

Swimming Against the Tide: Japan and the Transnational Anti-Whaling Network

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Introduction

The role of transnational advocacy networks has figured prominently in recent studies on the diffusion of international norms.¹ These networks are coalitions of “relevant actors working internationally on an issue, who are bound together by shared values, a common discourse, and dense exchanges of information and services.”² They may include international and domestic non-governmental organizations (NGOs), social movements, foundations, parts of intergovernmental organizations, and state actors.³ In addition to promoting new issues, transnational advocacy networks have played a leading role in pressuring recalcitrant states to comply with international norms.⁴ Norms, here, refer to “shared expectations about appropriate behavior held by a community of actors.”⁵

While various transnational movements have successfully promoted changes in the behavior of norm-violating states, some targets remain impervious to international pressure. Why do some international campaigns to pressure errant states to comply with international norms fail? Ultimately, the success of these campaigns depends upon the vulnerability of the target state to external pressure. Drawing from the literature on compliance, norms and social movements, I isolate three domestic factors that help to explain why some transnational campaigns succeed while others fail. These factors include the role of domestic interest groups, the domestic resonance of the international norm, and the political opportunity structure in the target state.

This paper seeks to explain the limited effects of the transnational anti-whaling network in its efforts to pressure Japan to abide by the international norm against whaling. In spite of

¹ See Nadelmann 1990; Keck and Sikkink 1998; and Price 1998.

² Keck and Sikkink 1998, 2.

³ Ibid., 9.

⁴ For specific campaigns in the areas of human rights, apartheid and the environment, see Sikkink 1993; Klotz 1995; Keck and Sikkink 1998; and Risse, Ropp, and Sikkink eds. 1999.

⁵ Finnemore 1996, 22.

tremendous international pressure and the threat of U.S. sanctions, Japan has remained defiant in its opposition to a global moratorium on commercial whaling introduced by the International Whaling Commission (IWC) in 1986. It has persistently and vigorously campaigned for the removal of the ban and the resumption of commercial whaling. Japan has also engaged in a highly controversial program of whaling for scientific research in spite of the ongoing moratorium.

I argue that domestic whaling interests do not provide an adequate explanation for Japan's resistance to external pressure. Instead, the lack of resonance of the international anti-whaling norm and the limited domestic channels for the amplification of international pressure were the critical factors obstructing the influence of the anti-whaling network. While whaling no longer involves significant economic or political domestic interests, Japanese leaders continue to defy the international anti-whaling norm as a matter of principle and national pride. They have framed their resistance in terms of the need to uphold the principles of the sustainable use of natural resources and respect for different cultures. Indeed, Japan's defiant response to the anti-whaling campaign has been motivated more by the manner in which this campaign has been waged rather than the tangible benefits of whaling.

The remainder of this paper is divided into six sections. The next segment reviews the three domestic explanations for the limited impact of transnational advocacy networks on target states. The second section provides a brief overview of the emergence of the anti-whaling norm and the IWC moratorium on commercial whaling. This is followed by descriptions of Japan's whaling policies and of the transnational anti-whaling campaign directed against Japan. I then evaluate the three explanations for the limited effects of this campaign. The concluding section

summarizes the findings and draws out some implications for the effectiveness of transnational advocacy networks.

I. Transnational norm promoters: key domestic obstacles and challenges

a. The role of domestic interest groups

The rationalist tradition in the study of compliance focuses on the cost-benefit calculations that strategic, self-interested actors make in the face of particular incentive structures – international and domestic.⁶ Both options of norm conformity and deviation typically entail certain rewards and punishments, both material and social. Actors weigh these consequences and choose whichever alternative promises to maximize their interests. By adopting various strategies of coercion and social pressure, external norm promoters attempt to raise the target state's costs of non-compliance. Political leaders of the target state, however, must weigh these costs against the domestic benefits associated with the prohibited activity. In particular, as liberal approaches to the study of international relations suggest, policymakers tend to respond to the demands of the most influential coalitions of social actors within the state.⁷ Consequently, if there are significant domestic interests at stake in the protection of an internationally prohibited activity, norm-violating states may remain impervious to even substantial external pressure and persuasion.

b. Norm resonance

Scholars of international norm diffusion have noted that successful norm internalization requires an ideational affinity between the international norm and the domestic normative and

⁶ See Downs, Rocke, and Barsoom 1996; Downs 1998; and Underdal 1998.

⁷ See Moravcsik 1995, 1997; and Walsh 2001.

ideational setting. Jeffrey Checkel refers to this condition as a *cultural match*: “a situation where the prescriptions embodied in an international norm are convergent with domestic norms, as reflected in discourse, the legal system (constitutions, judicial codes, law), and bureaucratic agencies (organizational ethos and administrative procedures).”⁸ Similarly, Margaret Keck and Kathryn Sikkink have stressed that for nearly all transnational campaigns, “how the issue of nationalism is engaged is crucial to achieving issue resonance.”⁹ If the target state, therefore, rejects an international norm because it does not perceive it to be legitimate or congruent with its own national culture or identity, transnational advocacy networks will face a much more difficult challenge in trying to promote the state’s compliance with that norm.

c. Domestic political opportunity structure

While issue resonance is an important condition for the success of transnational pressure campaigns, various studies have demonstrated that one of the central functions of external norm promoters is to eventually *create* such a fit between the international norm and the domestic environment.¹⁰ They do this by directly appealing to domestic groups in an effort to bolster the strength of sympathetic constituencies in the target state. In this manner, transnational norm promoters attempt to intensify the pressure on recalcitrant regimes simultaneously ‘from above’ and ‘from below.’¹¹ The success of this strategy, however, is highly dependent upon the political opportunity structure in the target state: “the opening and closing of political space and its institutional and substantive location.”¹² Some domestic political structures are more amenable to external influence than others. For instance, Andrew Cortell and James Davis have stressed two

⁸ Checkel 1999, 87.

⁹ Keck and Sikkink 1998, 202. See also Legro 1997.

¹⁰ Risse and Ropp 1999, 272.

¹¹ Brysk 1993; Keck and Sikkink 1998; Risse and Sikkink 1999, 5.

¹² Gamson and Meyer 1996, 277.

domestic structural features as important factors that mediate the domestic impact of international rules: whether decision-making authority is centralized or decentralized, and the degree to which societal groups can participate in the policy-making process.¹³ Transnational norm promoters will thus face much greater difficulty in trying to pressure target states with centralized decision-making structures and limited channels for domestic input.

II. The anti-whaling norm and the IWC moratorium on commercial whaling

In 1946, fifteen states signed the International Convention for the Regulation of Whaling (ICRW), which entered into force in 1948.¹⁴ The purpose of the ICRW is “to provide for the proper conservation of whale stocks and thus make possible the orderly development of the whaling industry.”¹⁵ The ICRW authorized the establishment of the International Whaling Commission (IWC) – an intergovernmental body responsible for the drafting of whaling regulations.¹⁶

During the first few decades of the IWC, whaling interests dominated the commission’s work. Member states set relatively permissive whaling quotas, and some parties commonly flouted or evaded IWC regulations.¹⁷ As one analyst has observed, the foxes were guarding the hen house.¹⁸ Not surprisingly, the IWC was spectacularly ineffective in arresting the depletion of

¹³ Cortell and Davis 1996. See also Risse-Kappen 1995; and Checkel 1997, 1999.

¹⁴ The original fifteen signatories included most of the major whaling states at the time: Argentina, Australia, Brazil, Canada, Chile, Denmark, France, the Netherlands, New Zealand, Norway, Peru, South Africa, United Kingdom, U.S.A., and U.S.S.R. Germany and Japan, who became significant whaling states prior to World War II, were prohibited from taking part in the negotiations. See Birnie 1985a, 161-68.

¹⁵ ICRW, Preamble. The full text of the Convention is available at the website of the International Whaling Commission, available at <http://www.iwcoffice.org/Convention.htm> (accessed 4 February 2004).

¹⁶ ICRW, Article III.

¹⁷ Day 1987, 28, 33.

¹⁸ Victor 2001, 296.

whale stocks of various endangered species.¹⁹ By the mid-1960s, whaling states were taking over double the number of whales than prior to the establishment of the IWC.²⁰

Beginning in the 1970s, however, the priorities of the IWC began to shift in support of stronger conservation measures. Since that time, the IWC has undergone a radical conversion from a ‘whalers’ club’ into a whale conservation group. A number of factors contributed to this transformation. First, environmental NGOs - in particular Greenpeace, the International Fund for Animal Welfare, and World Wild Fund for Nature - were instrumental in raising international awareness about the plight of whales, and in promoting strong anti-whaling sentiments among Western publics.²¹

Second, most of the developed world had abandoned whaling by the late 1970s (and much earlier for many states), largely because the economic incentives had long disappeared.²² Indeed, support for the anti-whaling movement was a painless way of earning environmentalist credentials, and for many states, it served as “an absolution for sins committed in other environmental policy areas.”²³

Finally, the composition of the IWC membership dramatically changed over the years. Between 1971 and 1985, the number of parties to the ICRW nearly tripled, from 14 to 41, leaving whaling member states outnumbered by three to one.²⁴ Most of these new members had no history of whaling, and often joined the IWC at the behest of the United States or various NGOs. Over the years, the United States has reportedly used economic threats to ‘bully’

¹⁹ For assessments of the effectiveness of the IWC, see Andresen 1993, 2002; and Friedheim ed. 2001.

²⁰ Global whale harvests doubled from an average of 30,000 whales in the 1930s to over 60,000 whales by the mid-1960s. See Whaling Library, n.d.

²¹ On the nature and role of the global anti-whaling movement, see Day 1987; and Epstein 2003.

²² Freeman 2001, 139; Stoett 1997, 59; Andresen 1998, 445. In 1982, ten states were still engaged in commercial whaling: Brazil, Chile, Iceland, Japan, Republic of Korea, Norway, Peru, the Philippines, Spain, and the U.S.S.R. Denmark and the United States were involved in aboriginal whaling. (The United States stopped commercial whaling in 1971.)

²³ Hoel 1993, 117.

²⁴ Hoel 1985, 70; and Stoett 1997, 67.

numerous states to join the IWC, or to vote in line with the anti-whaling bloc.²⁵ NGOs also played a role in ‘stacking’ the votes in the IWC by offering to pay developing countries’ membership dues or transportation costs to the annual meetings.²⁶

By the early 1980s, the anti-whaling faction in the IWC was finally strong enough to muster the necessary three-fourths majority to introduce a moratorium on all commercial whaling. At the 1982 annual meeting, the commission adopted zero quotas for all commercial catches, to begin in the 1985/86 whaling season. The moratorium (though it was not referred to as such at the time) was to last for ten years, and would be subject to a comprehensive review by 1990. After assessing the state of whale stocks and the effects of the moratorium, the commission could then consider reintroducing catch limits as it saw fit.²⁷

While first introduced as a temporary measure to protect whales while the commission worked out a new management procedure, the moratorium has become a *de facto* permanent prohibition on commercial whaling. The Scientific Committee completed its comprehensive assessment of whale stocks in 1991, and devised a new formula for calculating sustainable catch limits for different whale species, known as the Revised Management Procedure (RMP). The commission formally accepted the RMP in 1994; however, the anti-whaling majority has blocked its implementation, arguing that a number of outstanding issues concerning an inspection and observation system have yet to be resolved.²⁸ Delegates from key anti-whaling states have admitted that irrespective of scientific assessments, they will continue to oppose the killing of whales on ethical grounds.²⁹

²⁵ DeSombre 2001.

²⁶ Ibid.; and Birnie 1985b.

²⁷ IWC 1983, 21.

²⁸ For more on the present status of the RMS see Gillespie 2003 and the IWC website at <http://www.iwcoffice.org/RMS.htm> (accessed 10 February 2004).

²⁹ Kalland 1994, 167; and Motluk 1996.

At the heart of the anti-whaling movement is a shared conviction that it is morally wrong to kill whales. Due to their awesome size, purported intelligence and other unique traits, whales are regarded as ‘extraordinary’ creatures that must be saved from human exploitation.³⁰ In the global debate on whaling this is known as the *preservation* position.³¹ It has been advanced most forcefully by environmental and animal rights organizations and many anti-whaling states, though some, such as the U.S.A., maintain that certain allowances should be made for *subsistence* whaling by aboriginal peoples.³² In contrast, *conservationists* maintain that commercial whaling is acceptable, though careful supervision and management is required to ensure that it is conducted in a sustainable manner.

Over the past few decades, the preservation position has become the dominant discourse among Western and many developing states. As Robert Friedheim has observed, the anti-whaling norm has passed “a ‘tipping point’ and has ‘cascaded’ throughout the world community.”³³ The preservation norm has also gained ascendancy in the IWC, though it continues to be challenged by the pro-whaling minority. While forestalling the introduction of the RMP, the leading anti-whaling states have attempted to lock in the anti-whaling agenda at the IWC through a number of additional initiatives. In 1994, the commission established a whale sanctuary in the Southern Ocean. While largely a symbolic gesture given the ongoing moratorium, the sanctuary reinforces the norm against whaling, and stands to protect the Antarctic region if global commercial whaling were to resume.³⁴ More recently, the IWC moved

³⁰ See Kalland 1993; Stoett 1997, 29-30; and Friedheim 2001, 25.

³¹ See Stoett 1997, 105.

³² The U.S. government supports its Inuit bowhead hunt off the coast of Alaska, which is authorized by the IWC under the provision for aboriginal whaling. For more on IWC definitions and guidelines for aboriginal whaling see Freeman 1993; and Gambell 1993.

³³ Friedheim 2001, 9.

³⁴ Stoett 1997, 72.

to establish a Conservation Committee to advance the work of this agenda in the commission.³⁵ Japan and other pro-whaling members vehemently opposed this initiative, arguing that it serves to transform the founding purpose and character of the organization.³⁶

III. Japan's whaling policies

In the postwar years, Japan became one of the most active whaling states in the world.³⁷ Since joining the IWC in 1951, it has played a leading role within the pro-whaling faction of the commission.³⁸ Japan has fought against the advancement of anti-whaling initiatives within the IWC, including the introduction of the moratorium. Japan filed an objection to the ban on commercial whaling shortly after its adoption, thereby exempting itself from its application under the terms of the ICRW.³⁹

In opposing the ban, the Government of Japan claimed that there was insufficient scientific evidence to justify a blanket moratorium, and argued that the ban violated the founding purpose of the ICRW and infringed upon the sovereign rights of member states in their coastal waters.⁴⁰ Nevertheless, within a couple of years, Japan reversed its position, and removed its objection to the moratorium.

This change was the direct result of U.S. pressure. The United States has used two pieces of domestic legislation to bring pressure to bear on Japan's whaling policies (as well as those of

³⁵ IWC Resolution 2003-1: The Berlin Initiative on Strengthening the Conservation Agenda of the International Whaling Commission. <http://www.iwcoffice.org/Resolutions2003/Resolution%202003.htm> (accessed 3 April 2004).

³⁶ Asahi Shimbun, 18 June 2003, <http://www.lexisnexis.com> (accessed 19 November 2003).

³⁷ Tønnessen and Johnsen 1982, 638. While Great Britain and Norway dominated the global whaling scene prior to World War II, Japan and the Soviet Union emerged as the leading whaling states in the postwar years.

³⁸ Stedman 1990, 156.

³⁹ Under Article V(3) of the ICRW, member states may exempt themselves from the application of any change to the convention's Schedule (which sets out the fundamental regulations governing the conduct of whaling operations) by filing an objection to that particular policy within ninety days of its passing. The Soviet Union, Norway, and Peru also filed objections to the moratorium. See Caron 1989; and Andresen 1998.

⁴⁰ IWC 1983, 21; and Komatsu and Misaki 2001, 62.

other states).⁴¹ The 1971 Pelly Amendment to the Fisherman's Protective Act of 1967 allows the president to ban fisheries imports from a country certified by the secretary of commerce as conducting fishing operations in a manner that diminishes the effectiveness of an international fishery conservation program. Following changes introduced in 1992, the trade embargo may target *any* products from the certified country. The second piece of legislation is the 1979 Packwood-Magnuson Amendment to the 1976 Fishery Conservation and Management Act, which requires the secretary of state to reduce a country's fishing allocation in U.S. waters by at least 50 percent if it is found to be diminishing the effectiveness of the work of the IWC.

Following the threat of certification under the Pelly and Packwood-Magnuson Amendments, Japan entered into bilateral negotiations with the United States in November 1984.⁴² The two states reached a resolution to the dispute whereby Japan agreed to remove its objection to the moratorium and to stop all commercial whaling by 1988 in exchange for the U.S. guarantee that it would not certify Japan.⁴³ According to Japanese whaling officials, the *only* reason why Japan removed its objection to the moratorium was the threat of U.S. sanctions.⁴⁴ In particular, Japan's Fisheries Agency was concerned about the potential loss of fishing rights in U.S. waters under application of the Packwood-Magnuson Amendment. At the time, Japan was taking approximately 75 percent of the bottom fish caught in the waters off Alaska.⁴⁵ Japan's

⁴¹ See Caron 1989; and DeSombre 2000.

⁴² Martin and Brennan 1989, 302. Prior to this, the U.S. Government (*without* invoking the Packwood-Magnuson Amendment) had reduced Japan's 1983 allocation of fishing rights in U.S. waters by nine percent, representing a loss to Japan's fishing industry of approximately \$60 million. See Caron 1989, 320.

⁴³ Following the conclusion of this bilateral agreement, a group of U.S. environmental organizations filed a lawsuit against the federal government in an attempt to have the courts *force* the secretary of commerce to certify Japan for its whaling policies. The matter made its way to the Supreme Court, which upheld the position of the Office of the Secretary of Commerce. See Martin and Brennan 1989; and Sumi 1989.

⁴⁴ Joji Morishita (Deputy Director, Far Seas Fisheries Division, Fisheries Agency of Japan), e-mail correspondence with author, 2004 March 1. See also Komatsu and Misaki 2001, 63; and 2003, 90.

⁴⁵ Stoett 1997, 87.

whaling industry, estimated to be worth \$40 million at the time, thus had to be sacrificed to avoid a potential shortfall of \$750 million in lost U.S. fishing rights.⁴⁶

Japan's record of compliance with the moratorium

Japan sent its last commercial whaling expedition to the Antarctic in March 1987.⁴⁷ The only remaining pelagic whaling company in Japan, *Nihon Kyodo Hoge*, was dissolved that same year.⁴⁸ The Government of Japan forced the last three large-type coastal whaling (LTCW) companies to close their shore stations in December 1987.⁴⁹ From 1988 on, small-type coastal whalers were prohibited from catching minke whales.⁵⁰

During this period, however, the Government of Japan also launched a long-term program of whaling for scientific research.⁵¹ Under the terms of the ICRW, member states may engage in whaling for scientific purposes.⁵² In October 1987, Japan's Ministry of Agriculture, Forestry and Fisheries authorized the establishment of the Institute of Cetacean Research (ICR), a non-profit organization responsible for overseeing Japan's scientific whaling programs. According to Japanese officials, these programs were established in direct response to the moratorium: The original purpose was to provide the IWC with the requisite scientific data for

⁴⁶ *New York Times*, 8 July 1984, Section 4, p. 3.

⁴⁷ *The Washington Post*, 17 March 1987, A23.

⁴⁸ Sumi 1989, 320.

⁴⁹ Kalland and Moeran 1992, 94.

⁵⁰ The government licenses the remaining STCW vessels to annually catch approximately 60 Baird's beaked and 100 pilot whales - smaller species which are not under the jurisdiction of the IWC. See ICR, n.d.

⁵¹ This was not the first time that Japan had engaged in whaling for scientific purposes. In the 1970s, Japan took several hundred Bryde's whales for scientific research. See Miyaoka 2004, 75.

⁵² ICRW, Article VIII (1-3). Member states are required to report all such authorizations to the commission, to "process" any whales taken under these special permits so far as practicable, and to submit the results of this research to the IWC. As of 1977, states that wish to issue special permits for scientific whaling must submit a research proposal to the Scientific Committee for prior review and comment; however, the member state retains the final authority to grant these permits, regardless of the findings of the committee. See Birnie 1985a, 486-7.

the establishment of a new whale management procedure.⁵³ Whaling officials also wished to preserve Japanese whaling skills until the moratorium was lifted.⁵⁴

Japan has two research programs involving the lethal sampling of whales: one in the Antarctic Ocean (JARPA) and the other in the Northwest Pacific (JARPN I and JARPN II). Over the years, the ICR has expanded both programs in terms of their research objectives, territorial scope and catch sizes. As of 2003, the JARPA program has resulted in the taking of close to 6,000 minke whales from the Antarctic – an area the IWC has officially declared a whale sanctuary.⁵⁵ JARPN I, which lasted from 1994-1999, involved an annual take of 100 minke whales from the Northwest Pacific Ocean. JARPN II (2000-present), Japan's most controversial research program to date, calls for an annual catch of 150 minke whales, 50 Bryde's whales, 10 sperm whales and 50 sei whales – an endangered species on the World Conservation Union's red list.⁵⁶ The ICR sells the by-products from these programs, whale meat and blubber, and uses the receipts to fund its continued research.

Criticisms of Japan's scientific whaling

Conservationist NGOs, anti-whaling states, as well as distinguished scientists have accused Japan of abusing scientific research in order to continue commercial whaling in

⁵³ Nagasaki 1995. The promoters of the moratorium claimed that given the limitations and unreliability of the scientific information available at the time, all commercial whaling should cease until more accurate information about whale stocks could be obtained.

⁵⁴ Miyaoka 2004, 88.

⁵⁵ Chairman's Reports for the years 1989-2003, *Report of the IWC*. This figure includes the number of whales taken during the two-year feasibility study (1987-1989) prior to the official launch of JARPA. Between 1989-1994, Japan set a maximum annual catch of 300 (plus or minus 10%) minke whales; in most years, it took the self-imposed maximum of 330 whales. In 1995, Japan enlarged the annual maximum catch to 440.

⁵⁶ Government of Japan 2002. The World Conservation Union classifies a species as endangered "when it is not Critically Endangered but is facing a very high risk of extinction in the wild in the near future." See the red list at <http://www.iucnredlist.org> (accessed 5 December 2003).

disguise.⁵⁷ In support of this accusation, critics typically point out that Japan's scientific whaling programs are long-term and open-ended, thus allowing Japan to keep its whaling industry operating.⁵⁸ They also draw attention to the continual expansion of this research to include larger catches and more species.⁵⁹ Above all, however, critics emphasize the fact that the meat of the whales killed for research ends up in Japanese markets. According to Greenpeace, the "fact that all the whale meat from Japan's so-called 'scientific' whaling is destined for the domestic market makes obvious that it is primarily a commercial activity."⁶⁰

In response to these charges, Japanese officials have stressed that their research programs have a "sound scientific basis" and are perfectly legal under the terms of the ICRW.⁶¹ As for the commercial sale of whale meat, Japanese officials emphasize that they are simply complying with ICRW guidelines, which require that the by-products of the research be utilized as far as possible to avoid wastage.⁶²

Within the IWC, Japan's scientific research programs have prompted different reactions from its two main bodies. The Scientific Committee (SC) has been divided between those members who believe there is scientific merit to Japan's research and that it may prove useful in some capacity to the implementation of the RMP, and those scientists who feel that lethal

⁵⁷ For examples of NGO statements, see Greenpeace 2002b; and WWF 2003. Concern about this perceived abuse of scientific research inspired 21 distinguished scientists (including three Nobel laureates) to take out an advertisement in the *New York Times* to directly appeal to the Government of Japan. In an open letter, they repeat most of the criticisms noted above, and warn that, "By continuing to fund and carry out this program, Japan opens itself to serious charges that it is using the pretence of scientific research to evade its commitments to the world community." See *New York Times*, 20 May 2002. Also available from WWF at http://www.wwfus.org/news/attachments/whaling_ad.pdf (accessed 3 January 2004). This letter sparked a heated debate between supporters and opponents of Japan's scientific whaling programs. See various submissions in *BioScience* 52 no. 2 [2002], and *BioScience* 53 no. 3 [2003].

⁵⁸ Clapham et al. 2003, 212.

⁵⁹ Former U.S. Secretary of Commerce Norman Mineta stated in an op-ed piece, "We are concerned that the expansion of the Japanese hunt to larger whales is aimed at paving the way for an outright resumption of commercial whaling." See *The Washington Post*, 27 August 2000, B7.

⁶⁰ Greenpeace 2000.

⁶¹ See Joji Morishita's comments in the exchange of Morishita and O'Regan 2001, 20.

⁶² Ibid., 21. See also Greenberg, Hoff, and Goulding 2002.

sampling is not justified, and doubt whether the research is necessary, fruitful, or scientifically valid.⁶³ The SC has conducted a number of reviews of Japan's research programs, which have raised numerous points of praise as well as criticism.⁶⁴ More recently, there have been growing divisions within the SC over the merits of Japan's latest research program (JARPN II).⁶⁵ Overall, however, the SC has strived to maintain the appearance of neutrality; the reviews dutifully report the agreements and disagreements that arose in the meetings, but they do not draw any overarching conclusions.

Within the commission, on the other hand, the prevailing anti-whaling states have condemned Japan's research programs, and they have strategically exploited the lack of consensus within the SC to build their case that Japan's research does not meet the basic criteria of the IWC. Since the introduction of Japan's first full-scale scientific whaling program in 1989, the IWC has passed resolutions at nearly each of its annual meetings reproaching Japan's research programs, and calling upon its government to "reconsider," and more recently, to "terminate" its scientific whaling.⁶⁶ Over the years, the tone of these resolutions has grown increasingly condemnatory and demanding.⁶⁷ In addition to criticizing the scientific objectives and methodology of the research, specific resolutions have requested Japan to stop all whaling in the Southern Ocean Sanctuary, and to cease all lethal aspects of its research. Recent IWC

⁶³ For critiques of Japan's scientific whaling see Clapham et al. 2002 and 2003. For a defence of Japan's research programs see Nagasaki 1990; Ohsumi 1995; Government of Japan, n.d. In addition to the substantial scientific uncertainties and methodological difficulties associated with cetacean research, consensus within the SC has been beleaguered by ideological divisions about the appropriate use of lethal scientific research. See Freeman 1990.

⁶⁴ For the 1997 SC review of JARPA, see IWC 1998. For the 2000 SC review of JARPN, see IWC 2001, 57-65. In assessing research proposals, the SC presently focuses on two basic criteria: whether the research program is "(1) required for the purposes of management of the species or stock being researched; and (2) whether the information sought could be obtained by non-lethal means." Resolution 1999-2: Resolution on Special Permits for Scientific Research, Chairman's Report of the 51st Annual Meeting, Appendix 3, *Annual Report of the IWC 1999* (2000).

⁶⁵ See IWC 2003, 62-77 for the 2002 SC review of the feasibility study for JARPN II. This research program has attracted the most criticism to date largely because of its claims that whales are competing with humans for fish and must therefore be culled in order to ensure the proper conservation of marine food resources.

⁶⁶ See Appendices to the Chairman's Reports, *Reports of the IWC*, 1990-2003.

⁶⁷ These resolutions, though often strongly worded, are only recommendations or requests, and are not legally binding on member states. See Greenberg, Hoff, and Goulding 2002, 157-8.

resolutions contain the boldest statements yet, insinuating that Japan and others have engaged in scientific permit whaling in order to evade the moratorium. For example, Resolution 2003-2 on ‘Whaling under Special Permit’ states that, “the current and proposed Special Permit whaling operations represent an act contrary to the spirit of the moratorium on commercial whaling and to the will of the Commission.”⁶⁸ Japan has refused to comply with the IWC resolutions regarding its scientific whaling programs, and it continues to vigorously campaign for the resumption of commercial whaling.

IV. International efforts to pressure Japan to stop whaling

Since the introduction of the moratorium, Japan has faced significant international pressure to abandon its scientific whaling programs. This opposition has come from a coalition of anti-whaling states, led by the United States, Great Britain, France, Germany, Australia and New Zealand, as well as numerous environmental and animal rights NGOs, and representatives of the scientific community. Over the years, these actors have employed a range of strategies and coercive tactics, including public protests, diplomatic overtures, and the threat of economic sanctions.⁶⁹

Various representatives of this transnational advocacy network have engaged Japanese leaders in debate, both inside and outside of the IWC, over the merits of its scientific whaling

⁶⁸ See IWC Resolution 2003-2: Resolution on Whaling under Special Permit. <http://www.iwcoffice.org/Resolutions2003/Resolution%202003.htm#Permits> (accessed 11 November 2003). The resolution expresses a “deep concern that the provision permitting special permit whaling enables countries to conduct whaling for commercial purposes despite the moratorium on commercial whaling,” and notes that, “whales caught in Japan’s special permit operations provide over 3,000 tonnes of edible products per year that are sold for commercial purposes.”

⁶⁹ For more on the nature and strategies of the global anti-whaling movement, see Day 1987; Stoett 1997, 92-100; and Epstein 2003, 313-18. Of course, Japan is not the only pro-whaling country that has come under attack by anti-whaling states and NGOs. For international campaigns directed against Norway and Iceland, see Andresen 1998.

program as well as the ethics of whaling more generally.⁷⁰ Environmental NGOs have also employed a variety of shaming strategies and pressure tactics in an effort to embarrass and isolate Japanese leaders, and to raise the international social costs of Japan's non-adherence to IWC resolutions. These tactics have ranged from colourful public demonstrations at IWC annual meetings and Japanese embassies worldwide to more violent activities such as spraying Japanese IWC delegates with fake blood and physically harassing or obstructing Japan's scientific whaling fleets in the Antarctic Ocean.⁷¹

The United States has played a central role in this anti-whaling campaign. While the IWC has no formal response mechanisms for addressing non-compliance, the United States has regularly played the role of "policeman" in enforcing IWC regulations through unilateral actions.⁷² As I have already described in the previous section, the United States was instrumental in forcing Japan to remove its objection to the whaling moratorium. Since that time, however, the United States has had little success in its attempts to coerce Japan to abandon its scientific whaling programs.

Since Japan's acquiescence to the moratorium, the United States has certified Japan for sanctions three times. The first round of certification came in 1988 in response to the launching of Japan's first scientific whaling program (JARPA). Japan chose to proceed with its heavily criticized research program in the Antarctic in spite of warnings from the U.S. secretary of commerce that the taking of a single minke whale would result in Japan's certification under both the Pelly and Packwood-Magnuson Amendments.⁷³ In April 1988, President Ronald

⁷⁰ For a characteristic exchange between Japan's Fisheries Agency and an environmental NGO see Morishita and O'Regan 2001.

⁷¹ For example, see *Daily Yomiuri*, 26 January 2000, <http://www.lexisnexis.com> (accessed 19 November 2003); and Misaki 1994, 24.

⁷² Andresen 2002, 395-99. See also Caron 1989; and DeSombre 2001.

⁷³ *New York Times*, 22 January 1988, A1.

Reagan responded by banning Japanese fishing in U.S. waters under the terms of the Packwood-Magnuson Amendment.⁷⁴ This move, however, amounted to little more than a slap on the wrist since Japan no longer had any fishing quotas in the U.S. Exclusive Economic Zone.⁷⁵ Moreover, the administration did not impose any trade sanctions under the Pelly Amendment. Japan proceeded with its research program as planned, and took 273 minke whales during the 1988 whaling season.⁷⁶

The United States issued a second threat of trade sanctions in December 1995. Largely in response to Japan's decision to expand the catch size of its JARPA program, Secretary of Commerce Ron Brown certified Japan under the Pelly Amendment, arguing that Japan's activities were watering down global efforts to save whales.⁷⁷ In February 1996, however, President Bill Clinton decided against the application of sanctions, arguing that it would not be "the most constructive approach" to resolving their differences over scientific whaling.⁷⁸

The most recent episode of certification began in the summer of 2000. Japan's decision to include additional whale species in its lethal sampling in the North Pacific triggered a flurry of international protest and diplomatic interventions.⁷⁹ In an effort to pressure Japan to reconsider its JARPN II research program, the United States led a coalition of anti-whaling states in a concerted appeal to Japan's Foreign Ministry. This group also blocked Japan's bid to host the

⁷⁴ *New York Times*, 7 April 1988, D1.

⁷⁵ Peterson 1992, 180. Amendments to the Fisheries Conservation and Management Act in 1982 called for the "Americanization" of U.S. fisheries by 1988, which meant the abolishment of foreign fishing allocations in U.S. waters, with the exception of joint ventures with U.S. firms. Nevertheless, at the time, Japan had requested a small quota of 3,000 metric tons of sea snails and 5,000 metric tons of Pacific whiting; the request was turned down in light of Japan's certification. See *New York Times*, 7 April 1988, D1.

⁷⁶ IWC 1989, 11.

⁷⁷ Japan Economic Newswire, 20 December 1995, <http://www.lexisnexis.com> (accessed 4 March 2004).

⁷⁸ Clinton 1996, 233.

⁷⁹ Japan's decision to include sperm and Bryde's whales in its lethal sampling was particularly disconcerting to American officials. Sperm and Bryde's whales are protected under the U.S. Marine Mammal Protection Act, and sperm whales are listed as endangered under the U.S. Endangered Species Act. See White House press release, "Fact Sheet: President Clinton directs U.S. Action in Response to Japanese Whaling." U.S. Newswire, 13 September 2000 (accessed online via ProQuest, 17 November 2003).

2001 IWC annual meeting.⁸⁰ The U.S. State Department took further action by boycotting two multilateral environmental meetings that Japan was hosting, and announcing the cancellation of its annual bilateral fisheries-consultation meeting with Japan.⁸¹ These efforts were followed by a warning from U.S. Secretary of State Madeleine Albright that if Japan proceeded with its expanded whale hunt the United States would “not hesitate” to impose embargoes on Japanese imports under the Pelly Amendment.⁸²

These appeals and threats had no discernable impact on Japan’s whaling position. The Government of Japan announced that the JARPN II scientific whaling program would continue as originally designed. Moreover, Japan threatened to file a complaint with the World Trade Organisation if the United States applied any Pelly sanctions.⁸³

On September 13, 2000, U.S. Secretary of Commerce Norman Mineta certified Japan under both the Pelly and Packwood-Magnuson Amendments. In response, President Clinton immediately ordered that Japan be denied any fishing allotments in U.S. waters. Unlike the measures precipitated by the 1988 Packwood-Magnuson certification of Japan, this gesture was not entirely symbolic: While there was no permissible foreign fishing in U.S. waters at the time, the government was expected to approve new foreign allocations later that year for the first time in more than a decade, and thus Japan would be ineligible for consideration.⁸⁴

As for the Pelly certification, which potentially entailed more serious economic implications for Japan, President Clinton opted to review the matter for sixty days, and directed his Cabinet to examine options including trade sanctions and other economic measures.⁸⁵ While

⁸⁰ *Seattle Times*, 25 August 2000, A3.

⁸¹ Murphy 2001, 151.

⁸² *Seattle Times*, 25 August 2000, A3.

⁸³ *Daily Yomiuri*, 7 September 2000, <http://www.lexisnexis.com> (accessed 19 November 2003).

⁸⁴ Press release issued by the White House, “Fact Sheet: President Clinton directs U.S. Action in Response to Japanese Whaling.” U.S. Newswire, 13 September 2000 (accessed online via ProQuest, 17 November 2003).

⁸⁵ *Ibid.*

the matter was still under review, Japan continued its controversial scientific whale hunt. In spite of these actions, President Clinton decided to forgo imposing trade sanctions on Japan. In his letter to Congress dated December 29, 2000, President Clinton wrote that while remaining “very concerned” about Japan’s decision to expand its scientific whaling to new species and the “dubious scientific validity” of this research, “I do not believe that import prohibitions would further our objectives at this time. We are committed to a sustained effort in order to bring about positive movement in Japan’s whaling policies.”⁸⁶

V. Explaining the limited effects of the transnational anti-whaling campaign on Japan’s whaling policies

Overall, international pressure has had little effect on Japan’s whaling position since its acquiescence to the moratorium. Even the threat of U.S. sanctions has not budged Japan’s whaling officials to alter their whaling policies. Below, I evaluate the three domestic explanations for the limited impact of this transnational advocacy network.

a. The role of domestic interests

One potential explanation for Japan’s resistance to the international anti-whaling campaign is that external norm promoters failed to impose sufficient pressure to manipulate Japan’s cost-benefit calculations. In particular, proponents of enforcement might reasonably argue that U.S. threats were simply not credible or forceful enough to break Japan’s commitment to whaling.⁸⁷ Since Japan’s acquiescence to the moratorium, successive U.S. administrations have been unwilling to press the Government of Japan too hard on this issue. The standard

⁸⁶ Clinton 2001, 3213.

⁸⁷ Indeed, this fits the general pattern of limited U.S. influence on most pro-whaling states including Norway and Iceland since the adoption of the moratorium. See DeSombre 2000, 208-13.

response has been to invoke the diplomatically uncontroversial option of denying Japan non-existent fishing rights in U.S. waters. No U.S. administration, however, has been willing to exercise the more contentious option of trade embargoes. Moreover, American officials never followed through on their threats of trade sanctions in the face of Japanese defiance. No doubt, Japanese leaders began to perceive the U.S. government as the boy who cried wolf.⁸⁸

A variety of factors likely served to moderate the U.S. response. First, Japan had indicated its willingness to challenge the legality of Pelly sanctions under the General Agreement on Tariffs and Trade (GATT).⁸⁹ Second, U.S. exports of fisheries products to Japan are substantially larger than Japanese marine exports to the United States; if Japan chose to retaliate in kind, the United States stood to lose much more than Japan.⁹⁰ Finally, given Japan's value as a strategic ally and trading partner, the dispute over whaling was likely not important enough to risk incurring a serious rift in U.S.-Japan relations.

As the United States was unwilling to bear the costs of more forceful action, it was incapable of providing sufficient pressure to alter Japan's perceived incentives for observing IWC resolutions on scientific whaling. This argument, however, runs into some difficulty once we turn our attention to the 'plus' side of Japan's cost-benefit calculations. While the costs to Japan of ignoring IWC resolutions on scientific whaling have been *endurable*, they have not been painless. Ignoring U.S. pressure and persistent international criticism inevitably complicates Japan's relations with some of its key allies and trading partners, and damages Japan's reputation as a responsible member of the international community. Given these serious

⁸⁸ Japanese officials were sceptical about the commitment of the Clinton administration to carry through on its threat. Some perceived it as an election ploy to boost the presidential prospects of then Vice President Al Gore who was courting the environmentalist vote. See *Daily Yomiuri*, 16 September 2000, 14; and *Washington Post*, 16 September 2000, A15.

⁸⁹ For a legal assessment of whether Pelly trade embargoes are consistent with U.S. obligations under the GATT, see McDorman 1997.

⁹⁰ Wilkinson 1989, 286; and Peterson 1992, 180.

repercussions, one would expect the domestic benefits of whaling to be rather substantial in order to justify these damages. However, this does not appear to be the case. Upon closer examination of the limited economic and social significance of whaling in Japan today, it remains unclear why Japan has been willing to incur these costs in light of few domestic benefits.

An organized “whaling industry” scarcely exists in Japan today. All that remains are pockets of small-type coastal whaling and the scientific pelagic whaling conducted by the Institute of Cetacean Research (ICR). Small-type coastal whaling employs less than 100 full-time employees in four traditional whaling communities.⁹¹ The ICR employs approximately 45 people – mostly biologists, but also legal researchers and office clerks.⁹² The ICR charters whaling vessels and crews for its research programs from Kyodo Senpaku Kaisha – a charter company (employing approximately 310 people) established in 1987 following the dissolution of the last remaining commercial whaling company, Kyodo Hogeï.⁹³

Japan’s whaling industry had been in decline long before the introduction of the IWC moratorium. At its peak in the early 1960s, pelagic whaling involved three major fishing companies, operating 7 fleets in the Antarctic, and employing approximately 10,200 seafarers.⁹⁴ As a result of increasingly strict IWC whaling quotas, by the mid-1970s, high operating costs forced the three companies to merge their whaling interests into one organization with a slashed

⁹¹ Freeman 2003, 43. Small-type coastal whalers are licensed by the government to catch set quotas of smaller species such as Baird’s beaked whales and pilot whales, which are not under the jurisdiction of the IWC. The four whaling communities are Ayukawa, Taiji, and Wada located on the Pacific coast of the main Japanese island of Honshu, and Abashiri on the northern island of Hokkaido.

⁹² Yasuo Iino (Assistant Director, Information & Social Science Division, Institute of Cetacean Research), email correspondence with author, 3 March 2004.

⁹³ Shigeko Misaki (Adviser, Japan Whaling Association), email correspondence with author, 1 February 2004.

⁹⁴ Ward 1992. For more on the history of Japan’s whaling industry, see Hirasawa 1978; and Kalland and Moeran 1992.

workforce of 1,500.⁹⁵ In spite of further layoffs, the scrapping of more ships, as well as government subsidies, the Joint Whaling Company had managed to accumulate deficits of 300 million yen by the late 1970s.⁹⁶

Japanese whaling is no longer a commercially profitable enterprise. In the mid-1990s, Kyodo Senpaku had accumulated a debt worth 170 million yen.⁹⁷ In 1999, Maruha Corporation, one of Kyodo Senpaku's principal shareholders, sold its 32 percent stake in the company.⁹⁸ As for the ICR, while critics like to insist that Japan's scientific whaling programs are commercial operations in disguise, the Institute does not recover enough funds from its commercial sales to cover the total costs of its ongoing research.⁹⁹ The ICR relies on government research grants to offset the costs of its operations.¹⁰⁰ Indeed, the Institute has been described as "a black hole for money."¹⁰¹ Moreover, to put matters into perspective, with Japan's fishing industry worth approximately 1.8 *trillion* yen per year, the annual revenue from Japan's scientific whaling operations at approximately 5.7 billion yen is a mere drop in the bucket.¹⁰²

Turning to the domestic political scene, here too it is difficult to locate a strong impetus behind the government's position on whaling. The domestic significance of Japanese whaling is generally restricted to the last four whaling communities in the coastal regions of Japan – three of which have less than 4,000 inhabitants each, while the fourth has a population of about

⁹⁵ Ward 1992.

⁹⁶ Day 1987, 113.

⁹⁷ Miyaoka 2004, 83.

⁹⁸ Asahi News Service, 25 April 2002, <http://www.lexisnexis.com> (accessed 3 February 2005).

⁹⁹ Yasuo Iino (Assistant Director, Information & Social Science Division, Institute of Cetacean Research), email correspondence with author, 3 March 2004. In its 2003-04 fiscal year, the ICR's research costs totalled approximately 6.2 billion yen. These costs were defrayed by proceeds from the sales of its research by-products, which amounted to 5.7 billion yen, and a government grant of 500 million yen.

¹⁰⁰ Shigeko Misaki (Adviser, Japan Whaling Association), email correspondence with author, 1 February 2004.

¹⁰¹ Ward 1992.

¹⁰² Japan Statistics Bureau 2003. The figure for the overall output of Japan's fishing industry is for the year 2001. The figure cited for the ICR's annual revenue from sales of whale meat is for the 2003-04 fiscal year. Yasuo Iino (Assistant Director, Information & Social Science Division, Institute of Cetacean Research), email correspondence with author, 3 March 2004.

43,000.¹⁰³ Whaling and whale meat consumption have been central features of the economic, social and cultural lives of these communities.¹⁰⁴ Nationwide, however, whaling is not an important domestic concern. While Japan's Fisheries Agency maintains that there is strong public support for its whaling policies, this claim is not supported by the findings of a number of recent independent polls.¹⁰⁵ According to a 1999 national survey of the Japanese public, 55 percent of respondents held no opinion or were neutral regarding commercial whaling, 14 percent opposed whaling outright, and only 11 percent supported it.¹⁰⁶ A 2002 poll conducted by the national newspaper *Asahi Shimbun* found that only 47 percent of respondents would support a return to commercial whaling.¹⁰⁷ Among young Japanese, opposition to whaling was far more substantial: 56 percent of respondents aged 20-24, and 59 percent aged 25-29 opposed commercial whaling.

In addition to the limited domestic support for whaling, the demand for whale meat in Japan is also quite weak. The 2002 *Asahi Shimbun* poll found that only four percent of the nationally representative sample of 3,000 Japanese said they sometimes eat whale meat, 53 percent claimed to have eaten whale only "a long time ago," and 33 percent said they had never eaten whale products.¹⁰⁸ Whale meat was an important staple of the Japanese diet in the early postwar years. It was a stable and cheap source of protein and the mainstay of government-

¹⁰³ Freeman 2003, 42.

¹⁰⁴ See Kalland and Moeran 1992; Iwasaki-Goodman and Freeman 1994; and Freeman 2003.

¹⁰⁵ For example, a 2002 Fisheries Agency press release points to a December 2001 survey conducted by the Cabinet Office of the Government of Japan that shows "more than 75% support for whaling managed in a rational and sustainable way" and over 80% support for scientific research to study the impact of whales on fisheries. See Japan Fisheries Agency 2002. Environmentalists have sharply criticized the survey for being 'unscientific' and posing leading questions. See Greenpeace 2002a.

¹⁰⁶ The national poll was conducted by the British opinion research company Market & Opinion Research International (MORI) and the Nippon Research Center in Japan on behalf of Greenpeace International and the International Fund for Animal Welfare (IFAW). For results of the survey see MORI 2000.

¹⁰⁷ For results of the survey see Greenpeace, n.d.

¹⁰⁸ PR Newswire, 30 March 2002, <http://www.findarticles.com> (accessed 4 March 2004).

sponsored school lunch programs in the 1950s.¹⁰⁹ Consumption patterns, however, declined dramatically over the next decade as other sources of protein became cheaper and more readily available. While whale meat accounted for as much as 32 percent of Japan's protein consumption in 1960, this figure dropped to less than 7 percent by the early 1970s.¹¹⁰ Today, whale meat accounts for less than 0.03 percent of the domestic consumption of marine products alone.¹¹¹ The consumption of whale products may continue to decline precipitously in light of heightened awareness in Japan of the dangerously high concentrations of mercury, dioxins and PCBs found in whale meat.¹¹²

In sum, the economic and social significance of whaling in Japan today is insubstantial. From a strictly cost-benefit perspective, it remains unclear why the Government of Japan is fighting so hard to resume commercial whaling in the face of tremendous international criticism and persistent U.S. pressure. The whaling industry in Japan was slowly dying under its own weight for decades. Today it employs less than 500 people, relies on government subsidies to remain in operation, and accounts for less than 0.4 percent of the total output of Japan's fishing industry. The Japanese public has steadily been losing its appetite for whale meat, and the majority do not appear to support a resumption of commercial whaling. In light of the absence of strong domestic interests, as well as the relentless barrage of international criticisms, one might expect Japan to reconsider its commitment to whaling. Thus, Japan's persistent rejection of the anti-whaling norm cannot be adequately explained in terms of political pressures from domestic interest groups.

¹⁰⁹ Sumi 1989, 351.

¹¹⁰ Hirasawa 1978, 84.

¹¹¹ In 2001, Japan's domestic consumption of marine products totalled 11.26 million tons. See Japan Statistics Bureau 2003. The amount of whale meat that is legally distributed by the Japanese government every year is approximately 2,000-3,000 tons. See Government of Japan 2001.

¹¹² See Russell 2002, 17-18; and Endo et al. 2003.

b. Weak norm resonance and the clash of values

The lack of a ‘cultural match’ between the global anti-whaling norm and Japanese ideas and beliefs appears to be a significant factor in the limited impact of this transnational advocacy campaign. The prevailing IWC sentiment that whales are special creatures that should not be killed for commercial purposes has absolutely no resonance among Japanese decision-makers. Japanese officials stress that Japan has a long history of whaling and a deeply rooted whaling culture.¹¹³ Whales are regarded as simply another food resource, one that is no more ‘special’ than any other fish or mammal in the sea.¹¹⁴ As M. J. Peterson notes, Japanese “traditions combine reverence for animals with acceptance of their taking in a way that makes the Western preservationists’ goals almost incomprehensible.”¹¹⁵ Indeed, Japan’s former IWC Commissioner Kazuo Shima has dismissed the preservationist norm as an “irrational ideology imposed by western eco-cultists.”¹¹⁶

Moreover, Japanese officials have responded to the spread of the anti-whaling norm with charges of cultural imperialism and Western hypocrisy.¹¹⁷ As one Japanese whaling official has noted, “the whaling problem goes to the heart of deeply rooted questions involving the clash of disparate cultures with different value systems.”¹¹⁸ Japanese leaders and media have portrayed

¹¹³ Japanese whaling officials tend to argue that even though most Japanese no longer consume whale meat, this does not diminish the historical significance of the country’s whaling tradition. For example, Joji Morishita of Japan’s Fisheries Agency has observed that, “Even though most Japanese people do not wear Japanese kimono or go to watch Noh plays every day, they are undoubtedly part of Japanese culture. The contention that whale meat eating is not a part of Japanese culture since not all Japanese people eat the meat in everyday life, therefore, does not stand.” See Morishita 2003b, 3.

¹¹⁴ Komatsu and Misaki 2001 and 2003.

¹¹⁵ Peterson 1992, 71.

¹¹⁶ Shima 1999, 6.

¹¹⁷ For more on this ideological clash in the IWC see Kalland 1993; Stoett 1997; and Friedheim ed. 2001.

¹¹⁸ Morishita 2003a, 9.

this clash as a struggle between the world's "fish eaters" and "meat eaters."¹¹⁹ This 'us-versus-them' mentality has been fed by a deep resentment of the manner in which Western states have accorded whales special status whereas other animals such as cattle are deemed perfectly acceptable for human consumption. As Joji Morishita of Japan's Fisheries Agency has argued,

cows are considered sacred animals in India. Would we accept it if India launched a world-wide anti-beef-eating campaign by claiming that cattle must not be eaten under any conditions? Undoubtedly not, yet that is exactly the approach to the whaling issue taken by the U.S., Britain, Australia, New Zealand and others, sometimes even with a threat of economic sanctions.¹²⁰

Japanese officials also tend to stress that Western leaders are being hypocritical in their 'sudden' conversion to the save-the-whale movement. Many of the leading anti-whaling states were significant whaling nations in the not-too-distant past. Japanese elites stress that it was the Western desire for whale oil used for industrial purposes that was largely responsible for the overexploitation of whales, and not Japanese whaling for food. Moreover, there is a sense that Western states are exploiting the whaling issue in order to improve both their domestic and international environmental reputations at no cost since they no longer have any material whaling interests.¹²¹

In contesting the legitimacy of the anti-whaling norm, Japanese decision makers have also argued that this norm violates the internationally established principle of the sustainable use of natural resources. The Government of Japan has consistently argued that its commitment to whaling is important in order to uphold this principle. Japanese whaling officials have stressed all along that there is insufficient scientific evidence to justify a blanket moratorium on all commercial whaling. Indeed, a strong majority of the IWC's Scientific Committee was *opposed*

¹¹⁹ Friedheim 2001, 16; and Nagasaki 1994.

¹²⁰ Morishita 2003b, 3.

¹²¹ See Misaki 1994, 29-31; Komatsu and Misaki 2003; and Morishita 2003b 2-3.

to the idea of a moratorium when it was first adopted.¹²² Since completion of the RMP in 1993, the SC has maintained that limited commercial catches of certain whale species could be resumed without any risk to the future status of the stocks in question. The Government of Japan has argued that its whaling position is thus entirely consistent with prevailing scientific advice about the current health of whale stocks.¹²³ Whaling officials claim that since the moratorium lacks scientific legitimacy, it should be lifted. According to Masayuki Komatsu of the Japan Fisheries Agency, “As our position is based on science, we believe that one day our views will be accepted by all.”¹²⁴

Japanese officials have been deeply concerned that developments in the IWC may set a dangerous precedent for other international organizations. They fear that if they do not challenge the manner in which environmentalists have successfully pressed the preservationist agenda in the IWC – relying on emotional arguments rather than scientific evidence, and attempting to bully the pro-whaling minority into submission – similar efforts may be launched in other international resource management regimes. In particular, Japanese policymakers are concerned about the potential repercussions for the global management of tuna and other marine resources where Japan does have vital economic and food security interests at stake.¹²⁵

c. Limited political opportunity structure

Compounding the problem of weak norm resonance is the fact that promoters of the anti-whaling norm have had great difficulty making inroads among the Japanese public and decision makers. International and domestic environmental NGOs have had little success in gaining

¹²² Aron 2001, 16; and Andresen 2000, 40.

¹²³ See Japan Ministry of Foreign Affairs, n.d.

¹²⁴ Komatsu and Misaki 2001, 171.

¹²⁵ See Misaki 1994, 39; Stoett 1997, 77; Wong 2001, 112; and Iino and Goodman 2003, 8-9.

widespread public support for the anti-whaling movement in Japan. Various factors have hampered their efforts including cultural insensitivities, local aversions to the “direct action” strategies of some of these organizations, and funding shortages.¹²⁶

In addition, Japan’s whaling bureaucracy is highly centralized and largely unreceptive to input from societal groups. Whaling policy falls under the jurisdiction of the Fisheries Agency of the Ministry of Agriculture, Forestry and Fisheries. While the Fisheries Agency often consults with the Ministry of Foreign Affairs on whaling issues, it has “a practical monopoly in deciding the national policy on whaling.”¹²⁷ Officials in the Fisheries Agency usually have strong technical expertise in fisheries management and tend to view themselves as the only legitimate authority on the subject of whaling.¹²⁸ They have eschewed input from outside actors and organizations and have thus remained resistant to both domestic and foreign critics.

Moreover, the relationship between international anti-whaling NGOs and Japanese elites has typically been confrontational, further impairing the influence of this network.¹²⁹ Whaling officials have dismissed anti-whaling NGOs as unreasonable zealots. They claim that these groups have distorted the facts concerning the health of whale populations and have manipulated the whaling controversy for organizational fundraising purposes.¹³⁰ The repeated attempts of Greenpeace to obstruct the activities of Japanese scientific whalers in the Antarctic Ocean have angered Japanese policymakers. The ICR has accused Greenpeace of engaging in “terrorist” tactics.¹³¹ Japan’s IWC delegation has gone so far as to attempt to ban Greenpeace from the commission’s annual meetings.¹³²

¹²⁶ Brown and May 1991, 161; Wong 2001, 122-24; and Miyaoka 2004, 93-4.

¹²⁷ Wong 2001, 115.

¹²⁸ Ibid., 118.

¹²⁹ Peterson 1992, 171; and Miyaoka 2004, 93-6.

¹³⁰ Komatsu and Misaki 2001, 118-151.

¹³¹ Asahi News Service, 9 February 1989, <http://www.lexisnexis.com> (accessed 3 February 2005).

¹³² *Daily Yomiuri*, 12 January 1999, p. 1, <http://www.lexisnexis.com> (accessed 19 November 2003).

VI. Conclusion

This paper has evaluated three domestic explanations for the limited effects of the transnational anti-whaling campaign directed against Japan. I have demonstrated that domestic interest groups were not a significant factor behind Japan's commitment to continue whaling. Instead, the weak domestic resonance of the anti-whaling norm and the limited political opportunity structure proved to be the primary obstacles confounding the efforts of anti-whaling advocates.

These findings raise a number of implications regarding the effectiveness of transnational advocacy networks. First, this case underscores the significance of norm resonance. Many states violate international norms *without* challenging the legitimacy of their prescriptive force. In these instances, noncompliant states attempt to justify their infractions by pointing to exceptional circumstances or by debating the interpretation and elaboration of the norm in question.¹³³ Their implicit recognition of the validity of the norm itself, however, even when disingenuous, provides the necessary leverage for external actors to exert pressure on noncompliant states by pointing to gaps between stated commitments and observable practice.¹³⁴ In contrast, when recalcitrant states explicitly and consistently reject the legitimacy of an international norm, it is far more difficult for external advocates to pressure target states to change their behavior: persuasion falls on deaf ears, and shaming strategies lose their moral force. Japanese leaders have unequivocally rejected the preservationist belief that it is wrong to kill whales. They are confident that they will eventually prevail, simply because they believe they are right.¹³⁵

The lack of norm resonance may also obstruct the political opportunity structure for advocacy networks. If the framing of an issue lacks resonance among not only decision makers

¹³³ See Chayes and Chayes 1995, 118-123; and Shannon 2000.

¹³⁴ Risse and Sikkink 1999, 22-4.

¹³⁵ Komatsu and Misaki 2003, 167.

but also a majority of the public in the target state, external norm promoters will face much greater difficulty broadening their domestic channels of influence. Sufficient norm resonance, therefore, may be a necessary (though insufficient) condition for establishing a favourable political opportunity structure.

A second implication that emerges from this case study is the pivotal role that scientific discourse can play in curtailing the domestic influence of transnational norm entrepreneurs. The preservation position that *no* whales should be commercially harvested has no scientific support. This rift between moral and scientific viewpoints has impaired the authority of the anti-whaling network in the eyes of Japanese decision-makers. It has also enabled Japanese leaders to find an alternative “justificatory discourse” in their efforts to defend their whaling position to both domestic and international audiences.¹³⁶ Fortified by the conviction that “science is on our side,” Japanese leaders have appealed to the principle of the sustainable use of natural resources.

Finally, this study has illustrated that material interests do not always provide a clear indication of a target’s vulnerability to external pressure. To outside observers, the limited economic and political significance of whaling in Japan might have suggested that Japanese leaders would easily bend to international criticism and pressure. This did not prove to be the case. Instead, Japanese officials have redoubled their efforts to promote whaling at home and abroad. Convinced of the illegitimacy and unfairness of the concerted international attack on its whaling tradition, Japanese elites have fought back not so much to protect whaling but to prevent a ‘bad’ precedent for other international resource management regimes, and to demonstrate that they would not be bullied.

In this regard, the strategies adopted by the anti-whaling network may have backfired. U.S. threats of sanctions have fuelled anger and resentment among most Japanese nationalists

¹³⁶ Chayes and Chayes 1995, 26.

and fisheries officials who view U.S. actions as unjustifiable coercion and an attack on the country's sovereignty.¹³⁷ Furthermore, the more anti-whaling advocates have presented the issue as one of morality and animal rights, the more Japanese leaders have become riled by a sense of persecution and injustice.¹³⁸ This has steeled their resolve to fight for the resumption of commercial whaling. It has become a matter of national pride.¹³⁹ These results underscore the need for transnational campaigns to broaden their repertoire of pressure tactics to include more constructive forms of engagement and accommodation, and to give greater consideration to the non-material interests of target states.

¹³⁷ Joji Morishita (Deputy Director, Far Seas Fisheries Division, Fisheries Agency of Japan), e-mail correspondence with author, 1 March 2004. See also Russell 2002.

¹³⁸ Shima 1999, 4-6; Komatsu 2002, 40; and Miyaoka 2004, 94-6.

¹³⁹ Shima 1999, 5.

References

- Andresen, Steinar. 1993. The Effectiveness of the International Whaling Commission. *Arctic* 46 (2): 108-15.
- _____. 1998. The Making and Implementation of Whaling Policies: Does Participation Make a Difference? In *The Implementation and Effectiveness of International Environmental Commitments: Theory and Practice*, edited by David G. Victor, Kal Raustiala, and Eugene B. Skolnikoff, 431-74. Cambridge, MA: MIT Press.
- _____. 2000. The whaling regime. In *Science and Politics in International Environmental Regimes: Between integrity and involvement*, Steinar Andresen, Tora Skodvin, Arild Underdal, and Jorgen Wettstad, 35-69. Manchester, UK: Manchester University Press.
- _____. 2002. The International Whaling Commission (IWC): More Failure Than Success? In *Environmental Regime Effectiveness: Confronting Theory with Evidence*, Edward L. Miles, Arild Underdal, Steinar Andresen, Jorgen Wettstad, Jon Birger Skjærseth, and Elaine M. Carlin, 379-403. Cambridge, MA: MIT Press.
- Aron, William. 2001. Science and the IWC. In *Toward a Sustainable Whaling Regime*, edited by Robert L. Friedheim, 105-22. Seattle: University of Washington Press.
- Birnie, Patricia. 1985a. *International Regulation of Whaling: From Conservation of Whaling to Conservation of Whales and Regulation of Whale-Watching*, vol. 1. New York: Oceana Publications.
- _____. 1985b. The Role of Developing Countries in Nudging the International Whaling Commission from Regulating Whaling to Encouraging Nonconsumptive Uses of Whales. *Ecology Law Quarterly* 12 (4): 937-75.
- Brown, Michael, and John May. 1991. *The Greenpeace Story*, 2nd ed. London: Dorling Kindersley.
- Brysk, Alison. 1993. From Above and Below: Social Movements, the International System, and Human Rights in Argentina. *Comparative Political Studies* 26 (3): 259-85.
- Caron, David D. 1989. International Sanctions, Ocean Management, and the Law of the Sea: A Study of Denial of Access to Fisheries. *Ecology Law Quarterly* 16 (1): 311-54.
- Chayes, Abram, and Antonia Handler Chayes. 1995. *The New Sovereignty: Compliance with International Regulatory Agreements*. Cambridge, Mass.: Harvard University Press.
- Checkel, Jeffrey T. 1997. International Norms and Domestic Politics: Bridging the Rationalist-Constructivist Divide. *European Journal of International Relations* 3 (4): 473-95.

- _____. 1999. Norms, Institutions, and National Identity in Contemporary Europe. *International Studies Quarterly* 43 (1): 83-114.
- Clapham, P. J., P. Berggren, N. A. Friday, L. T. Kell, K. Karl-Herman, S. Manzanilla, W. F. Perrin et al. 2002. The JARPN II program: a critique. Paper SC/54/O26 presented to the IWC Scientific Committee in April 2002.
- Clapham, Phillip J., Per Berggren, Simon Childerhouse, Nancy A. Friday, Toshio Kasuya, Laurence Kell, Kock Karl-Hermann, et al. 2003. Whaling as Science. *BioScience* 53 (3): 210-12.
- Clinton, William J. 1996. Message to the Congress on Japanese Whaling Activities. *Weekly Compilation of Presidential Documents* 32 (6): 233.
- _____. 2001. Letter to Congressional Leaders on Japanese Whaling Practices. *Weekly Compilation of Presidential Documents* 36 (52): 3212-213.
- Cortell, Andrew P., and James W. Davis. 1996. How Do International Institutions Matter? The Domestic Impact of International Rules and Norms. *International Studies Quarterly* 40 (4): 451-78.
- Day, David. 1987. *The Whale War*. Vancouver: Douglas & McIntyre.
- DeSombre, Elizabeth. 2000. *Domestic Sources of International Environmental Policy: Industry, Environmentalists, and U.S. Power*. Cambridge, MA: MIT Press.
- _____. 2001. Distorting Global Governance: Membership, Voting, and the IWC. In *Toward a Sustainable Whaling Regime*, edited by Robert L. Friedheim, 183-99. Seattle: University of Washington Press.
- Downs, George W. 1998. Enforcement and the Evolution of Cooperation. *Michigan Journal of International Law* 19 (2): 319-44.
- Downs, George W., David M. Rocke, and Peter N. Barsoom. 1996. Is the good news about compliance good news about cooperation? *International Organization* 50 (3): 379-406.
- Epstein, Charlotte. 2003. WorldWideWhale.Globalisation/Dialogue of Cultures? *Cambridge Review of International Affairs* 16 (2): 309-322.
- Endo, T., Y. Hotta, K. Haraguchi, and M. Sakata. 2003. Mercury contamination in the red meat of whales and dolphins marketed for human consumption in Japan. *Environmental Science & Technology* 37 (12): 2681-5.
- Finnemore, Martha. 1996. *National Interests in International Society*. Ithaca, NY: Cornell University Press.

- Freeman, Milton M. R. 1990. A Commentary on Political Issues with Regard to Contemporary Whaling. *North Atlantic Studies* 2 (1-2): 106-16.
- _____. 1993. The International Whaling Commission, Small-type Whaling, and Coming to Terms with Subsistence. *Human Organization* 52 (3): 243-51.
- _____. 2001. Is Money the Root of the Problem? Cultural Conflicts in the IWC. In *Toward a Sustainable Whaling Regime*, edited by Robert L. Friedheim, 123-46. Seattle: University of Washington Press.
- _____. 2003. Culture-Based Conflict in the International Whaling Commission: The Case of Japanese Small-type Whaling. In *The Future of Cetaceans in a Changing World*, edited by William C. G. Burns and Alexander Gillespie, 33-64. Ardsley, NY: Transnational Publishers.
- Friedheim, Robert L. 2001. Introduction: The IWC as a Contested Regime. In *Toward a Sustainable Whaling Regime*, edited by Robert L. Friedheim, 3-48. Seattle: University of Washington Press.
- Friedheim, Robert L, ed. 2001. *Toward a Sustainable Whaling Regime*. Seattle: University of Washington Press.
- Gambell, Ray. 1993. International Management of Whales and Whaling: An Historical Review of the Regulation of Commercial and Aboriginal Subsistence Whaling. *Arctic* 46 (2): 97-107.
- Gamson, William A., and David S. Meyer. 1996. Framing political opportunity. In *Comparative Perspectives on Social Movements: Political opportunities, mobilizing structures, and cultural framings*, edited by Doug McAdam, John D. McCarthy, and Mayer N. Zald, 275-90. Cambridge, UK: Cambridge University Press.
- Gillespie, Alexander. 2003. The Search for a New Compliance Mechanism within the International Whaling Commission. *Ocean Development and International Law* 34 (3-4): 349-67.
- Government of Japan. 2001. Management and Monitoring of the Whale Meat Market in Japan. Background document presented to the RMS Expert Drafting Group 29 Oct. – 1 Nov. 2001.
- _____. 2002. Research Plan for Cetacean Studies in the Western North Pacific under Special Permit (JARPN II). Paper SC/54/02 presented to the IWC Scientific Committee in April 2002.
- _____. [no date] Response to SC/54/O26 “The JARPNII program: a critique.” Available at <http://www.icrwhale.org/eng/Response.pdf> (Accessed May 2004).

- Greenberg, Eldon V. C., Paul S. Hoff, and Michael I. Goulding. 2002. Japan's Whale Research Program and International Law. *California Western International Law Journal* 32 (2): 151-209.
- Greenpeace. 2000. Japan's 'scientific' whaling. Available at http://archive.greenpeace.org/oceans/whaling/japanesewhaling_scientific.html (accessed 6 December 2003).
- _____. 2002a. Japanese government shows the world how to lie with statistics. Available at <http://whales.greenpeace.org/news/1april2002.html> (accessed 4 March 2004).
- _____. 2002b. Scientific Whaling: The True Story. Greenpeace briefing for the 54th Annual Meeting of the IWC. Available at <http://whales.greenpeace.org/docs.html>. (Accessed December 2003).
- _____. n.d. Japanese Opinions on Whale Meat Consumption. Available at http://www.greenpeaceusa.org/oceans/pdfs/japanese_opinions.pdf (accessed 4 March 2004).
- Hirasawa, Yutaka. 1978. The Whaling Industry in Japan's Economy. In *The Whaling Issue in U.S.-Japan Relations*, edited by John R. Schmidhauser and George O. Totten III, 82-114. Boulder, CO: Westview Press.
- Hoel, Alf Hakon. 1985. *The International Whaling Commission, 1972-1984: New Members, New Concerns*. Lysaker, Norway: Fridtjof Nansen Institute.
- _____. 1993. Regionalization of International Whale Management: The Case of the North Atlantic Marine Mammals Commission. *Arctic* 46 (2): 116-23.
- [ICR] Institute of Cetacean Research. n.d. The Evolution of Japanese Whaling. Available at <http://www.icrwhale.org/japan-history.htm> (accessed 4 December 2003).
- Iino, Yasuo, and Dan Goodman. 2003. Japan's Position in the International Whaling Commission. In *The Future of Cetaceans in a Changing World*, edited by William C. G. Burns and Alexander Gillespie, 3-32. Ardsley, NY: Transnational Publishers, Inc.
- Iwasaki-Goodman, Masami, and Milton M. R. Freeman. 1994. Social and Cultural Significance of Whaling in Contemporary Japan: A Case Study of Small-Type Coastal Whaling. In *Key Issues in Hunter-Gatherer Research*, edited by Ernest S. Burch, Jr., and Linda J. Ellanna. Oxford: Berg.
- [IWC] International Whaling Commission. 1983. Chairman's Report of the 34th Annual Meeting. *Report of the International Whaling Commission* 33. Cambridge, UK: IWC.
- _____. 1989. Chairman's Report of the 40th Annual Meeting. *Report of the International Whaling Commission* 39. Cambridge, UK: IWC.

- _____. 1998. Report of the Intersessional Working Group to Review Data and Results from Special Permit Research on Minke Whales in the Antarctic, Tokyo, 12-16 May 1997. SC/49/Rep1. Included in *Report of the International Whaling Commission* 48, 377-90. Cambridge, UK: IWC.
- _____. 2001. Report of the Scientific Committee (2000). *Journal of Cetacean Research and Management* 3 (supplement).
- _____. 2003. Report of the Scientific Committee (2002). *Journal of Cetacean Research and Management* 5 (supplement).
- Japan Fisheries Agency (Ministry of Agriculture, Forestry and Fisheries). 2002. Strong Support for Whaling. Media release, 16 March. Available at <http://www.jfa.maff.go.jp/whale/index.htm> (accessed 4 March 2004).
- Japan Ministry of Foreign Affairs. n.d. The Position of the Japanese Government on Research Whaling. Available at http://www.mofa.go.jp/policy/q_a/faq6.html (accessed 11 February 2004).
- Japan Statistics Bureau. (Ministry of Public Management, Home Affairs, Posts and Telecommunications). 2003. *Statistical Handbook of Japan 2003*. Available at <http://www.stat.go.jp/english/data/handbook/c05cont.htm> (accessed 3 March 2004).
- Kalland, Arne. 1993. Management by Totemization: Whale Symbolism and the Anti-Whaling Campaign. *Arctic* 46 (2): 124-33.
- _____. 1994. Whose Whale is that? Diverting the Commodity Path. In *Elephants and Whales: Resources for Whom?*, edited by Milton M. R. Freeman and Urs P. Kreuter, 159-86. Basel, Switzerland: Gordon and Breach Science Publishers.
- Kalland, Arne, and Brian Moeran. 1992. *Japanese Whaling: End of an Era?* London: Curzon Press.
- Keck, Margaret E., and Kathryn Sikkink. 1998. *Activists beyond Borders: Advocacy Networks in International Politics*. Ithaca, NY: Cornell University Press.
- Klotz, Audie. 1995. *Norms in International Relations: The Struggle Against Apartheid*. Ithaca, NY: Cornell University Press.
- Komatsu, Masayuki. 2002. The Case for Sustainable Whaling. *Japan Echo* 29 (5): 35-40.
- Komatsu, Masayuki, and Shigeko Misaki. 2001. *The Truth Behind the Whaling Dispute*. Tokyo: Japan Whaling Association.
- _____. 2003. *Whales and the Japanese*. Tokyo: Institute of Cetacean Research.

- Legro, Jeffrey W. 1997. Which norms matter? Revisiting the “failure” of internationalism. *International Organization* 51 (1): 31-63.
- Martin, Gene S., Jr., and James W. Brennan. 1989. Enforcing the International Convention for the Regulation of Whaling: The Pelly and Packwood-Magnuson Amendments. *Denver Journal of International Law and Policy* 17 (2): 293-315.
- McDorman, Ted. 1997. Whales, the U.S. Pelly Amendment and international trade law. In *Whaling in the North Atlantic: Economic and political perspectives*, edited by Guðrún Pétursdóttir, 89-98. Reykjavik, Iceland: Fisheries Research Institute, University of Iceland.
- Miyaoka, Isao. 2004. *Legitimacy in International Society: Japan’s Reaction to Global Wildlife Preservation*. New York: Palgrave Macmillan.
- Misaki, Shigeko. 1994. Whaling Controversy is the Name of the Game. In *Public Perception of Whaling*, edited by the Institute of Cetacean Research, 21-39. Tokyo: Institute of Cetacean Research.
- Moravcsik, Andrew. 1995. Explaining International Human Rights Regimes: Liberal Theory and Western Europe. *European Journal of International Relations* 1 (2): 157-189.
- . 1997. Taking Preferences Seriously: A Liberal Theory of International Politics. *International Organization* 51 (4): 513-553.
- MORI. 2000. Majority of Japanese Public Does Not Support Whaling or Consume Whale Meat. Available at <http://www.mori.com/polls/1999/whaling/shtml> (accessed 18 February 2004).
- Morishita, Joji. 2003a. Why the Whaling Issue is So Important Now? *Ship & Ocean Newsletter: Selected Papers* 1. Tokyo: Institute for Ocean Policy, Ship & Ocean Foundation.
- . 2003b. Resumption of Whaling and the Principle of Sustainable Use. *Ship & Ocean Newsletter* 42. Tokyo: Institute for Ocean Policy, Ship & Ocean Foundation.
- Morishita, Joji, and Fred O’Regan. 2001. Whaling: Should Japan be allowed to continue? *The Ecologist* 31 (6): 18-21.
- Motluk, Alison. 1996. Blood on the water. *New Scientist* (22 June): 12-13.
- Murphy, Sean D. 2001. U.S. Sanctions Against Japan for Whaling. *American Journal of International Law* 95 (1): 149-52.
- Nadelmann, Ethan A. 1990. Global prohibition regimes: the evolution of norms in international society. *International Organization* 44 (4): 479-526.

- Nagasaki, Fukuzo. 1990. The case for scientific whaling. *Nature* 344 (15 March): 189-90.
- _____. 1994. Pro- and Anti-Whaling Attitudes as Revealed in Public Opinion Polls. In *Public Perception of Whaling*, edited by the Institute of Cetacean Research, 5-20. Tokyo: Institute of Cetacean Research.
- _____. 1995. The Moratorium and Japanese Research on Whales in the Antarctic – an Overview. In *Research on Whales*, edited by the Institute of Cetacean Research, 5-12. Tokyo: Institute of Cetacean Research.
- Ohsumi, Seiji. 1995. The Necessity of Employing Lethal Methods in the Study of Whale Resources. In *Research on Whales*, edited by the Institute of Cetacean Research, 13-23. Tokyo: Institute of Cetacean Research.
- Peterson, M. J. 1992. Whalers, cetologists, environmentalists, and the international management of whaling. *International Organization* 46 (1): 147-86.
- Price, Richard. 1998. Reversing the Gun Sights: Transnational Civil Society Targets Land Mines. *International Organization* 52 (3): 613-644.
- Risse, Thomas, and Stephen C. Ropp. 1999. International human rights norms and domestic change: conclusions. In *The Power of Human Rights: International Norms and Domestic Change*, edited by Thomas Risse, Stephen C. Ropp, and Kathryn Sikkink, 234-78. Cambridge, UK: Cambridge University Press.
- Risse, Thomas, and Kathryn Sikkink. 1999. The socialization of international human rights norms into domestic practices: introduction. In *The Power of Human Rights: International Norms and Domestic Change*, edited by Thomas Risse, Stephen C. Ropp, and Kathryn Sikkink, 1-38. Cambridge, UK: Cambridge University Press.
- Risse, Thomas, Stephen C. Ropp, and Kathryn Sikkink, eds. 1999. *The Power of Human Rights: International Norms and Domestic Change*. Cambridge, UK: Cambridge University Press.
- Risse-Kappen, Thomas. 1995. Bringing transnational relations back in: introduction. In *Bringing Transnational Relations Back In: Non-state actors, domestic structures and international institutions*, edited by Thomas Risse-Kappen, 3-33. Cambridge, UK: Cambridge University Press.
- Russell, Dick. 2002. Whalenation. *The Ecologist* 32 (6): 16-19.
- Shannon, Vaughn P. 2000. Norms are What States Make of Them: The Political Psychology of Norm Violation. *International Studies Quarterly* 44 (2): 293-316.

- Shima, Kazuo. 1999. Japan and Whaling. *Social Science Japan* 16: 3-6. Available at <http://newslet.iss.u-tokyo.ac.jp/ssj16/ssj16.pdf> (accessed 11 December 2004).
- Sikkink, Kathryn. 1993. Human rights, principled issue-networks, and sovereignty in Latin America. *International Organization* 47 (3): 411-41.
- Stedman, Bruce J. 1990. The International Whaling Commission and Negotiation for a Global Moratorium on Whaling. In *Nine Case Studies in International Environmental Negotiation*, edited by Lawrence E. Susskind, Esther Siskind, and J. William Breslin. Cambridge, MA: MIT-Harvard Public Disputes Program.
- Stoett, Peter J. 1997. *The International Politics of Whaling*. Vancouver: UBC Press.
- Sumi, Kazuo. 1989. The “Whale War” Between Japan and the United States: Problems and Prospects. *Denver Journal of International Law and Policy* 17 (2): 317-72.
- Tønnessen, Johan N., and Arne O. Johnsen. 1982. *The History of Modern Whaling*. Translated by R. I. Christophersen. Berkeley and Los Angeles: University of California Press.
- Underdal, Arild. 1998. Explaining Compliance and Defection: Three Models. *European Journal of International Relations* 4 (1): 5-30.
- Victor, David G. 2001. Whale Sausage: Why the Whaling Regime Does Not Need to be Fixed. In *Toward a Sustainable Whaling Regime*, edited by Robert L. Friedheim, 292-310. Seattle: University of Washington Press.
- Walsh, James I. 2001. National Preferences and International Institutions: Evidence from European Monetary Integration. *International Studies Quarterly* 45 (1): 59-80.
- Ward, Simon. 1992. *Biological Samples and Balance Sheets*. Tokyo: Institute of Cetacean Research. Available at www.luna.pos.to/whale/sci.html (accessed 23 January 2004).
- Whaling Library. n.d. Whaling Statistics. Available at <http://luna.pos.to/whale/sta.html> (accessed 14 March 2004).
- Wilkinson, Dean M. 1989. The Use of Domestic Measures to Enforce International Whaling Agreements: A Critical Perspective. *Denver Journal of International Law and Policy* 17 (2): 271-91.
- Wong, Anny. 2001. *The Roots of Japan’s International Environmental Policies*. New York: Garland Publishing.
- [WWF] World Wide Fund for Nature. 2003. Scientific Whaling: Irresponsible Science, Irresponsible Whaling. Available at <http://www.panda.org/downloads/species/iwscscientificwhaling.pdf> (accessed 11 December 2003).