Brigade to interfere with the business of taking whales and dolphins from their families for a life in captivity. He executed the first successful blocking of a dolphin capture in the United States—on Mexico Beach, Fla.—by the Panama City-based Gulfworld Amusement Park. For this effort (the park was attempting to capture a young dolphin mother and leave her baby), White was prosecuted by the National Marine Fisheries Service. He pled necessity defense, arguing that he stopped a greater crime from occurring. The administrative law judge agreed and dropped the charges.

A week later in Boquilla, Fla. in Aug. 1989, White stopped a capture by dolphin catcher Jay Sweeney at the Baltimore Aquarium.

He began cutting dolphins free from nets at night after they were captured. In the Florida Keys in the fall of 1989, he released a dolphin Jay Sweeney had caught and sardonically named Benni, after White. He cut the netting holding dolphins in Florida many times and also twice in the Bahamas and twice in Mexico.

White quit Sea Shepherd in 1992 as President.

He began writing for the Animal Welfare Institute in the summer of 1993.

In 1994, he cut loose 25 false killer whales and bottlenose dolphins captured as part of Japan's drive fishery slaughter.

He co-founded the Cetacean Freedom Network, a global alliance of hundreds of activists in dozens of countries. The group has been responsible for causing dozens of facilities to forego having captive whales or dolphins or to give up those being held.

After selling his tree care business to his employees, White moved to Port Townsend in 1994, then Friday Harbor, Wash. in 1995.

In 1995, he led protests against the clear-cut logging of Rocky Brook Forest near Dosewallips, Wash. (parts of Clinton's "Salvage Timber Rider" exempted the logging of some ancient forests from environmental laws).

He was arrested first for blockading the road and again after sitting in a cedar tree for three days. White was arrested a third time for leading 200 people across police lines to the forest.

Each time, he was arrested under the Forest Closure law that allowed the closure of huge areas of national forest around small areas being logged in order to keep press and protesters away. He was put into Tacoma, Wash. federal jail in manacles and chains and next challenged the law as overbroad and capricious. White prevailed, setting a legal precedent and freeing the other 200 people arrested.

Figuring the strongest defense of dissent in America comes from Freedom of Religion, White incorporated the Church of the Earth in the state of Washington as a legitimate faith that uses the defense of wildlife and wild places as its sacrament.

During the cutting of Rocky Brook forest, he was leaked a ticket to a speech by Bill Clinton at Shoreline Community College. White interrupted him, shouting, "I voted for you, I trusted you when you said you would protect the ancient forests. Under your Salvage Timber Rider, they are falling not 50 miles west of here. You betrayed me. How will you fix it?" Clinton said Patty Murray would submit legislation to stop the Salvage Timber Rider. She did, but it lost – as did the forests.

White staged a protest in Shillshole Bay, near Seattle, Wash., to object to the scapegoating of sea lions for the decline of steelhead trout coming through the Ballard Locks. A week after

continued on next page



Ben testifies at a National Marine Fisheries Service hearing.

continued from previous page

17 sea lions were captured in a cage mounted on a battleship buoy in Shillshole Bay, with one named Hondo being threatened with execution because he was a repeat offender, White and a friend canoed out to the pen in the wee hours of the night, and White locked himself inside, telling the press that he had been looking for a good waterfront office. Police cut him off the cage and delivered him to the reporters on shore. He made the front page of the *Seattle Times*; Hondo was granted a reprieve.

During a show at the Spokane Arena, White hung a banner protesting the chaining of elephants for 22 hours a day by Ringling Bros. Circus. He was cited and released for trespassing. White went to jury trial and was acquitted.

He founded the Natural Guard with the young people of Friday Harbor to organize volunteers to challenge environmental destruction.

White launched the first campaign to support tree sitters in the oldest trees in the world—the redwoods of Humboldt County, Calif.—and he journeyed twice to the battle zone. There he constructed a kitchen to feed the troops, taught non-violence training and set up tree sits. Later the Natural Guard rallied dozens of local kids for a sit-in at the courthouse to protest the signing of a contract with Waste Management without a public hearing.

In 1997, he was hired as a wildlife investigator for the Animal Welfare Institute.

In Feb. 1998 in Hawaii, he organized swimmers to jump in front of the vessel *Cory Chouest* to force the Navy to end Low Frequency Active sonar testing on mating and calving humpback whales. This action curtailed over 50 percent of the sound blasting.

White was one of the primary organizers of the street protests against the World Trade Organization in Seattle in Nov. 1999. He worked with dozens of volunteers to make 240 sea turtle costumes in order to object to WTO rules that knock down our national laws protecting wildlife, including sea turtles.

The turtles were a huge success, mentioned in dozens of international news articles and cartoons. The WTO, however, was a huge failure—in part due to efficacy of turtles and others' blocking of the delegates' access to the convention center. White's objections were picked up by representatives of small, third world countries that have since stymied the advance of the corporate agenda of WTO.

In 2003, White attended the first international meeting that brought indigenous groups and workers together to oppose globalization. The event was hosted by President Hugo Chavez in Caracas, Venezuela.

In September of that same year, White organized the making and deployment of 360 dolphin costumes for *campesino* protesters in Cancun, Mexico, again in opposition to the WTO.

He also organized the making and deployment of dolphin protesters at the inaugural meeting of the Free Trade Area of the Americas in Miami, Fla.

Over the last two decades, White attended over a dozen annual meetings of the International Whaling Commission as a non-governmental observer working for the protection of whales and dolphins worldwide.

He attended many meetings of the Convention on International Trade in Endangered Species as a non-governmental observer, and he was instrumental in lobbying in Santiago, Chile that resulted in increased protection for Black Sea dolphins.

In 2004, White twice halted a huge seismic experiment planned for the Yucatan coast by the National Science Foundation.

He co-founded the International Ocean Noise Coalition in 2004 to fight for global restrictions on the discharge of intense noise into the oceans by seismic and active sonar vessels.

In 2005, White received a lifetime achievement award from the organization In Defense of Animals. People for the Ethical Treatment of Animals dedicated a park in his name in Norfolk, Va.

On July 30, 2005, White died at the age of 53 in Friday Harbor, after a six-month battle with cancer. 🐾

Nightwork in Japan



The author

Marine World Africa of Vallejo, California, had already helped subsidize this latest "drive fishery" by buying four pseudorcas or false killer whales.

Back in the late 1970s, the world found out about the "drive fishery" at Iki Island through gruesome pictures of bays full of blood. Hundreds of panicked dolphins were driven up against a beach and lanced to death. Just predator control, the fishermen said. "Dolphins eat fish, leave less for us." But the global outcry was huge, the brutality so garish.

The Japanese drive fishery nearly folded in the early 1980s but was rescued by an unlikely financial infusion. Marine parks around the world wanted performers. They agreed to pay the fishermen for the effort of splitting off a few of the prettier animals into a separate bay and closing it with a net. Those not chosen were slaughtered.

The transaction evolved into something more sophisticated, with a broker set up to take orders for dolphins of a certain sex, species and age. When enough orders were in hand, a drive fishery was called. The fishermen pocketed thousands for each dolphin captured, killing all the rest driven ashore.

My insider contact said the dolphins were being held near Katsumoto, a fishing village on the island of Iki, in southwest Japan. Two trainers, Scott Rutherford and John Kirtland, had been sent to Iki from Marine World to prepare the pseudorcas for the trip to California and their new, greatly abbreviated home. My task was to get to Iki and find, without asking for information or being seen by the American trainers, the pen holding the captives. I carried an old clunky video camera and a 35mm still camera to document the scene. I was a little concerned about drawing attention to myself. It's tough being inconspicuous on an island where gaijin (white foreigners) are such a rarity. I saw not one other the whole time I was there.

The night I arrived on the island, I came much closer to seeing the trainers than I wanted. Coming into Katsumoto village about 10pm, after rather timorously navigating the drive-on-the-left, narrow roads, I found the town virtually shut up tight. Nothing resembled a hotel. Not relishing spending a chilly night in the tiny car, I stopped in front of the only store open. The proprietor bowed and smiled as I shrugged and asked "hotel?" Amazingly she made calls for me, found a vacancy, closed the shop and led me by moped to a traditional Japanese inn two blocks away. The innkeeper met us at the door and ushered me into a heavily lacquered foyer, complete with a place to put my boots and a choice of bright cloth slippers. I said "good-bye" and "thanks" to my guide and was led upstairs to my room. I admired its simplicity, no phone or television, just shoji screens and tatami mats, with a kerosene heater providing warmth. As my host rolled out my futon and thick bedding, she asked me if

"Dolphins are dying at Iki Island again," the caller said. "Some have been caught for aquariums and are being held in a polluted bay. Can you go?" Three days later, on April 10, I was en route to Narita Airport near Tokyo. Ostensibly, my mission as an investigator for In Defense of Animals (IDA) was to look into the connection between the Iki slaughter and American theme parks. One,

I was an American. I nodded and she lit up with excitement. "Oh, we have two others staying here," she indicated, certain that I would like to meet two fellow expatriates so far from home. Then she put her hands together and bobbed them in an unmistakably dolphin-like pantomime. Are you here for the dolphins too, she signed? "No, not me," I lied. Damn! Just what I need, to pick the one guest house also lodging the two trainers from Marine World Africa. With surprise, she accepted my insistence at paying in advance and we bowed our thanks and goodnights. Through the night, I would wake with a start, slide open the screen and push my face against the window in the hall, looking for the first morning light. Finally, I gathered my things, padded down the hallway, reclaimed my boots, slipped the lock holding the front door and stepped out into the cool morning.

Once back in the car, finding the dolphin compound was absurdly easy. Throughout the town, street signs in both English and Japanese direct the traveller to "Dolphin Park" with a happy, smiling, jumping dolphin. Obviously somebody had high hopes for creating a tourist attraction. Soon I found it.

Tucked between two steep peaks was a long bay fortified with concrete sides and divided into three sections with nylon fishing net. The float line bobbed on the top and the lead line rested on the rocky bottom. Grey bottlenose dolphins thrashed around the perimeters of the pens. A baby, not more than three feet long, sailed out of the water alone and then quickly returned to a large dolphin's side, coming up breathing in perfect syncopation.

A different sort of dolphin shared the center pen with more bottlenose dolphins. These were darker, with smaller, more hooked dorsal fins and very blunt snouts: pseudorca. It was these particular animals that had prompted my trip to this little island so far away from my own home and family. The pseudorca were behaving differently than the bottlenose dolphins. They seemed to be surfacing much more frequently, their exhale punctuated with a whooshing blow. They also stayed very tightly packed together as they whirled around the pen. They seemed so frightened that they didn't want to lose the reassurance, the touch, of what was left of their family.

After assessing that these were indeed the animals I had come to help, I spent very little time watching them. As many times as I have seen captive dolphins, it never fails to depress, such clear proof of my species' capacity for great acts of casual cruelty. Besides, I had work to do.

Remembering the trainers that would be showing up for work soon, I raced for the rental car and pulled out the old RCA camcorder and the little 35mm still camera I had purchased at the airport. With the film running I scanned the bay, watching through the viewfinder to try to catch the more obvious aspects of cruelty of the scene before me: the babies that were caught along with their mothers, the fishing net that was far deeper than the bay (endangering the captives with its loose folds) and the dead end bay providing no way to rinse out the huge volume of waste produced by so many large animals in such a small space. While I quickly shot pictures I tried to memorize every detail of the holding pen. What the nets were made of, how they were attached, where a guard might sit or sleep, if any homes overlooked the compound, where I might leave the car so it couldn't be seen from the road, what path to take to and from the pens so as to make the least noise.

Over by a platform, tethered at one end of the bay and presumably used for feeding the prisoners, I noticed something floating in the water. It was a dead dolphin; its right pectoral fin sticking awkwardly and immobile into the air. A white sort of fungus grew from one eye and the skin was peeling in dark patches. This dolphin

continued on next page

continued from previous page

had not just died. I took pictures, wondering what kind of person would leave a dead dolphin floating for days in a pen with live ones.

It was time to go; any minute the American trainers might return. Having seen the situation, there was no way I could just turn my back and fly back to Virginia. I would return that night and cut the nets. Now my concern was to get as far away from the holding pens as possible. The Americans could easily surround the place with so many guards that I would not only be prevented from effecting a rescue, it might be many months in a Japanese jail before I too tasted freedom.

Jumping into the rental car, I steered away from the still, deserted compound, pulling the collar of my jacket up to my nose to obscure my beard, perhaps the only human facial hair on the island. I discovered a back way to get to the dolphin pen without having to drive through the town of Katsumoto in the middle of the night. Finding the main highway after several obscure little roads, I turned the car around and measured the distance between each intersection, memorizing the details of the roadside so that I could find my way back in the dark.

Fifteen kilometers from Katsumoto I found Guonoa, the largest town on the island and, fortunately, another port of exit where I could catch a ferry back to Fukuoka. After some elaborate picture drawing, smiling and bowing, I found out there was a ferry leaving the next morning at 7:00, loading at 6:30. Perfect. I found a hotel and lunch and bought trinkets for the kids back home. A little, old man squatted in the market with a fan of beautiful cutlery spread out in front of him. I chose one, slipped its cardboard sheath and tested its edge against my forearm. It shaved like a razor. Thousands of yen changed hands and I carried away my prize, hidden deep in my shopping bag.

At the hotel, I laid out my gear on one of the beds: wetsuit top, weight belt, nylon mesh gear bag, wire cutters, two knives, neoprene booties and hood. I separated to one side my mask, snorkel and fins. I wouldn't be using these. A mask reflects light. The quietest, most invisible approach is to swim free, vertical in the water. All that's visible is a head. At night, with a hood, down in the water, I would be tough to see. Once, a partner and I spent an hour cutting chain link fencing at a dolphin enclosure not 25 feet from two armed guards looking directly into the pen.

I slept fitfully until finally rising at 2am. I put on my wetsuit top and swimsuit, covering them with a sweater and pants. I split my gear into bags and loaded what I would need on my mission topmost.

Arriving near my target, I backed the car down a ramp to the beach, obscuring it from traffic. Wary of the trunk light, I pulled out my gear and softly walked along the concrete embankment, avoiding pebbles that would skitter and make a racket. Out to sea, the bright lights of squid fishermen dotted the view, making the water seem more densely populated than the land. A cool breeze blew as I walked to the compound and the waning moon gave plenty of light, even obscured by the clouds. Years ago I discovered with delight that the night is far friendlier and lighter than we have learned to think of it. Now any trace of nervousness was gone. I had decided on a plan. I was ready and the night seemed perfect.

First, I followed the walkway around the bay to the far side and continued to the end of the stone jetty, where the bay opened up to

the sea. The outermost net was tied up out of the water to iron stanchions. I slipped into the dark water. A sudden chill leaked under my artificial blubber as the bay water flowed against my chest.

Gathering all of the net in a fat bundle on top of my legs, I used my knife to slice through the layers: float line, nylon strands then, finally, the lead line. Stowing my knife in my gear bag, I looped the float line to the back of my weight belt, tying it tightly in a square knot. Hand over hand, using the floats as hand holds, I crawled along the net towards the end still attached. The net doubled on itself as I progressed and opened up an increasingly wider escape route. It was a lot of work and for a moment a wave of fatigue washed over me. Then it was gone, replaced by exaltation. For me, direct action provides the antidote for the great sadness of my species' resolute war against nature. The perception that there is nothing that can be done is crippling. Taking a risk, feeling afraid yet persevering, refusing a personal acquiescence to injustice fuels the soul.

The lead line kept sticking against the jagged bottom and I had to use one hand on the float line and the other one to pull it off with all my might. I kept working my way across the bay until the accumulated mass of net behind me got just too heavy. Now and then, I would feel loose netting enveloping me, snagging on my back or my weight belt. I stopped and disentangled myself. Every 15 minutes or so a fishing boat passed the jetty at the entrance to the bay—quite close. I stopped and hunkered down, heart racing.

Having pulled the first net over half the way across the bay, I transferred the loose end of the float line from my belt to a float on the still attached half, securing the net. It was enough, a gap of free water about 40 feet wide separated the net from the far side of the bay.

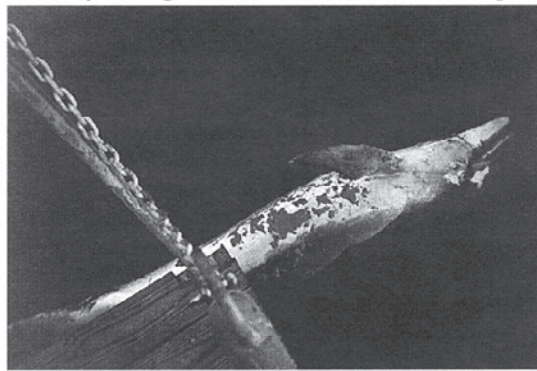
One down, two to go. I swam under water towards the dead end of the bay and was immediately reminded of the dolphins, momentarily

forgotten in my concentration on the task at hand. Once submerged, I could hear them echolocating me as I swam. Under the surface was a cacophony of clicks, squeaks and whistles. I felt the ripple of sound against my body. What amazing creatures! Of all wildlife, people seem to have the greatest empathy and affinity for dolphins. Maybe they can finally assist us in breaking the rigid, wrong and lonely mindset that only people matter.

The dolphins kept their distance. They were scared, obviously not yet accustomed to people. Still wild animals, they were not yet seduced by the easy handouts of dead fish, a good sign that they might swim free once the nets were open. Behind me, four pseudorcas, still tightly joined, exhaled with a simultaneous chuff, their black backs shining in the moonlight before they dove again.

Back to work. I cut the remaining two nets the same way, starting at the same side. When finished about a half hour later, a road to freedom about 40 feet wide ran along one side of the bay. I swam all the way through in a straight line, from the end of the bay to its mouth. Follow me, this is the way out, I pleaded. The dolphins appeared not to notice, but I could hear them "watching" my exit.

Job complete. I climbed back up the rocky jetty at the mouth of the bay, gathered my gear together, and slipped off my neoprene hood. Starting back to the car I glanced back and saw one mother and baby previously in the outermost pen surface now on the seaward



The Cost of Captivity: Decaying dolphin in holding pen at Iki Island.

Ben White

continued on next page

continued from previous page

side of the last net—*heading out*. Heart soaring, I left the compound.

As I crept along the concrete breakwater toward the car, one fishing boat was very close to shore. Aware of how well sound travels over water, I moved as quietly as possible, rolling my feet into place, using the skills of silent motion I've practiced since a child playing Indian.

The car clock said 4:00am. I had time to spend before getting in line for the ferry in Guonoo. On a whim, I followed signs to Monkey Rock, a pinnacle jutting 300 feet straight up from the sea just beyond the abrupt end of land. The top of the rock looked, even in the barely lightening pre-dawn sky, just like the face of a baboon. Stone monkeys carved over centuries as offerings were lined up. I made prayers as my medicine man teacher taught me long ago. With a handful of dirt I gave thanks to the father sky, mother earth, the four directions. I thanked the wind for having brought me to this place. I asked the roar of the surf to inform my dreams as to my next direction. I requested safe passage back to my family. I visualized the dolphins feeling the pull of freedom and finding the gate open.

Slowly the trees took on shape and the sky grew light. At peace in my soul, I walked almost in a trance to the car. Soon I was aboard the ferry to the mainland. Hours later I was on the plane from Fukuoka back to Tokyo, my dive bag dripping in the cargo hold below. After a brief stop at Tokyo's Narita Airport and phone calls home to tell friends the job was done and I was safe, I boarded the first plane to the US. Landing in Chicago twelve hours later, I was disoriented, tired and happy.

The Monday following, I went to the Office of Protected Species of the National Marine Fisheries Service (NMFS) and delivered a statement of what I had seen at Iki (as opposed to what I had done). Citing the numerous violations of a permitted capture: a cruel drive fishery, babies caught with mothers, confinement with loose netting, foul conditions including a decaying dolphin in the enclosure, I petitioned the agency to refuse to allow the importation of pseudorcas held for Marine World Africa and any other cetaceans caught as part of the drive fishery. They listened politely, giving no promises.

Two days later I got the news. A Japanese reporter had called the Iki fishermen's union to find out if anything interesting had happened. "Well, yes, our nets were damaged and forty dolphins being held for aquariums escaped." I whooped with joy. The news was picked up by the *Japan Times* and *Asahi Shimbun*, Japan's largest newspaper. The great escape had worked. Now the task moved to another level, making sure that never again will American aquariums finance the Japanese drive fishery holocaust and bring the victim remnants to the States as unwilling performers.

After a flurry of activity, with threats of lawsuits back and forth for almost two weeks, NMFS told Marine World Africa that they would not allow their pseudorcas (apparently held in another bay) into the United States because of technical violations of the terms of capture. NMFS banned the importation of the four because the place and method of capture deviated from that allowed in their permit issued by NMFS. The agency specifically sidestepped the issue of whether the drive fishery *per se* is cruel and inhumane. They left the door open to not only the immediate capture of four more pseudorca but even the possibility of continuing to allow the importation of dolphins caught as part of a drive fishery. Clearly my work to keep dolphins wild and free is far from over.

Ben White is a certified arborist, owner of Growing Earth Tree Care, and founder in 1990 of Dolphin Rescue Brigade.

Climbing the Walls Over Corky

As soon as we reached the top of the fire escape and walked onto the roof of the Anheuser-Busch brewery, I started worrying that we had picked the wrong building to hang our banner.

The roof was flat black asphalt, soft in the noon sun. There was almost nothing to attach a climbing line to, just a couple of short ventilation pipes. Around the edge of the roof ran a brick wall about 4 feet high.

What worried me though, was the open door facing us in the wall of the brewery that continued up from the roof, and the guy in the dusty window next to it, stooping over to watch us as we walked towards him.

My old tree climbing buddy, Mark Heitchus, was with me, hobbling along on a knee recently torn up by a bike wreck. The day before we had met with Brad Andrews, Vice President of Sea World, and two of the officials of the Busch Entertainment Corporation. These are the folks that think they own Corky (the orca performing as Shamu at the San Diego Sea World). We had polite conversation for an hour and a half. They patiently explained that setting Corky free was just not on their agenda. Our meeting ended with them asking how we planned on spending our next few days in St. Louis.

"Oh, I thought we'd hang a banner off the St. Louis Arch to protest Sea World," I said. They all laughed.

Today our mission was to make good on my promise, with a twist.

Mark and I walked across the roof carrying two gym bags. One held the banner—a fifteen by fifteen beauty of canvas and oil paint professionally emblazoned in red, white and black:

**AUGUST BUSCH III
TOO MANY WHALES HAVE DIED
IN YOUR SEA WORLD
FREE CORKY (SHAMU) I.D.A.**

An orca breched from the lower left-hand corner.

The other bag contained our climbing gear: tightly coiled 1/2" climbing lines, carabiners and nylon webbing.

It just so happens that only one of the old brick buildings housing the Budweiser brewery in St. Louis has a fire escape all the way to the ground. It is the same building with a hundred foot high wall facing Interstate 55 with fifteen foot letters, in cursive, saying:

Anheuser-Busch—Come Visit Us

with a line of Clydesdales marching across the bottom.

Our job was to climb over the short wall surrounding the roof, rappel down to a point just below the "Anheuser" and attach the banner to the steel standoffs anchoring the huge metal letters.

As Mark and I walked across the roof we were muttering under our breath:

"You see that guy?"

"Yeah."

"This is going to be a bitch!"

"Yeah, let's just see what happens."

"Nowhere to attach. . ."

"Let's try those pipes."

"Here he comes."

We kept walking straight toward the side of the building facing the interstate. Ten feet below the edge of the roof the letters began, anchored about 18" off the brick wall. A hundred feet down on the concrete apron a truck driver was filling up his long shiny tanker truck with some stinky brown liquid.

Looking down on the huge letters, I saw plastic owls tied on crookedly between the letters and the wall.

The brewery worker was slowly walking over.

"Watcha doin'?" he asked.

"Oh, it's these damn owls," I gestured. "They keep falling over. We've got to put them back up to keep the pigeons from pooping on your sign."

I turned to Mark, "You know pardner, we've got to get ourselves a real job one of these days."

"And leave all this fun? Never!" He grinned as he finished wrapping his line around a ventilation pipe with a clove hitch.

The brewery employee just shrugged.

But then we took out the banner and began to string it, still rolled up, between us.

"Now, what's that for?" he asked.

"Oh, some damn ad for Sea World," Mark explained. "You know, you folks own Sea World now, I guess this is some kind of promotion."

By then we were already easing ourselves over the lip of the roof, our makeshift climbing saddles nothing more than a double loop of nylon webbing fastened in the front by a carabiner. A short length of line connected the carabiner to the standing line with a fist-like knot that slid down when pulled and gripped when let go. Our standing lines, hitched to the short pipes sticking out of the roof, ran up and over the short wall and down the side of the building to the concrete below. We had guessed at what length to bring. I was happy to see they just reached the ground.

Mark was worried, with good reason, about the pipe he was tied onto and whether his line might be working its way to the top.

"Could you check my line for me?" Mark yelled up at the (now) two faces looking down at us from the brewery roof. The faces disappeared and I heard a dragging sound.

"It's OK," one said. "I put a pallet on top of it to keep it down."

Both of us relaxed a little. We would be able to pull this off after all. The only way they could stop us now is to cut our lines. Most people would choose a little bad publicity over a murder rap.

Scrambling around these 15' tall letters was great fun (if it is all right for an activist to admit to fun).

We realized we had our own sign turned inside out, with the words facing the wall. We met over the "n" and turned it around.

We lashed the top of our beautiful banner to the steel standoffs holding the bottom of the big letters. With a hard shake, the banner unfurled, all except for a little flap at the bottom where the new paint was sticking together. We rappelled down on either side and below, looking for a place to attach the shock cords that would hold the bottom of the banner taut. I was lucky. Right next to me two copper mesh lightning rods ran up the brick face. I tied off my end, pulling the wrinkles out of the fabric. Finished with my task, I looked down at the workmen far below.

Now they knew something was up. One big burly guy was on the phone at the loading dock, looking up and mouthing the words, "Too many whales. . ."

People driving by were stopping to look. Some laughed, some shook their heads, some took out cameras. We dangled.

Mark had nowhere to attach the bottom of his side of the banner except to his own climbing line, his weight holding it taut. We had talked earlier about exploring the possibility of hanging the banner,

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rappelling to the ground and just walking away. But considering the growing crowd below, that exit looked increasingly unlikely.

So, to keep bodily damage to a minimum in case we fell, we slid ourselves down our lines to within about 20' of the ground. There we waited.

We were starting to see why people rarely use homemade climbing saddles of nylon webbing. After a few minutes stationary it cut off circulation to our legs. We turned and twisted, finally putting a bowline loop in the line below to stand in to take pressure off our squeezed legs.

By now a crowd had gathered. A bunch of Anheuser-Busch security guards watched us but no one said anything. Finally a portly guy in a suit and a red tie came and starting tossing off instructions: get that truck out of here, close those gates, etc. Photographers from the newspaper squatted across the service drive in the shade of a little ash tree.

The Mr. Suit and Red Tie came over to the wall and bellowed up at us, squinting into the sun.

"When are you guys going to come down?" he asked.

"Whenever I'm told to by a police officer," I said.

"Or right now if you'll let us walk," Mark added.

"Okay, come on down," he said.

"You're saying we can walk away?" I tried to pin him down.

"Yeah, come on," he said.

After a little work to loose my knot that had tightened its grip on my climbing line I slid on down to the concrete and unclipped from the line. Mark did the same.

"What's your name?" I asked Red Tie.

"Mike," he volunteered irritably.

"Mike what?" I pressed.

"Just Mike," he answered, biting off his words.

"Well, Mike," I said, "I do have a last name, my name is Ben White."

"Yeah, yeah, I know," said Mike. "You'll have to wait with these officers."

"What about walking?" I argued. "Did you lie to us?"

"Just wait here," he said, and began yanking on Mark's line to try to pull the banner down. It didn't work.

Eventually a St. Louis detective arrived, friendly and mildly amused by the whole affair. He and his partner put us in the back seat of the regulation Buick, kindly leaving off the wrist-strangling cuffs.

At the closest precinct they took everything out of our pockets, took our shoelaces, my medicine necklace, and checked our weight, hair and eye color and looked for scars and tattoos.

Then we were put in a cell. The electric door rolled shut with a clang unlike any other sound on God's green Earth.

After a couple of hours we were taken from the cell to be transported "downtown" to the central jail. We were handcuffed to two scary looking characters. One was a big guy with a long scar running across his face. He had just been maced by the police during some domestic dispute. The other was a kid no more than eighteen with a huge smile that belied his flinty eyes. He had just been released from jail at 3:00 that very afternoon. It was 5:00 and he was

back in for beating the hell out of somebody with a brick for questioning the quality of his "product."

At the main city lockup we were paraded from one bored bureaucrat to another, fingerprinted and booked, and told to stand against the wall until called. I looked around the room, wondering how any sane person would agree to work in such a painful place. A soot encrusted metal grate covered the windows, old calenders hung crookedly, a sign said "Try to escape - ten year sentence." On the edge of a peeling plywood desk a huge cockroach squirmed, impaled through the back to the edge of the desk.

The four of us were shuffled into another cell, the door clanging with finality.

The big guy with the scar, still wiping his sweating, maced face, turned to me and asked the question I had been dreading.

"Watchu guys in for?" he said.

"You wouldn't believe it," I said.

"Try me," he persisted.

"Well, we climbed the Anheuser-Busch brewery to hang a banner protesting the taking of whales from the wild to do tricks at Sea World."

He sat up, suddenly interested.

"I know about that stuff," he said, "I used to live in Orlando and my girlfriend worked at Sea World. Didja know that those whales only live a little while in those tanks and that they all are called Shamu so nobody knows when one dies. And every time one of those whales is born they make a big deal out of it

but you never hear when they die a couple of months later."

"All that's true," I said, lifting my eyebrows at Mark, amazed at what this guy knew.

"Hey, these guys are right on," he said to the young kid, who was totally uninterested. "They activists."

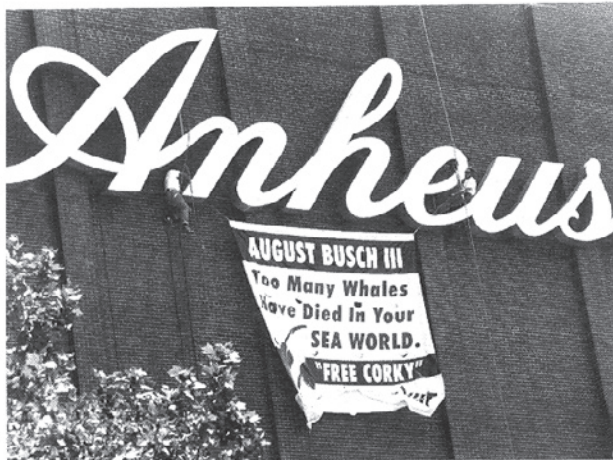
Time passed. I was watching the sky darken beyond the window grates, trying to concentrate on someplace far away, green and cool. I imagined swimming underwater with a pod of orcas off Vancouver Island, them shouldering each other as they played, rubbing their bellies on the smooth rocks. I could almost see it.

Only Mark and I remained in the cell, both of the others were apparently considered less of a threat to society and had been released. I had already read all of the writing inscribed by cigarette lighters across the institutional green walls and ceiling. The turnkeys down the hall turned on loud rap music that reverberated against the sheet metal walls. They said that we might be in all night or even all weekend. I found my good humor waning.

I had just finished ripping the bottom inch off my FREE CORKY Opus T-shirt to use as earplugs and blindfold when the guard came to our cell and called our names.

Fifteen minutes later we were out on the street breathing the sweet smell of freedom. Meanwhile in San Diego, I knew that Corky swam in endless, repetitive loops in the concrete tank at Shamu Stadium, still in jail, perhaps imagining the same green waters of her youth that I had envisioned to try to keep my own soul free.

Ben White is founder of the Dolphin Rescue Brigade.



St. Louis Post-Dispatch

The author and Mark Heitchus unfurling the Free Corky banner.

SHOWDOWN IN ZIMBABWE

As one who presumes to work for wildlife and wild places, I sometimes feel their presence peering over my shoulder to see if I am holding true to their concerns. Never have I felt this scrutiny as much as during the two weeks I spent in Harare, Zimbabwe, at the tenth Conference of the Parties (COP) to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). There, the survival or destruction of millions of creatures and millions of acres of critical habitat was decided, all by a relatively small group of human beings in one place. Before leaving for the meeting, I wondered what the animals and plants whose survival—and worth—was being debated would say in my place.

CITES is a system of agreements between countries that tries to strike a balance, offering three levels of protection: Appendix I bans all international trade except for hunting trophies and live animals “not to be used for primarily commercial purposes.” Appendix II allows some trade in the species within specified limits. Appendix III lists species named by individual nations for protected status.

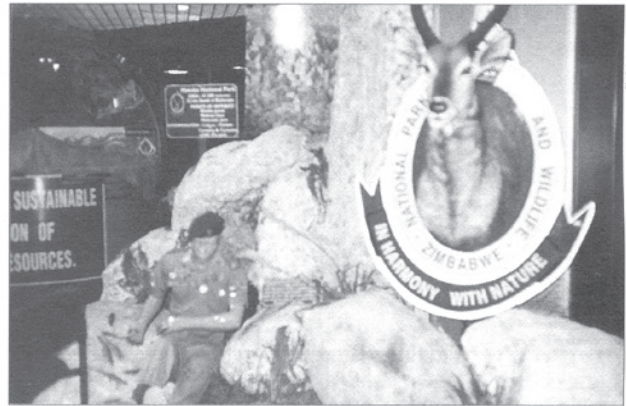
At the Harare meeting, the non-governmental organization (NGO) observers representing conservation and animal protection were far outnumbered by “sustainable use” advocates, those that traffic in wildlife, trophy hunters and whalers. Even the physical setting was daunting. A visitor to the convention hall attached to the Harare Sheraton had to pass by the frozen glare of many African animals—such as Cape buffalo and Cheetah—their bodies stuffed and mounted, their spirit gone. Day by day, as the first week wore on, the tenor of debate became slightly more acrimonious. More than a conflict between countries, CITES is a battleground of ideas and shifting attitudes.

Some say that in our crowded world endangered species must have a monetary value, must “pay their own way” in order to justify their preservation. Some hold that all forms of life are resources and that the task at hand is to create a way for people to “sustainably use” them. Others believe that we should manage human affairs in such a way that, at least, no more species are driven to extinction, and that the allowable trade in endangered species should be zero.

Advocacy groups of every persuasion held forth from their booths. The pro-whaling High North Alliance offered T-shirts



Distant view from the balcony of Committee I, where NGO representatives were banished while delegates below made far-reaching decisions on the world's imperiled wildlife



Adam Roberts

Zimbabwe's sanguine National Parks and Wildlife department smugly put stuffed wildlife on display for the conference attendees; the sign at left promotes "sustainable utilization of natural resources."

that had the slogans “Intelligent People Need Intelligent Food” and “Save a Whale—For Dinner,” bannered above prostrate cartoon whales.

For two weeks CITES gave thumbs up or down on proposal after proposal to either list for the first time or uplist (both giving greater-than present protection), downlist (removing some protection), or delist (remove from the Appendices completely) for dozens of species that are traded but threatened.

One measure decided at the conference was a proposal by Japan to circumvent the International Whaling Commission's ban on commercial whaling, and establish a system to trade in whalemeat. A secret vote was requested by Japan, and the resolution was rejected.

A seemingly insignificant change in wording was proposed by Namibia to alter the definition of the words “for primarily commercial purposes” in the protection offered by Appendix I. The change would have allowed governments to sell off any stockpiles of endangered animal or plant parts or “harvests” of so-called “nuisance animals” without the sale being considered “for primarily commercial purposes.” Nuisance animals could include anything from elephants in Africa to macaws in Central America; the proposal was withdrawn.












Our greatest early victories at CITES involved whales. Three different populations of minke whales, one of Brydes (pronounced brutus) whales, and the US population of California grey whales were proposed to be downlisted so that their meat could be internationally traded. Whale advocates lobbied and coaxed. In the end the whales won the vote. Even though the Norwegian proposal to downlist the minke whales in their neck of the woods received a majority, it fell well short of the 2/3 majority required to downlist.

Lending urgency to the proceedings were the reports of new pirate whaling in the North Atlantic, perhaps in anticipation of the relaxation of rules on the selling of whalemeat. At least six yachts have recently reported finding dead or dying sperm whales with radar marker buoys attached waiting to be picked up by some unknown whaler. The Portuguese have responded by sending a patrol vessel out

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What Happened in Harare: an Overview

-  Hawksbill sea turtles: A move to downlist Cuban populations to Appendix II, thus opening trade, was **rejected**.
-  Elephants: Botswana, Namibia and Zimbabwe's proposal for limited ivory trade, allowing them to sell their stockpiles, was **amended and adopted** (see sidebar at right).
-  Redefinition of primarily commercial purposes: Namibia's resolution would have opened the door for large exports of Appendix I species, in contravention of the convention. The proposal was **withdrawn**.
-  Brown bear: The resolution by Finland, Bulgaria and Jordan to uplist all European, Eurasian, Caucasian and Asian populations from Appendix II to Appendix I was **rejected**.
-  Jaguar: Venezuela's attempt to establish an export quota for hunting trophies starting in 3 years was **withdrawn**.
-  Bigleaf mahogany: the US and Bolivia's attempt to list bigleaf mahogany on Appendix II, monitoring trade, was **rejected**.
-  Southern white rhinoceros: South Africa's proposal to allow trade in rhino horns and other rhino products was **rejected**.
-  Illegal trade: the US's move to form a CITES illegal trade working group, to assist in enforcement efforts, was **rejected**.
-  Whaling: Japan's attempt to interfere with the International Whaling Commission, and weaken CITES protection for whales, was **rejected**. No whale downlisting proposals were passed.
-  Thailand's proposals to list the banteng and wild Asian buffalo on Appendix I were both **withdrawn**.
-  Green-cheeked Amazon parrot: the effort to transfer this rare Mexican parrot to Appendix I was **passed**.

What the Ivory Decision Does—and Doesn't—Mean

The recently accepted deal on ivory was still a crushing blow for elephants, despite its defenders' rosy predictions of strict controls on the trade. Even the most sharply limited trade offers untold opportunities for laundering and stimulates poaching—"speculative poaching," based on the hope that full-blown ivory trade will recommence. According to wildlife consultant Ian Redmond, "many wildlife departments are now bracing themselves for an upsurge in poaching activities, and police and customs face a similar increase in smuggling."

It is important to understand just what the decision entails, says Redmond. "Even though the elephant populations of Botswana, Namibia and Zimbabwe have been 'downlisted' from Appendix I to Appendix II of CITES, the move carries with it stringent precautions before a legal ivory trade can commence. The downlisting [which comes into effect September 18] allows only these three countries to export hunting trophies, live animals and, for Zimbabwe alone, elephant hide and locally carved ivory curios." Eighteen months later, trade in ivory could then be permitted to Japan, provided—among numerous other conditions—that current deficiencies in enforcement and ivory control are remedied as verified by the Standing Committee, and mechanisms are in place "to reinvest trade revenues into elephant conservation." 

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from the Azores to try to find the outlaw.

Bears did not fare well at CITES. The proposals by Finland, Bulgaria and Jordan to increase protection for all brown bears outside North America were soundly defeated, despite Jordan's unwavering defense. Fierce opposition by brown bear range states including the Russian Federation, Romania, and the Czech Republic made it difficult for many countries to support the species' uplisting.

The resolution ultimately passed by the Parties on Conservation of and Trade in Bears was hollow. Although it calls on Parties to improve national legislation and enforcement "to demonstrably reduce the illegal trade in bear parts," it does not call for a voluntary suspension of the bear parts trade, a measure that AWI has long supported. In fact, the United States announced just prior to the Conference that it would support such a moratorium if recommended by other Parties, but no such suggestion was proffered. China, seemingly supportive leading up to the Conference, sold out the bears when it counted most. Even a modest amendment proposed by India to attempt to "eliminate" the illegal bear parts trade—rather than simply reduce it—was defeated as an unrealistic goal.

Lastly, a resolution was adopted concerning the use of endangered species in traditional Asian medicines. Included is an unacceptable recommendation that Parties "consider, where appropriate and with sufficient safeguards, the application of artificial propagation and, in certain circumstances, captive breeding, in meeting the needs of traditional medi-

cine." To its credit, the United States proposed to amend the line to consider the "impact" rather than "application" of captive breeding facilities, which, of course, will include the deplorable Chinese bear farms. China spoke out against the simple but beneficial language change and the document was approved without the US amendment.

The proposals by the US to increase protection for 12 species of map turtles and the alligator snapping turtle were watered down and defeated or withdrawn. The reason given for the retreat of the US team was intense pressure from the state fish and wildlife agencies—under the banner of the International Association of Fish and Wildlife Agencies—to leave protection up to the states.

Tuesday of the second week saw the Great Elephant Show-down. When the smoke finally cleared, 62 out of the 123 countries eligible to vote had made comments in the heated debate. When it appeared that the individual proposals from Botswana, Namibia, and Zimbabwe might fail to reach the magical 2/3 margin of success, South Africa introduced an amendment that made the downlisting slightly more palatable to some. The amendment was essentially window dressing, saying that the sale of ivory would be limited to a one shot deal: the three countries would only sell the almost 50 tons of ivory they now hold between them to one buyer (Japan) and that there would be no sales for eighteen months. Being slightly more restrictive, the South African plan was seen as having the best chance to pass. In a knuckle-biting secret vote, the amend-

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ment failed by just three votes to gain the 2/3. Those of us fighting for keeping the ban on ivory in order to stop poaching breathed an enormous sigh. NGO observers were relegated to a balcony, and looking down on the floor, I saw Israeli delegate and wildlife champion Bill Clark slump in his chair almost to the floor in a gesture of relief and exhaustion. It was expected that, although late in the day, the votes would be taken on the more liberal downlisting proposals of the three states and, most likely, they would be defeated— one, two, three.

But it was not to be. In a blatantly partisan ruling by David Brackett, Canadian chair of Committee I, the debate was stopped. Instead of voting on the proposals once and for all, he ordered the formation of a working group under (strongly pro-use) Norway, with the participation of the three African states wanting downlisting along with Japan and the European Union. The next day this working group produced a “consensus” document almost identical to the failed South African amendment. In a startlingly abrupt manner, this “compromise” then sailed right through, easily gaining 2/3 of the votes. Then the individual proposals were approved—Botswana, Namibia, and finally, Zimbabwe.

When the Zimbabwe elephant downlisting cleared, jubilation reigned. Parks employees danced and hugged each other. Rows of scrubbed schoolchildren in British style uniforms and straw hats cheered and applauded. A man stood up in the upper balcony, and—without a murmur of interruption from the chair—sang out the long national anthem in a ringing baritone.

The concerns of the countries of Africa still under siege from well armed poachers had been ignored, as well as those from India and Bangladesh that had already seen an upsurge in the killing of Indian elephants just in anticipation of the possible downlisting. In eighteen months the trade of ivory, although supposedly severely restricted, will resume.

Clearly, when it appeared the downlisting would be defeated, the committee chair halted the process, shifted gears, and came up with the desired result. Perhaps it was naïve for me to assume, given the money riding on the decisions, that we would see a fair fight in Harare.

Each morning, the local newspaper, *The Herald*, was slipped under each hotel room door, and each morning the headline greeted delegates with pro-ivory trade propaganda. Each time the television was turned on there were pro-ivory news interviews and half-hour CAMPFIRE infomercials. Animal welfare and conservation NGOs got our share of press attention, too, but the publicity was for the most part antagonistic to the West and considerably favorable toward the elephant downlisting.

The dual international trades in wildlife and drugs have become increasingly intertwined, bringing odd bedfellows into the conference. The enormously powerful Russian mafia was said to be in attendance, interested, among other things, in the unrestricted flow of caviar (the uplisting of sturgeon products was amended to permit a generous allowance for “personal consumption”). Many of the proposals to restrict the

huge trade in wild birds failed, perhaps partly due to the popularity of packing cocaine inside already dead birds in the bottom of the shipping cages. One dedicated activist from the Caribbean confided to me that in the last year she has had both her house and her sailboat destroyed by drug runners angry at her effectiveness in exposing the drug/wildlife trade link.

After the Wednesday vote downlisting the elephants the committees zoomed through dozens of life-or-death proposals with little debate, as if a log jam had been broken and permission to elbow aside any nagging concerns about endangered species had been found.

Even though it was strongly supported by both the major importer (US) and the major exporter (Bolivia), the proposal to increase protection of bigleaf mahogany was voted down, defeated by timber interests for the third time in a row. Also defeated were the uplisting of sawfishes, mantella frogs, timber rattlesnakes, Kara Tau argalis, several species of parakeets, lorikeets, and cockatoos, and the cloth from wild vicunas. Protection was decreased on the export of leopard trophies and skins, tree kangaroos, Nile crocodiles, collared peccary, and the pearly mussel.

In the last blitz, we did eke out a few victories. A proposal from Venezuela to establish a quota for exporting Jaguars failed, and the proposals to allow the sale of white rhino horn from South Africa, and the renewed trade in hawksbill (sea) turtles from Cuba failed.

“Sustainable use” proponents argue that if we bunny-hugging richer countries want wild elephants, zebras and giraffes in our world then we should pay for the privilege. They have a point. However, that is already happening with the thousands of tourists that pack the buses to come to see the exotic fauna. The concept that animals can best be “sustainably used” by killing them and trading in their body parts is both wildly optimistic and contrary to history. The “sustainable” lethal use of any wildlife has never been our strong suit. The current global collapse of fisheries, the whaling industry, the ancient decimation of beavers and birds for hats are all examples of market economies that became engines of annihilation. Once identified as a resource, the world’s diversity becomes a coin that can be spent, saved, or converted into gold.

Nonetheless, “sustainable use” became the mantra of the CITES conference. If we are going to be successful being the voice of animals it would appear that we need to clarify what that means: a way for local people to make money from the very existence of wild animals—living where they live—wild and free. Encouraging the market economy of endangered animals and plants just invites plunder, with the local economies no better for the loss. We need to think clearly how best to stop the commoditization of the wild. And we need to say over and over that our global choice is not animals versus people but greed versus community. 🐾

Longtime activist Ben White (see “Nightwork in Japan,” AWI Quarterly, Spring 1993) has joined AWI’s staff as Wildlife Investigator. His specialty is marine mammals.



Jaguars, luckily, escaped the clutches of the pro-trophy hunting contingent at CITES.

Activists Pull the Plug on Sonic Bombardment of Whales

In Hawaii in March, the US Navy, in concert with whale researchers, tried to conduct an experiment that involved blasting endangered humpback whales with incredibly loud, low-frequency sounds—only to run into David and Goliath-style resistance. The willingness of a handful of activists to put themselves in the water—between the Navy and the whales—effectively stymied much of the researchers' efforts.

The Navy's plan for testing its Low-Frequency Active (LFA) sonar was to target singing male humpback whales, mothers and newborn babies with intense, high-volume sound in order to determine at what level they would be disturbed. The transmissions started by hitting the whales with 125 decibels (humans begin suffering permanent hearing loss at 130 decibels.) If the whales showed no response after an hour, the sound was increased to 135 decibels, then 145, then finally 155 decibels (about 50 times louder than a 747 taking off). If the whales still showed no response at that level, they researchers could, with special permission, increase the volume to 215 decibels.

The test took place at the height of their mating and calving season, in the middle of the whales' breeding grounds (just outside a recently-established humpback whale sanctuary) off the northern Kona Coast of the Big Island of Hawaii. The experiment included no followup. No effort was made to track the targeted whales to find out the long-term effects of the bombardment.

The plan was immediately condemned by respected biologists (see page 16), who said that serious harm could result without a noticeable outward reaction; they also noted that the test could seriously disrupt the highly endangered whales' reproductive behavior, jeopardizing the future of the population.

"Blasting humpback whales with sound of this intensity could kill them," said Dr. Marsha L. Green, president of the Ocean Mammal Institute and a leading whale researcher. She noted that when the Navy tested its Acoustic Thermometry of Ocean Climate (ATOC) sound source—another low-frequency, high-volume device—four dead humpback whales were found near test sites. "To use endangered whales as military sonar targets is a crime against nature," said Dr. Green.

Further, Greek scientist Alexandros Frantzis published in *Nature* a study which pointed out a suspicious correlation between mass strandings of whales in Greece and the Canary Islands and the use of LFA sonar.

The experiment's opponents, including AWI, first tried to block the Navy plan with a lawsuit, initiated by the Earth Justice Legal Foundation, asking US District Court Judge Helen Gilmore to grant a temporary restraining order—which she denied. The next phase of the concerted campaign against the tests was led by AWI's International Coordinator Ben White.

Among the many people opposed to the test were local residents, many of whom make their livelihoods from ecotourism. Several offered the use of boats and planes in the effort to halt the test.

Since the Navy's protocol required the experiment to be stopped if there were human swimmers in the water within five miles of the test area, White and other activists put themselves in the water near the Navy's research vessel, thus keeping the Navy from turning on their device much of the time.

This simple strategy worked surprisingly well. "We've been shutting them down every day," White reported March 20.

Test opponents made several more courtroom efforts, all blocked by federal judges. One lawsuit charged that the Navy had failed to comply with its permit by continuing the tests even though the whales were clearly fleeing the area in droves.

A provision of the researchers permit stipulated that if there were a significant drop in the animals' numbers during the test, the test should be immediately suspended—regardless of whether it could be proven that the test had caused the animals to leave. Many affidavits were presented to the court from longtime whalewatchers documenting the precipitous loss of whales.

One local citizen, who runs diving, snorkeling, and whale-watching excursions, said that while he usually sees six to eight whales an hour during this season, sightings had dropped to 1 or 2 a day during the intense activity surrounding the LFA tests.

On behalf of another local whale-watching enterprise, a move was made for a restraining order against the Navy—saying the test had seriously endangered the business's income—but the move was denied.

Through the entire controversy, both the Navy and the civilian researchers working with them on the sonar tests presented a blithe public face, saying that there was nothing wrong with the tests, that failsafes were in place and that nothing could go wrong. However, a large number of unanswered questions belied these denials.

Navy apologists said that the effects of the beams of sound could be carefully controlled and that the volume would be ratcheted up so slowly that any animal wanting to leave the area would have a chance. Seeing that the transmissions were much louder than the accepted safe level for both fish and cetaceans, and that the sound travels with little diminution for over a hundred miles, one wonders how creatures could escape ground zero.

If the sound source was perfectly safe, then why could it not be deployed with humans in the water up to five miles away (see inset)? On March 29, the Navy

itself halted the experiment two weeks early; Navy spokesmen denied responsibility for the whales' exodus—blaming either El Niño or an unexplained early migration. But the most obvious reason the Navy discontinued the test was the dogged efforts of those friends of whales who threw a wrench in the researchers' works. The Navy admitted in court that they had been unable to test the sound source on many days. Their original objective was to emit from 600-800 transmissions over 6 weeks. By the time the dust settled and the ship departed, about 300 transmissions had been achieved, throwing into doubt the validity of the entire operation.

The tests were designed as part of an environmental impact statement (EIS) for the actual deployment of the LFA system on four vessels dispatched around the world to find super-quiet diesel electric submarines. If deployed, these vessels will begin blasting the world's oceans with an ear-splitting 235 decibels, over a thousand times louder than the Hawaii tests. Intended to show that acoustic ocean creatures such as whales are not bothered by such highly intrusive sounds, the studies have been careful to ignore any evidence to the contrary. Even though all phases of the LFA tests demonstrated that the whales exhibited clear signs of avoidance, the Navy and the researchers are already spinning the data to argue that the effects are minimal and the LFA-equipped vessels should be deployed.

With the Hawaii experiment over, AWI's opposition to this unprecedented attack on the living seas has moved into the next phase: stopping the deployment of the LFA system and requiring the federal government balance harm vs. benefit when issuing scientific permits. Though the emergency restraining aspects of the lawsuits filed in Hawaii were rejected, our challenge of the legality of the LFA device will still be heard. 🐋



Above, volunteers near the research vessel. Below, Ben White.

