

**The Norwegian Whaling Controversy:
Claimsmaking, Framing, and Science in
International Environmental Politics**

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Abstract

This paper draws on theories of claimsmaking and framing, as well as on literature about the uses of science in environmental controversies, to examine the international dispute over Norwegian whaling. The analysis reveals that the dispute was conducted primarily as a framing contest, in which Norway defended its whaling as representing a science-based effort to responsibly manage whale stocks and protect biodiversity, while its opponents attempted to circumvent these arguments by focusing on the immorality of hunting an allegedly sentient species. The controversy clearly reveals both the advantages and limits of science in claimsmaking and counterclaims.

Norway has long enjoyed a reputation as an environmental leader. Its former Prime Minister chaired the UN Commission that coined the term “sustainable development” and paved the way for the 1992 Rio Conference. It follows progressive environmental policies, encourages environmental groups to participate in decision-making (Dryzek and others, 2003; Dryzek, 2005), and consistently ranks near the top in ratings of sustainability and environmental policy (Ingebritsen, 1997/1998; Dryzek, 2005; Yale Center for Environmental Law and Policy, 2005; Oekom Research, 2007). Yet, paradoxically, Norway is also one of a handful of nations that have defied the International Whaling Commission’s ban on whaling, resulting in an ongoing international controversy that has earned it widespread condemnation (Dryzek, 2005).

This paper examines how Norway continued to defend its unpopular whaling policy in international circles from the early 1970s to the present. It draws on published information about disputes over whaling, Norway’s role in them, and the arguments advanced by Norway and its opponents, as well as on theories about claimsmaking, framing, and the role of science in environmental disputes. The paper contains three major sections: a brief review of relevant theoretical literature, a descriptive summary of the whaling controversy, and a theoretically-based analysis of the dispute. The results contribute not only to understanding the dispute over Norwegian whaling, but also to theoretical understanding of the role of science in framing disputes.

Environmental Claimsmaking

The concept of claimsmaking was introduced by Spector and Kituse (1973) to explain how social conditions become social problems (for reviews, see Schneider, 1985; Goode and Ben-Yehuda, 1994; Williams, 1998; Hannigan, 2006). According to this

theory, environmental conditions become environmental problems not because they are self-evidently problematic, but because claimsmakers succeed in using persuasion or power to establish them as viable topics of public concern—worthy of debate in the media and politics and of remedial action. Whether a putative problem is taken seriously depends on the nature of the claim and the supporting arguments, the successful use of evocative language, imagery and symbols, the characteristics of the claimsmakers, the characteristics, activities and arguments of those who oppose the claim, and the frames and discourses in which arguments for and against the claim are couched.

The Nature of Environmental Claims. According to Best's widely used conceptualization (Best, 1987; Driedger and Eyles, 2001; Hannigan, 2006), arguments that specific conditions constitute social problems typically have three parts: grounds, warrants, and conclusions. Grounds are information, often gathered by researchers, used to establish the magnitude of the putative problem. Grounds are crucial, for failure to demonstrate that the allegedly problematic conditions are widespread and have serious consequences undermines the remainder of the argument. Warrants, which typically involve a mixture of logical deduction, references to values, and moral suasion, are arguments about why action is justified. Conclusions spell out the actions that individuals, business, and government should take to combat the problem.

Imagery and Symbols. Media attention and public acceptance of environmental claims are heightened when claimsmakers successfully deploy striking visual images, evocative symbols and language, attention-catching metaphors, and images of action or conflict (for reviews see Gamson, 1992; Williams, 1998; Hannigan, 2006). Nature protection advocates, for example, often focus on charismatic megafauna or species that

are easy to anthropomorphize, and images of hunters clubbing baby seals or Greenpeace activists driving their rafts between whaling ships and whales have attracted widespread media and public attention (Cantzler, 2007; Markham and van Koppen, 2007).

Characteristics of Claimsmakers. Because environmental problems are often difficult to detect or measure, scientists have been especially prominent in environmental claimsmaking, but they are seldom alone in advancing such claims. Environmental conditions are usually identified as problems because they threaten human well being, places perceived as of great beauty, or valued animals or plants; consequently, claims are also likely to be advanced by social movements and environmental organizations. Claims made by actors with high status and legitimacy, such as scientists and government or international agencies, and by actors viewed as acting in the public interest, such as environmental organizations or movements, are typically taken more seriously than claims from other sources (Benford and Snow, 2000; Harrison and Bryner, 2004b; Hannigan, 2006; Markham and van Koppen, 2007).

Opponents and Counterclaims. Failures to successfully establish claims about environmental problems often result from the activities of counter-claimsmakers, who disagree with the claims or see them as threatening their interests (Benford and Snow, 2000; Hannigan, 2006; Kraft and Kamieniecki, 2007). Counter-claimsmakers may argue that the grounds for the claim are weak, that arguments about a problem's severity are exaggerated or emotional, or that the proposed solutions are overreactions. They frequently provide counter-experts to dispute the claim's grounds, demand a hearing in policy-making, and take advantage of media norms that require presenting both sides of a dispute. Business interests frequently contest claims about environmental problems, but

governments too often resist environmental claims, fearing that they might threaten economic stability, undermine national sovereignty, or make government leaders appear inept or ineffectual. To defuse claims about environmental problems, government may call for or fund further research or study commissions, which are apt to deliberate long and arrive at compromise conclusions (Beck, 1992; Schnaiberg and Gould, 1994; Williams, 1998; Hochstetler Clark and Friedman, 2000; Hannigan, 2006).

Framing Environmental Claims

Although it has different intellectual roots (Goffman, 1974), the concept of framing, as developed by social movement scholars (for reviews see Gamson, 1995; Benford, 1997; Snow and Benford, 2000) overlaps significantly with literature about claimsmaking. To make claims appear more reasonable, legitimate and appealing, and to increase their resonance with the public, the media, and decision-makers, social movement activists and other claimsmakers typically seek to frame their claims in ways that align them with preexisting cultural values, beliefs, symbols and schema of interpretation. By highlighting selected elements of a problem and providing a framework for thinking about it that resonates with the public, the media, or decision makers, successful framings increase concern about the problem, justify actions preferred by the claimsmakers, and relegate contradictory information or arguments to the background.

Environmental movements may invent new frames or borrow frames from other movements (e.g., Čapek, 1993); however, frames are more often derived from existing discourses. Claims about threats to ecosystems or wild species are sometimes framed in terms of discourses about nature as a source of scientific information or about the beauty of “cultural landscapes,” but two other frames, described below, are more relevant to the

whaling controversy (for reviews see Devall, 1980; Brulle, 2000; Dryzek, 2005; Markham and van Koppen, 2007).

The first of these, derived from American conservationism and the discourse of sustainability, frames ecosystem degradation and threats to particular species as threatening the future availability of natural resources. Those using this framing typically rely heavily on scientific research to provide grounds for their claims and argue that government bureaucracies should implement better resource management. In this framing, the welfare of individual animals recedes into the background, subordinated to anthropomorphic concerns about maintaining ecosystem integrity and sustainable populations for human use. In the extreme case, animals like farmed fish come to be viewed as a “product” to be manipulated with the most efficient technology to maximize production and minimize costs (Schreiber, Matthews and Elliot, 2003).

A second framing, grounded in U.S. preservationist thought, deep ecology, and discourse about animal rights, views nature, ecosystems, and wild animals as having intrinsic value for their own sake. Although users of this framing frequently use scientific research as grounds for their claims, they place greater emphasis on moral arguments, including claims that humans should respect the rights of other species. In its most extreme form, this approach accords to individual animals—especially those that are easily anthropomorphized or to which sentience can be attributed—rights approximating those of humans. In the view of their advocates, such claims trump arguments about economic utility or national sovereignty (Hochstetler, Clark and Friedman, 2000).

Because environmental issues can be framed in various ways, it is not uncommon for different factions of environmental movements to frame them differently, as has

occurred in the long-running disputes over responsible forest management vs. wilderness preservation. Moreover, opponents of environmental claimsmakers may introduce counter-frames, such as cost-benefit analysis, which can make the alleged problem seem less threatening or less worthy of remedial action (Benford, 1997; Hochstetler, Clark and Friedman, 2000; Kraft and Kamieniecki, 2007). The result can be framing contests among competing movements and interest groups and the evolution of new frames in response to ongoing debate (Benford, 1997).

The Role of Science in Environmental Controversies

The considerable prestige and legitimacy of science mean that claimsmakers frequently present scientific data to convince the public, the media, and decision-makers of the severity of putative problems and the viability of the solutions they propose (Harrison and Bryner, 2004a, 2004b; Yearley, 2005; Hannigan, 2006). Scientific evidence is especially important for environmental claimsmaking because the relevant conditions and their effects are often difficult for citizens to observe or measure directly, and problematic conditions may have little visible or immediate impact on individuals—especially when problems are long term and international in scope. Moreover, the media and politicians—who lack expertise and worry that claims-makers and their opponents may exaggerate the severity of problems—frequently turn to science for counsel.

Although environmentalists frequently use science to undergird their claims, science has proved to be a double-edged sword (Ozawa, 1996; Harrison and Bryner, 2004a; Yearley, 2005; Hannigan, 2006). Scientists may disagree about appropriate study design, research results may be inconclusive or contradictory, and scientists may disagree about how to interpret the research. Caution about making sweeping claims is built into

the logic and routines of science, and scientists are frequently hesitant to risk their reputations by going out on a limb with premature judgments. Faced with equivocal research findings, environmentalists typically invoke the precautionary principle—arguing that action to prevent environmental problems should not be delayed until after a condition is definitively proved dangerous—and they may recruit sympathetic scientists to support their arguments, as Greenpeace did in its crusade against industrial uses of chlorine (Driedger and Eyles, 2001). Critics of environmentalist claims, on the other hand, argue that inconclusive or contradictory findings do not justify rash action and that environmentalist science is itself suspect. Environmental claimsmakers frequently respond to these challenges with efforts to make scientific data understandable and persuasive, but this process is rarely easy. Faced with conflicting claims based on research that is hard to understand or evaluate, the public may react to science-based claims with skepticism, prompting environmental claimsmakers to turn to arguments emphasizing aesthetics or moral claims.

Environmental Policy-Making

Government is typically expected to play a key role in solving problems identified by environmental claimsmakers and movements (Schneider, 1985; Beck, 1992; Hochstetler Clark and Friedman, 2000; Harrison and Bryner, 2004a 2004b), and in view of the increasing internationalization of environmental problems, this frequently implies both national- and international-level bodies. Confronted by conflicting claims and counterclaims, politicians and governmental agencies typically seek to justify their actions as based on careful and logical assessment of risks; however, they must often make decisions based on uncertain or limited knowledge, and they often wish for more

certainty than science can provide. At the international level, national sovereignty issues and differences in national cultures and the traditions of national scientific communities complicate the task of balancing the claims of international NGOs and their opponents. While the former frequently promote universal declarations of environmental principles that limit national sovereignty, nations and interest groups with the most to lose frequently resist these claims. When governmental bodies fail to respond to claimsmakers as they had hoped or expected, additional claims may be put forward, defining the lack of response itself as a problem (Spector and Kituse, 1973; Schneider, 1985).

Norway and Whaling: A Contested History¹

Norway, along with Japan and Iceland, has consistently defied international efforts to suspend whaling. The reasons for Norway's stance are numerous and deeply embedded in Norwegian culture and politics. For some Norwegians, the desire to continue small-scale commercial whaling stems from traditions that reach back to the ice age, and Norwegian policy makers have compared their long tradition of whaling to that of aboriginal Alaskans and Greenlanders, who are exempted from the current international ban. Helga Hernes of the Norwegian foreign affairs ministry, for example, argued that whaling, for Norwegians, is "not actually economically important to us...[i]nstead, it is a question of the right to preserve a cultural heritage." (Maddox 1992). Probably the most important reason for Norway's defiance, however, is that Norwegians see their whaling practices as part of a long tradition of basing environmental policies on careful resource management and sustainability.

¹ The information for our case study is drawn from the following major sources, which are listed here only once to avoid repetitive citations of the same sources in the text: Knudsen (1990), D'Amato and Chopra (1991), Kalland (1993), Shaiko (1993), Davies (1994), Skare (1994), Caron (1995), Ek, and Buck (1996), Greenpeace Deutschland (1996), Ingebritsen (1997/1998); Scheiber (1998), Holt (2002), Norwegian Ministry of Foreign Affairs (2003), Eden (2004), Heazle (2004), and Blok (2008).

Early Norwegian whaling was carried out by small vessels operating near the coast; however, during the Nineteenth Century Norway experienced rapid population growth, increasing demand for whale oil and other whale products. By the early Twentieth Century, this demand and improved whaling technology turned Norway toward pelagic (high seas) whaling. Taking more whales increased the supply of whale products and provided employment for coastal communities, but it required a much broader scope of operations, including mid-Atlantic and Antarctic whaling. Pelagic whaling was spurred on during the 1920's by the development of motorized fleets fitted with improved harpoons and improved methods of dragging whales onto the boats, and Norway's technological innovations during this period made it a leader in whaling. With the exception of the WWII period, Norway's catches exceeded 10,000 in almost every year between 1930 and 1960 (see Figure 1).

<FIGURE 1 ABOUT HERE>

Norway's approach—in contrast to that of many other whaling nations—emphasized maintaining a stable whale population. As early as 1938, the government began requiring whalers to have a license, and during the 1950s and 1960s, as decreases in whale populations became increasingly evident, Norway led the way in efforts to manage whale stocks. By the 1950s, it had implemented strong regulations limiting the number of whales caught per boat—even as other countries, including the Soviet Union and Korea, still had weak or nonexistent quotas. Norway's catches declined slowly but steadily during the 1950s, and during the late 1960s, it began to voluntarily remove its fleet from the Antarctic. After 1968, it engaged only in small ship coastal whaling.

Concerns about declining whale populations played an important role in the founding of the International Whaling Commission (IWC) in 1946. The IWC was originally intended to focus on maintaining whale populations, but during its first three decades, it was unable to accomplish this, primarily because of obstacles to collecting the scientific data needed to establish realistic quotas and the unwillingness of many of its members to support strict limits. Uncertainty about whale stocks became basis for downplaying the risk of overhunting. The resulting declines in whale populations during the 1950s and 1960s became a matter of increasing concern for many whaling countries.

During the 1970s, as environmental issues came to the fore in many Western nations, whaling became an increasingly contested issue. At the 1972 United Nations Conference on the Human Environment in Stockholm, there was a strong, although ultimately unsuccessful, push for a total moratorium. The United States, which had banned commercial whaling earlier that year, became a strong voice for a total ban. Its influence was strengthened by the Pelly Amendment of 1971 and the Packwood-Magnuson Amendment of 1979, which authorized the administration to refuse to enter into trade agreements with or impose trade embargos on nations that did not accept the IWC's efforts to control whaling. In 1980, for example, the U.S. threatened Korea with stiff penalties due to its use of inhumane, non-explosive harpoons.

The Stockholm conference, growing concerns about declining whale stocks, and pressure from the U.S. and a growing number of other nations persuaded the IWC to impose whale catch quotas in 1972—four years after Norway had already abandoned pelagic whaling—and prohibit factory whaling ships from catching any whales except for the smallest and most numerous species, the Minke. These measures, grounded in a

resource management perspective, were intended to greatly reduce whaling catches. Norway, believing that stricter regulations would help to stabilize the whale population, complied with the new rules. The Norwegians wanted to continue whaling, but they believed that strong, effective limits were needed. In fact, the new rules proved largely ineffective, as several countries, including the Soviet Union, China, and Korea, failed to follow them. Norway thus emerged as a strong critic of the IWC's ineffectiveness. It was also an early proponent of measures to combat the declining population of Minke whales, introducing its own catch quotas in 1976.

By the end of the 1970s, the IWC had shifted its focus from promoting measures to encourage sustainable whaling to debating a global ban. The emergence of this debate was, in part, a response to the ineffectiveness of earlier measures and continuing declines in whale populations; however, new actors and new claims had also entered into the debate. Many additional nations, most of them opposed to whaling, joined the IWC, and groups such as Greenpeace, backed by anti-whaling writers and researchers, began to advance claims on biocentric grounds, drawing on deep ecology discourses about the rights of all species to exist and claiming that whaling should be ended for moral reasons. By the mid-1970s, the media were full of images of Greenpeace activists attempting to protect whales by driving their vulnerable rubber rafts between the whales and the whaling ships. By placing their own lives at risk, the activists symbolically hammered home the point that the lives of whales had a value approximating that of human life, and their actions attracted a great deal of sympathetic press attention (Markham, 2008).

These new arguments fell outside the existing discourses and assumptions of the remaining whaling nations, and the resulting debate polarized them and the anti-whaling

countries. The split was heightened in 1982, when the IWC passed, by a three-quarters majority, a moratorium on all commercial whaling, scheduled to take effect in the 1985-1986 catch season. The Norwegians viewed the moratorium as overstepping the IWC's legitimate role. As they saw it, the IWC's mission was to promote responsible whaling, but it had failed miserably to prevent overexploitation. The moratorium was simply a misguided attempt to correct forty years of negligence by caving in to pressure from environmental NGO's and anti-whaling nations. Norway saw itself as on the forefront of resource conservation and progressive environment practices, especially in regard to fishing and whaling, and it wanted the right to continue to apply these practices to whaling. According to a 1993 pamphlet produced by the Norwegian Ministry of Foreign Affairs, "Minke whaling is ... essentially different from the industrial capital-intensive whaling of former years, the most important product of which was whale oil. This form of whaling has been halted once and for all, and Norway has no desire to resume industrial whaling" (Brinkmann 1996).

The IWC argued that the moratorium was necessary until more extensive scientific research on whale populations and catch quotas could be compiled; however, disagreements over studies of whale populations and how to interpret them ultimately became the focus of the years of argument. The Norwegians claimed that the IWC was ignoring emerging research findings and had shifted toward an agenda driven by moral rather than scientific claims. Along with the Japanese, they argued that the IWC should return to its original mission of protecting whale stocks and promoting sustainable whaling and blamed "the anti-whaling majority in the IWC for converting the Commission into an organization committed to the preservation of whales rather than

sustainable harvesting” (Iliff 2007). Although the IWC never stated directly that its goal had shifted from responsible whale management to a permanent ban, the pro-whaling countries concluded that it was actually “attempting to grant whales an entitlement to life, absolute protection from further utilization” (Caron, 1995: 160).

IWC rules allowed member nations to opt out of any of its resolutions and regulations. After lodging a complaint against the moratorium in 1982, Norway exercised this option, leaving it legally entitled to continue whaling. Norway stated that, while reducing its catch quotas, it would continue whaling for scientific and research purposes. This action received harsh criticism from the anti-whaling community, but Norway argued that its researchers were merely attempting to develop a better understanding of the Minke whales population. In 1986, the U.S. Department of Commerce, arguing that Norway was undermining the IWC, began to threaten Norway with possible sanctions. Norway's economic base during the 1980's was shifting toward exporting gas and oil from the North Sea, and it feared that such sanctions would be devastating, so in 1987 it agreed to provisionally halt all commercial whaling.

The IWC had justified the 1982 moratorium as an effort to allow whale stocks to replenish themselves while it conducted additional research. It promised that an extensive scientific study of whale populations would provide the basis for calculating catch quotas. When Norway halted whaling in 1987, it was thus with the understanding that the IWC ban would be temporary, and Norwegian policy-makers remained committed to the position that Norway would resume commercial whaling once scientific evidence indicated that Minke whales could be sustainably harvested. In the late 1980s, Norway began its own extensive three-year research program to calculate the number of Minke

whales in the northeastern Atlantic. In 1990, it submitted its findings to the IWC, estimating that there were 86,700 Minke whales, which Norwegian scientists concluded would allow a sustainable annual harvest of up to 2,000 whales. The IWC accepted this assessment of the size of the population, but it refused to lift the moratorium. Instead, in 1992, it concluded there was not yet enough research to demonstrate that the population would remain stable with low levels of whaling.

This decision infuriated Norway and the other pro-whaling countries, Iceland, and Japan. Iceland withdrew from the IWC but did not immediately return to commercial whaling. Norway claimed that this decision demonstrated once again that the IWC had been transformed from an organization for managing whale stocks into an organization attempting to permanently end all commercial whaling. After the IWC's 1993 annual meeting, Norway announced that it would resume commercial whaling and would set its own catch quota for 1993 at 296 Minke whales.

Norway's decision took place in the context of an escalating public debate about whaling. During the early 1990s, Greenpeace launched a new campaign against Norway, shifting its tactics toward advocating boycotts and trade sanctions. Greenpeace and other environmental groups portrayed whales as highly intelligent animals entitled to an especially high level of protection. This view went far beyond simply regulating whaling to ensure a sustainable yield for human use, and instead worked to endow whales with anthropomorphic rights.

An especially prominent example of this reframing was Amato and Chopra's pivotal (1991) essay, "Whales: Their Emerging Right to Life," which argued that accumulating evidence suggested that whales were sentient, social beings. Consequently,

“[w]hales are entitled to consideration as moral entities" and their "entitlement to life is the consequence of an emerging humanist right in international law” (61). Based on this claim, Amato and Chopra argued that whaling was morally indefensible. Claims like these resonated quite well in the anti-whaling nations. A 1992 Gallup survey (Freeman and Kellert, 1992) showed that substantial majorities in Australia, the UK, Germany, and the US disapproved of whaling, even if properly regulated (three quarters of Norwegians, by contrast, approved); however, there is evidence that few citizens who opposed whaling were very well informed about whale stocks (Hamazaki and Daitanno, 2001)

The governments of many non-whaling countries responded pressure from anti-whaling groups and public opinion by arguing for continuation of the moratorium, and Norway’s decision to resume whaling was widely condemned. The Norwegian government, however, declined to enter a moral debate over whaling. Discussing commercial whaling before the 1992 Norwegian Parliament, the Minister of Foreign Affairs described whaling as being, “justified from a scientific perspective because the stock was abundant...for coastal states it was deemed very important to secure an effective multi-species management” (Andresen, 2004: 45).

Anti-whaling groups in the U.S. responded with calls for a boycott of Norwegian products, and there was talk of protesting the 1994 Winter Olympics in Lillehammer. Faced with potential trade sanctions by the United States and Great Britain, Norwegian Prime Minister Brundtland defended Norway’s right to whale by stating that “we have to base resource management on science and knowledge, not on myths that some specifically designated animals are different and should not be hunted regardless of the ecological justification for doing so. International co-operation is in danger if this kind of

selective animal welfare consideration is allowed to dictate resource policies” (Vidal 1993). Although these arguments did not persuade the U.S. to drop its criticism of Norway, President Clinton ultimately decided not to restrict trade. Many observers also believed that Norway’s resumption of whaling would result in its being denied membership in the European Union, creating additional pressure to end whaling; however, Norway chose, for unrelated, internal political reasons, not to apply, and the EU decided not to implement strong sanctions against Norway.

Norway came under renewed criticism in 1995, when it issued a new report on the Minke whale population based on findings from further research. The new report said that Norway’s 1992 report of Mink 86,700 whales in the northeastern Atlantic had overestimated the population by about 17,000; however, Norway's response was merely to reduce its annual quota from 301 to 232 whales. The situation became even more confused in 1996, when new results from the same researchers showed an increase in the population, this time to 118,000, which was used to justify an increase in the quota to 425, precipitating still more objections by the United States and the Western European countries (Charon, 1995; Ek, 1996).

Some scientists argued, for example, that whale populations have been overestimated due to underreporting of catches during the 1950’s and 1960’s. Recent examinations of post-USSR documents, for example, show that it greatly underreported its catches. Moreover, the effect of whaling on the mating patterns of the Minke whale remained in dispute.

The IWC’s failure to develop a comprehensive system for managing whale stocks led in 1998 to meetings among Norway, Japan, and Iceland that resulted in the creation of

the North Atlantic Marine Mammal Commission (NAMMCO). NAMMCO's current membership includes only Norway, Iceland, Greenland, and the Faroe Islands, but Russia and Japan attend its meetings as observers (Maguire, 2001). It advocates rational management of whales, conducts research, and seeks to improve hunting practices to reduce potential human injuries and the suffering of marine mammals (Schiffman, 2003; NAMMCO, 2006). While NAMMCO has not directly challenged the legitimacy of the IWC, Caron notes that "the very existence of NAMMCO and the actions of Norway challenge the legitimacy of some of the IWC's decisions" (Caron, 1995: 165).

Efforts to persuade Norway to end whaling through the IWC moratorium, diplomatic pressure, and threats of sanctions were unsuccessful; however, decisions by the Convention on International Trade in Endangered Species (CITES) have had more impact. CITES, an international convention signed by delegates from 80 countries in 1973, prohibits trade in endangered species and products derived from them. Meat from all whales except the Minke was on CITES' original list of banned products, and the Minke was added in 1983, making trade in Minke whale meat a violation of international law. This action limited Norway's whaling revenues because the price in Japan, where whale meat is considered a delicacy by some, was four times as high as in Norway. By 2001, Norwegian whalers had stored 600 tons of Minke blubber, hoping for a change in the CITES regulations, and both Norwegian and Japanese lobby groups were lobbying CITES to reclassify Minke whales from the highest level of protection to a lower one, which would allow limited trade of meat and blubber. Norway initially concluded that violating the ban on exporting whale meat would be too politically costly; however, in 2008 it joined Iceland in exporting small quantities of whale meat to Japan (Black, 2008).

In recent years, whaling has been overshadowed in the press by climate change and other environmental problems, but it remains a topic of sharp contention. Anti-whaling NGOs, such as Greenpeace, the Sea Shepherd Conservation Society and Whalewatch, list a total ban among their top priorities, and they exert strong influence over many national governments. Consequently, efforts by countries with more nuanced positions to find a compromise have gone nowhere (Black, 2007). At a 2006 IWC meeting, pro-whaling nations, led by Japan, won a sharply contested 33 to 32 vote in favor of eventually ending the moratorium on whaling (a 75 percent majority is required to actually lift it) with support from Caribbean and African countries, which see removing the ban as a way to protect fish stocks (Booth, 2006). Anti-whaling countries, however, criticized Japan's foreign aid grants to many of these newer IWC members as thinly disguised bribes. In 2006, Norway increased its catch quota by 30 percent to 1,052 Minke whales but managed to catch only about half that number (Black, 2006).

Analysis

This case study of the long-running controversy over Norwegian whaling provides important insights into both the practical politics of international nature protection and important theoretical issues. Clearly, numerous factors have contributed both to the critics' successes and failures in establishing the claim that whaling is an environmental problem and to the Norwegians' successes and failures in mounting counter-claims. Prestigious spokespersons, the prestige and legitimacy of science, graphic images, and other strategies suggested by the literature on claimsmaking have all been mobilized at various times by each side. Yet the analysis above indicates that dispute played out primarily as a framing contest, in which the contending sides mobilized

frames and counterframes to make their claims credible and persuasive and modified their frames in response to their opponents' strategies and ongoing events. Whether and how science should be invoked emerged as a key issue in the framing context, and policy makers faced difficult dilemmas trying to compromise a dispute based on contradictory framings.

The Scientific Sustainability Frame

The economic benefits of Norway's tiny whaling industry are clearly too small to reasonably explain its willingness to absorb international criticism and assume the risk of economic sanctions in order to continue whaling. The explanation of its stout defense of whaling no doubt lies in its internal politics, including the symbolic significance of its traditions of whaling, pressures from relevant interest groups, and a desire to protect national sovereignty (Kalland, 1993; Caron, 1995; Ek and Buck, 1996; Holt, 2002); however, the details of Norway's internal politics are the topic for another paper. Of primary interest here is how Norway and its opponents have argued their cases on the world stage.

In this connection, Norway's coupling of its national tradition of science-based natural resource management with current emphases on sustainability and biodiversity has proven to be key. That is, Norway has defended whaling not merely as a matter of national sovereignty, national traditions, or the economic well-being of its citizens, but primarily as part of a well-considered program of sustainable resource management. As Andersen (2004: 45) put it, "Although whaling by many countries is perceived as an environmental issue, Norwegian decision-makers have always regarded this question of managing marine living resources." Norway responded to the IWC's 1986 whaling

moratorium, for example, not primarily with fulminations about national sovereignty or its economic welfare, but with scientific studies to calculate the size of the Minke whale population and the catch quotas it could support. It insists that it strictly monitors its whaling industry to ensure that the whale population remains healthy, stable, and renewable. Working within this scientific sustainability frame, Norway has argued that it has every right to continue whaling so long as its practices maintain sustainability and biodiversity. The Ministry of Norwegian Affairs states, for example, that “[Norway’s] policy must be co-operation concerning the protection and rational management of renewable natural resources” (Norway Ministry of Foreign Affairs, 2003).

This framing has a long pedigree in discourses about environmental protection (see above), and it invokes current day rhetoric about sustainability and biodiversity. It has allowed Norway to contest both the grounds and warrants of its opponents’ claims. Norway has thus used its research results to portray claims that its whaling threatens the survival of the Minke whale as counterfactual. Moreover, framing whaling in terms of current discourses about sustainability and preserving biodiversity, rather than in terms of deep ecology or preservationism, makes maintaining the population the key criteria for evaluating whaling. With this framing, the fate of individual whales and claims that they are sentient creatures fade into the background in favor of arguments about what is necessary to maintain the population (Eden, 2004; Dryzek, 2005). Like farmed salmon (Schreiber Matthews and Elliot, 2003), whales are seen not as individual animals, but a population to be managed and harvested in an economically rational way.

This framing aligns well with hegemonic Western values about technological and economic rationality, as well as with the discourse of ecological modernization so

prominent in European policy discussions (e.g. Mol, 1995; Jänicke Kunig and Stitzel, 1999; Dryzek, 2005), as it assumes that science and technology can be harnessed to calculate a sustainable whale harvest. The Norwegian Ministry of Foreign Affairs, for example, praises Norway's "highly modern and scientific whaling" and claims that Norway can thereby "sustainably maintain its natural resources" (Norway Ministry of Foreign Affairs, 2003). It argues that low-level whaling actually supports biodiversity and increases fish yields by protecting diverse fishing stocks. Framed in this way, whaling is in no sense contradictory to environmentalism and green politics; like its opponents, Norway can claim to be pursuing a sustainable future.

In line with this framing, Norway has repeatedly relied on scientific research to defend whaling. The Ministry of Foreign Affairs (2003: 1), for example, argues that decisions about whaling "must be based on the best scientific advice." Invoking science has lent an air of authority and legitimacy to Norway's positions, and it tends to shift the framing of the whaling dispute away from less quantifiable moral concerns toward technical disputes about how best to count the whale population and set catch quotas.

Norway's defense of its whaling practices has posed a serious dilemma for the anti-whaling nations and NGOs. One of their key arguments had been that whales were an endangered species, and that any further whaling threatened their extinction and a resulting loss of biodiversity, yet Norway's research suggested that this was not the case—at least for the Minke whales it hunts. To the extent that the public, media, and policy-makers accepted the scientific evidence Norway cited, Norway's counterclaim undermined the grounds of one of the anti-whaling forces' long-time claims. While whaling opponents have continued to argue that research findings about whale stocks

were dubious and that the precautionary principle should be applied, the counterclaim tends to transform the argument into a technical-scientific dispute of the kind that attracts little press or public interest. Worse still, engaging in a debate over “the numbers” tends to focus attention on the size of the population of depersonalized whales versus the fate of individual whales, and participating in a debate about what constitutes a sustainable whale harvest implies acceptance of the premise that whaling is acceptable if conducted sustainably.

The Moral Rights Frame and the Norwegian Response

In response to the this framing, anti-whaling NGOs moved to supplement arguments that whales are endangered species with moral and ethical framings that anthropomorphized whales, making the fate of each individual whale a matter of moral significance. Drawing on older discourses of nature protection, such as American preservationism, and on the contemporary discourse of deep ecology, they undertook to transform whaling from a problem of scientific resource management into a moral issue and whales from a source of food and oil to sentient beings with special rights to humane treatment (Gamson, 1992; Dryzek, 2005; Cantzler, 2007; Blok, 2008). This framing circumvented Norway’s depiction of a low level of whaling as ecologically sustainable and relegated disputes among experts about “the numbers” to the background. If it is immoral to hunt whales, then how many there are and whether they can be hunted sustainably is irrelevant, and science is undermined as a way of resolving the dispute.

Arguments like these can be found throughout recent anti-whaling literature, most notably the widely influential article by D’Amato and Chopra (1991) mentioned above. Here whaling is interpreted almost exclusively as a morally indefensible act against

sentient beings and a violation of universal "sentient" rights. Operating from these premises, one whaling opponent summarized his recent presentation before an Australian commission on whaling this way: "I did not argue that whaling should stop because whales are endangered. . . . Instead, I argued that whales are social mammals with big brains, capable of enjoying life and of feeling pain—and not only physical pain, but very likely also distress at the loss of one of their group" (Singer, 2008). These new grounds were linked to warrants for action based on moral arguments about the suffering of individual whales and the whales' ability to communicate and, presumably, grieve for their lost mates. These arguments may have had special resonance for persons whose skepticism of science as a way to resolve the dispute had been heightened by endless wrangling over "the numbers." In fact, the whaling opponents also rested on "factual" grounds—evidence about the sentience of whales—but this was obscured by the moral emphasis of their arguments and the fact that the whaling opponents' "facts" were anecdotal and easy to understand.

Deploying these arguments and anthropomorphizing whales and whale song proved to have considerable appeal. As witnessed by the spectacular growth of organizations such as WWF (van Koppen and Markham, 2007), the protection of large mammals has become something of a crusade in developed countries. In these countries, a decreasing percentage of people—especially among the more affluent and educated classes—have experience with hunting or animal husbandry, and nature has become increasingly idealized (van Koppen and Markham, 2007; Blok, 2008). As Cantzler put it, the values and experiences of the oftentimes affluent individuals interested in environmental and animals rights "are more likely to reveal their anthropomorphic

sentiments towards animals, their informed concern about the destruction of nature” (Cantler, 2007: 488). Moreover, this new framing allowed anti-whaling forces to align concerns about the welfare of whales with human rights frames, in which universal rights are viewed as trumping national sovereignty (Hochstetler, Clark, and Friedman, 2000).

International NGOs were remarkably effective in promoting the anti-whaling message using this framing, making opposition to whaling almost an internationally recognized norm (Rucht, 1995; Wapner, 1996; Blok, 2008). They had the advantage of being able to portray themselves as disinterested parties working for the benefit of whales and the environment, and they developed great skill in creating attention-grabbing images to symbolize their struggles and dramatize the plight of the whales. Greenpeace, in particular, supplied a steady flow of pictures and video of bloody carcasses and heroic Greenpeace activists in their flimsy rubber rafts. These tactics proved very effective in influencing international opinion and attracting media coverage. This approach has also been adopted by Sea Shepherd, which uses “direct-action tactics to investigate, document, and take action when necessary to expose and confront illegal activities on the high seas” (Sea Shepherd, 2009) and frames its opposition to commercial whaling partly in terms of the rights of whales. Greenpeace too continues to use direct-action tactics, although it has recently expanded its focus to incorporate other threats to whales, including ocean degradation and climate change (Greenpeace International, 2009).

Norway’s response to anti-whaling claims framed in terms of the rights of whales has been basically to ignore them and reassert its own framing of whaling, perhaps in hopes that public interest in the whaling dispute would fall victim to the issue-attention cycle (Downs, 1972) and decline. The Norwegians did, however, modify their arguments

in one way. They attempted to undercut the IWC's legitimacy by depicting it as an ineffective, out-of-control agency trying to compensate for its past ineffectiveness by yielding to outside pressure and imposing draconian measures that fell outside its mandate and were unjustified by science. The Norwegians were able to cite evidence from the IWC's history of ineffective half-measures to support this claim, and portraying government agencies as inept typically has broad public resonance. Norway thus relied on this framing to help justify its opting out of the IWC ban and its role in founding the rival North Atlantic Marine Mammal Commission.

Without a detailed knowledge of the behind-the-scenes deliberations of Norwegian policy-makers, there is no way to determine the extent to which Norway's insistence on framing whaling in terms of science-based resource management represents a calculated strategy to undermine its opponents' claims or is simply the result of a commitment to Norwegian traditions so deep that opposing views are viewed with incomprehension. Both factors may well be involved, but there are certainly ample grounds for the latter interpretation in Norway's rich historical tradition of both fishing and whaling and in its current emphasis on sustainability.

Science and the Whaling Controversy

The complex interplay of claimsmaking and framing, science, and policy formulation is very well illustrated by the Norwegian whaling controversy. Norway's research-based claim that Minke whales were abundant enough to allow limited whaling successfully called into question across-the-board generalizations about the eminent extinction of whales, lent a patina of legitimacy and reasonableness to the Norwegian

position, and created a potentially almost interminable debate about whether Minke whales could be taken sustainably.

Faced with a long debate over “the numbers” in which their only secure footing was arguing for the precautionary principle, the anti-whaling forces reframed their arguments to emphasize emotion and ethics rather than science--rendering research about “the numbers” irrelevant. This was an attractive option because reliance on science about whale stocks was an inherently contradictory position for anti-whaling NGOs (Baily, 2008). While science could be useful in providing grounds for arguments about species depletion, it also allowed for pro-whaling countries to argue that, if done responsibly, low-levels of whaling can be sustainable. And for many anti-whaling NGOs, the allowance for even low-levels of whaling was antithetical to the desire of many of their supporters desire to end all commercial whaling.

Ironically, the grounds for the new anti-whaling arguments—that whales were sentient, social beings—were also potential topics of scientific research, and the anti-whaling forces did cite some evidence as grounds for their position. Nevertheless, their strong reliance on moral and emotional arguments as warrants for banning whaling directed attention away from the putative “facts” about whales’ sentience and called into question the morality of anyone who questioned the rights of whales.

Nevertheless, reliance on science hardly resulted in a decisive victory for the Norwegians. Research about the numbers of whales was plagued by familiar problems of contradictory research findings and slow progress in accumulating knowledge and reaching scientific consensus. Norway’s own research was characterized by an embarrassing series of contradictory research findings, leading to abrupt changes in

whaling quotas, and the Norwegian research is not always in agreement with other research findings. Contradictions like these tended to undermine the credibility of the Norwegian argument that science can provide the information needed to set sustainable whaling quotas and reinforce skepticism of science as a way of resolving the dispute.

Framing Contests, Science, and Policymaking

The Norwegian whaling dispute, with its competing framings and scientific uncertainty posed a difficult dilemma for the IWC. It found itself caught between contending forces, each claiming to share environmental concerns but presenting arguments and counterarguments framed in very different and shifting ways. Worse still, both sides condemned it as ineffective, the anti-whaling forces because it has failed to end all whaling and the Norwegians because it first failed to manage whale stocks effectively and then caved in to pressure and abandoned its original charge to manage whales in favor of a complete ban.

Major policy decisions at IWC, decided by votes by member nations, reflect shifts in the composition of its membership and member state preferences. Nevertheless, in view of its weak enforcement powers and the criticisms leveled against it, the organization is necessarily very concerned with maintaining its legitimacy. Thus, despite being plagued for decades by lack of data and contradictory interpretations of existing research, it has remained nominally committed to scientific norms and the hope that science would eventually provide “definitive” answers. Consequently, it has been unwilling to brand Norway’s scientific claims irrelevant and openly embrace the biocentric claims of some of its opponents. Instead it and some of the anti-whaling nations have offered equivocal and changing rationales for the whaling moratorium,

leaving it even more open to criticism from both sides. Unable to act effectively against Norway, the IWC found itself rather ironically almost superseded by CITES as the major force limiting Norwegian whaling and in competition with NAMMCO.

Conclusions

Norwegian whaling remains a complex, emotional, and hotly contested issue. Norway continues to whale, but it does so under scrutiny and criticism from the IWC, environmental NGO's, CITES, and anti-whaling nations, and recent developments suggest that the battle is apt to continue. To date, the dispute has been played out primarily as a framing contest. Norway's public defense of its whaling practices has been based on a framing of whaling that aligns its whaling practices with broadly accepted principles of sustainability and ecological modernization and with national traditions that have made Norway a leader in environmental policy. In terms of these discourses, whaling is not an irrational or self-serving exception to the policies of a progressive "Green country," but part and parcel of a national resource management strategy in which whales are a resource to be managed sustainably and scientifically. Emphasizing science and rational calculation locates the grounds for the Norwegian arguments in numeric counts of the whale population and the warrants in arguments about the implications of specific whaling quotas for sustaining biodiversity. By using scientific research to bolster its claims about sustainability, ignoring moral and emotional arguments about the rights of whales, and accusing the IWC of straying from its mission, Norway has been able to use this framing to defuse some of the key claims of its critics.

Yet despite these arguments, the anti-whaling forces have been able to tilt world opinion toward viewing whaling as morally unacceptable and establish claims that a

whaling moratorium should be implemented and continued. Here again, framings that resonate with the public, media, and decision-makers have been key. Using frames derived from deep ecology and related discourses, opponents of whaling portrayed whales as sentient, social creatures deserving of special rights, aligning their framing with human rights frames that trump national sovereignty and enjoy wide legitimacy. Viewed from this perspective, scientific estimates of the number of whales and the number of whale catches consistent with a sustainable population fade into the background and moral arguments dominate. Claims that whales are sentient creatures are themselves potential topics of scientific research; however, the anti-whaling forces have made only casual use of scientific evidence to support their claims and the Norwegians and other whaling nations have not attempted to mobilize scientific evidence to discredit them.

The current framing contest is unlikely, however, to be the end of the story. Pro-whaling forces, led by the Japanese, are mobilizing again and opponents are adding new issues, degradation of the ocean and climate change as threats to whales, to the mix. We can expect, therefore, to see new claims and counterclaims, new disputes over science and morality, and, especially, new framings as the contending interests react to ongoing events and to their opponent's strategies and framings of the whaling issue.

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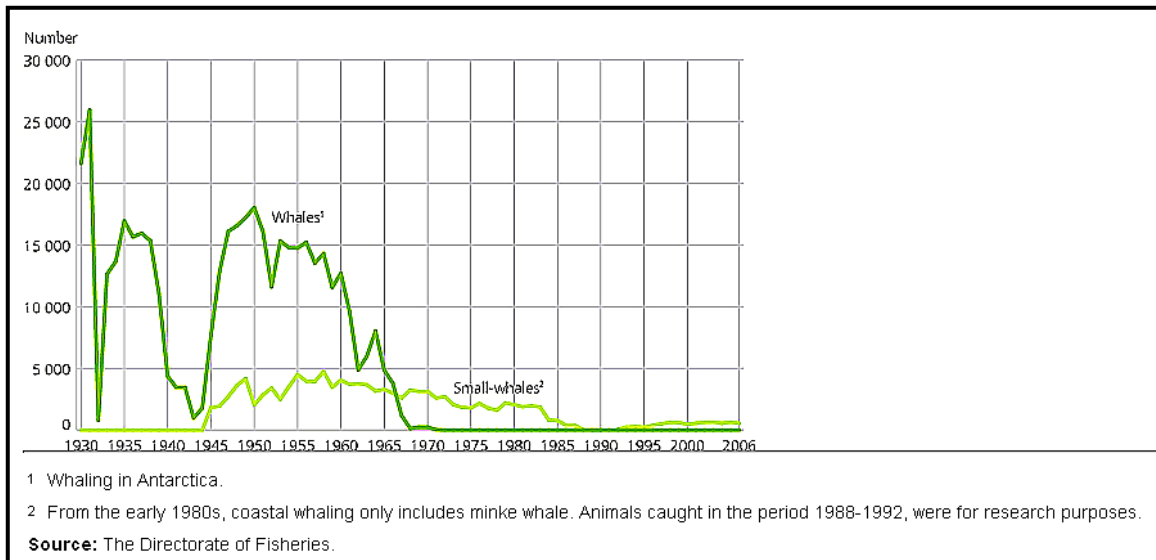
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Figure 1. Norwegian Whaling Catch, 1930-2006



Source: Statistics Norway. 2007. *Statistical Yearbook of Norway 2007*. Oslo: Statistics Norway.