

# The Whale and the Region: Orca Capture and Environmentalism in the New Pacific Northwest

Jason Colby

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## Article abstract

Although the orca is today widely recognized as a cultural and ecological icon of the Pacific Northwest, historians have ignored the impact of killer whale capture on the development of the region's environmental values and identity. Between 1964 and 1976, the waters in southern British Columbia and Washington State were the world's principal source of captive killer whales. The display of orcas by the region's aquariums transformed human perceptions of this marine predator, and soon aquariums around the world were placing orders for Pacific Northwest killer whales. Yet the expanding capture and export of orcas in the late 1960s and early 1970s raised troubling ecological and moral questions for the region's human residents. In the context of shifting attitudes toward cetaceans and rising environmental awareness throughout North America, Pacific Northwesterers on both sides of the border increasingly viewed orcas as symbols of their region's shared ecological concerns. The transnational nature of the region's killer whale pods helped spur not only ecological reflection but also transborder cooperation among activists, scientists, and government officials to study and eventually protect the species. In the process, the shifting human relations with orcas helped redefine the Pacific Northwest.

# The Whale and the Region: Orca Capture and Environmentalism in the New Pacific Northwest\*

JASON COLBY

## *Abstract*

*Although the orca is today widely recognized as a cultural and ecological icon of the Pacific Northwest, historians have ignored the impact of killer whale capture on the development of the region's environmental values and identity. Between 1964 and 1976, the waters in southern British Columbia and Washington State were the world's principal source of captive killer whales. The display of orcas by the region's aquariums transformed human perceptions of this marine predator, and soon aquariums around the world were placing orders for Pacific Northwest killer whales. Yet the expanding capture and export of orcas in the late 1960s and early 1970s raised troubling ecological and moral questions for the region's human residents. In the context of shifting attitudes toward cetaceans and rising environmental awareness throughout North America, Pacific Northwesters on both sides of the border increasingly viewed orcas as symbols of their region's shared ecological concerns. The transnational nature of the region's killer whale pods helped spur not only ecological reflection but also transborder cooperation among activists, scientists, and government officials to study and eventually protect the species. In the process, the shifting human relations with orcas helped redefine the Pacific Northwest.*

## *Résumé*

*Bien que l'épaulard soit aujourd'hui largement reconnu comme l'emblème culturel et écologique du Pacifique Nord-Ouest, les historiens ont négligé l'incidence de la capture de ce mammifère sur le développement des valeurs environnementales et l'identité de cette région. De 1964 à*

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\* The author wishes to thank the editors and two anonymous readers for their suggested revisions to this article.

*1976, les eaux du sud de la Colombie-Britannique et de l'État de Washington étaient la principale source d'épaulards en captivité dans le monde. La présentation d'épaulards dans les aquariums de la région a changé le regard que portaient les humains sur ce prédateur marin, ce qui fait qu'en peu de temps les aquariums du monde se sont mis à en commander. Or, la capture et l'exportation croissantes de cet animal, à la fin des années 1960 et au début des années 1970, a soulevé des questions écologiques et morales troublantes chez les résidents de la région. Vu le changement de mentalité à l'égard des cétacés et la sensibilisation croissante à l'écologie dans toute l'Amérique du Nord, les habitants du Pacifique Nord-Ouest des deux côtés de la frontière se sont mis à voir de plus en plus l'épaulard comme un symbole des préoccupations environnementales de leur région. La nature transnationale des troupeaux d'épaulards de cette région a permis de susciter non seulement une réflexion sur l'écologie, mais aussi la collaboration transfrontalière des activistes, des scientifiques et des représentants du gouvernement pour étudier et finalement protéger cette espèce. Ce faisant, les relations entretenues par les humains avec les épaulards ont contribué à redéfinir le Pacifique Nord-Ouest.*

On Saturday, 16 August 1975, Sealand of the Pacific, an entertainment-oriented aquarium in Victoria, B.C., captured a pod of six killer whales in Pedder Bay off southern Vancouver Island. Sealand's owner, Bob Wright, was well aware of the controversy orca capture could stir, having organized two similar operations in 1970 and 1973. Yet he was unprepared for the furor unleashed by this latest capture. The event made national news, with distant newspapers such as the *Saskatoon Star-Phoenix* printing front-page photos of the "trapped killer whales" at Pedder Bay.<sup>1</sup> The most visible reaction, however, was local. Protests appeared almost immediately, some of them organized by Vancouver-based Greenpeace, which had recently turned its focus to whales and other marine mammals. Over the following weeks, officers of the Royal Canadian Mounted Police guarded Sealand's nets and prevented at least one attempt to cut the orcas free. Eventually, federal size regulations forced Wright to release four of the whales. Of the remaining two, Sealand kept a young

female and earmarked the other, a 15-foot male soon to be named "Kanduke," for Marineland of Niagara Falls to replace another young orca that had died in November 1973, shortly after shipment.

But exporting killer whales from the Pacific Northwest was not as simple as it used to be. Since the late 1960s, opposition to the capture, sale, and public display of orcas had been growing as part of a larger environmentalist movement on both sides of the border. Responding to the public outcry at this most recent capture, the B.C. government attempted to intervene, despite the fact that jurisdiction lay with the federal government, which had issued Wright his capture permits. On 12 September 1975, the B.C. Department of Recreation and Conservation declared a ban on orca capture in provincial waters, and soon after the B.C. government announced it would not allow B.C. Ferries to carry the whale, thereby preventing the planned transport to Ontario via the Vancouver Airport. The provincial government's actions annoyed federal officials and forced Marineland's owner, John Holer, to charter a private plane directly from Victoria. The full extent of local opposition became apparent only on 19 September, however, when hundreds of protestors confronted the truck carrying the whale on the way to the Victoria Airport.<sup>2</sup> Just six months later, a similar episode occurred across the border in Washington State, when an operation funded by Sea World and based out of the Seattle Marine Aquarium netted a pod of orcas in southern Puget Sound. As in B.C., the local reaction was visceral, with activists protesting and attempting to free the whales. For its part, the state government sued Sea World in federal court, challenging the right of both the company and the federal government to remove a species that was quickly becoming a regional icon.

These two events highlight the critical importance of killer whales in the changing environmental politics of the Pacific Northwest. On the surface, these were simply disputes over the fate of a few captive orcas. On a deeper level, however, they crystalized a broader debate over the growing influence of environmental values in the region. Killer whales became symbolic of this debate because they played a highly visible and influential role in this cultural shift. To be sure, most people today associate orca captivity with the multi-billion-dollar business of San Diego-based Sea World, particularly

following the release of Gabriela Cowperthwaite's influential documentary, *Blackfish* (2013). As such, it is easy to forget that the business of orca capture and display began in the Pacific Northwest and played a key part in transforming its regional values and identity. The new aquariums that appeared in the region in the postwar period were the first in the world to capture and hold killer whales for public viewing. The resulting change in the perception of the species from fearsome "killer" to loveable "orca" had a profound impact on the Pacific Northwest. In addition to drawing international attention and large numbers of tourists, the killer whale industry contributed powerfully to the region's environmentalist turn.

This article lies at the intersection of environmental, regional, and animal history. As scholars such as Donald Worster and Sharon Kingsland have shown, the emergence of the modern environmentalist movement in the 1960s and 1970s reframed public discourse in North America. In addition to raising concerns over human-generated threats such as industrial pollution and nuclear fallout, it gave political meaning to the biological concept of "ecology," which examines the relationship of living things to their environment and each other.<sup>3</sup> This cultural change was especially dramatic in the transborder Pacific Northwest. As historians such as Jeffrey Sanders and Frank Zelko have argued, the growing ecological sensibility of urban centres such as Seattle and Vancouver in the late 1960s and 1970s challenged the priorities of extractive industries and transformed the region into a hotbed of environmental activism.<sup>4</sup> This ecological turn also had a profound impact on human understandings of animals. Many scientists and activists, for example, called for a more complex view of predators such as wolves, which had traditionally been targeted for elimination.<sup>5</sup> Others questioned the perception of animals primarily as resources to be exploited or managed. This shift was particularly evident in the case of whales and other marine mammals, which were increasingly depicted as sentient beings with humanlike intelligence and familial bonds. As Zelko's study makes clear, for example, the changing public perception of cetaceans was critical to Greenpeace's mid-1970s shift away from nuclear testing and toward whaling as its main issue.<sup>6</sup>

Yet the role of orcas in the cultural changes that came to the Pacific Northwest in the 1960s and 1970s has received little attention. On the surface, this seems surprising, for the ubiquitous presence and near-sacrosanct status of killer whales in regional culture and imagery today begs historical examination. To be sure, Zelko and others have noted the importance of captive killer whales in raising the awareness of individual Greenpeace activists, but no historian has explored the impact of orca capture on the ecological values of the Pacific Northwest. Put simply, the changing human relationship with killer whales in the 1960s and 1970s played a critical role in transforming the region's environmental politics. Although originating in the local extractive economy, killer whale capture helped pave the way to the "new" Pacific Northwest not only by stimulating the region's growing tourist economy but also by raising troubling ecological and moral questions. Due to its high profile and transnational nature, the killer whale industry became a symbolic battleground as well as a crucible for cooperation between activists and government officials on both sides of the border. In the process, the debate over the fate of orcas in the Pacific Northwest helped shape the environmental values and identity of the region itself.

An extractive approach to the marine environment had long shaped human cultures in the Pacific Northwest. Before Europeans arrived seeking otter pelts, the Coast Salish nations had harvested slow-moving cetaceans such as right and gray whales.<sup>7</sup> From the 1840s to the 1870s, English and American whaling ships hunted these species to commercial extinction in Northwest waters, and the introduction of faster ships and exploding harpoons in the early 1900s resulted in the targeting of other species. In the final burst of commercial whaling in the region, Coal Harbour, on northern Vancouver Island, alone processed some 10,000 whales between 1948 and 1967.<sup>8</sup> Since the capture and processing of whales largely happened outside the public eye, the whaling industry raised few objections from the region's residents. For their part, government officials in both Washington State and British Columbia viewed marine wildlife primarily through the lens of extractive industries. In addition to assisting whalers, government scientists actively sought to eliminate species they believed hindered the local fishing industry.

Officials on both sides of the border culled colonies of sea lions and elephant seals, and Canadian Fisheries vessels used bow blades to eliminate basking sharks, which often tangled in fishing nets.<sup>9</sup>

It was in this context that humans encountered the region's top marine predator. Scientists now know that the killer whales that populate the waters of the transborder Pacific Northwest have evolved into two general ecotypes, or "cultures." So-called "transients" travel in small pods of four to seven individuals and prey on other marine mammals. In contrast, the region's "resident" orcas travel in larger pods of between 20 and 50 and feed on local salmon runs. The residents are in turn divided into "northern" and "southern" populations. The more numerous northern residents are organized into at least a dozen pods and range from Southeast Alaska to mid-Vancouver Island. The southern residents are organized into three pods (labeled J, K, and L by scientists) and generally remain within the waters of southern B.C. and Washington State — the transborder marine ecosystem recently designated by the United States and Canada as the "Salish Sea."<sup>10</sup>

Indigenous views of killer whales differed greatly from the settler culture that would follow. Partly because the species proved too small and elusive to be hunted efficiently, it came to occupy a unique place in the belief systems of the region's First Nations. The Haida of southeast Alaska revered orcas as shape-shifters that could take human form, and many Coast Salish nations adopted them as clan icons.<sup>11</sup> European settlers were generally less admiring of the species. Killer whales had long held a bloodthirsty reputation among European fishermen and whalers, and white settlers in the Northwest often expressed anxiety toward them. In his 1874 account of marine mammals in the region, for example, former whaling captain Charles Scammon described killer whales as "marine beasts" spreading "terror and death" in every ocean.<sup>12</sup> Yet it was not until after World War II that hostility toward orcas spurred government action. With growing numbers of commercial and sports fishermen competing with resident killer whales over declining salmon runs — particularly the Chinook salmon prized by both species — American and Canadian officials began targeting killer whales. In the mid-1950s, the U.S. Navy slaughtered hundreds of orcas in the Atlantic and Pacific, and

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in 1961 Canadian fisheries officials mounted a machine gun on Seymour Narrows, midway up Vancouver Island, to kill orcas.<sup>13</sup>

In this same period, however, scientific and public perceptions of cetaceans were changing rapidly. In addition to the formation of the International Whaling Commission in 1946, which sought to regulate the global harvest of whales, funding opportunities for marine research expanded in the postwar years. Most of this research initially focused on the utility of cetaceans for humans. At Point Mugu, California, for example, the U.S. Navy's Marine Mammal Program explored the potential military applications of trained seals and dolphins. U.S. government grants also enabled neuroscientist John Lilly to build a research facility in the Virgin Islands, where he studied dolphin brains and vocalization. Although critics would later denounce his experiments on captive dolphins, Lilly's writings raised questions about the intelligence of dolphins and cetaceans more broadly.<sup>14</sup> Equally important was the rising popularity of public aquariums (or "oceanariums") and marine-themed television programmes, both of which offered more intimate, if often anthropomorphic, views of marine mammals. Among the earliest oceanariums on the Pacific coast was Marineland of the Pacific, which opened near Los Angeles in 1954 and provided facilities for the popular *Sea Hunt* (1958-1961) television series. Sea World opened in San Diego in March 1964, and six months later the television series *Flipper* (1964-1967) began its successful run. As important as these broader trends were, however, it was the shifting local encounters with orcas that resonated most powerfully in the Pacific Northwest.

The change began in the summer of 1964, with the Vancouver Aquarium's botched attempt to kill an orca. Eager to decorate the facility's new British Columbia Hall with likenesses of local marine fauna, aquarium director Murray Newman commissioned local sculptor Sam Burich to harpoon a killer whale for use as a model. Although recently depicted as part of a new regional understanding of orcas,<sup>15</sup> this whaling expedition, like the aquarium itself, was closely tied to the region's extractive economy. Burich was a part-time fisherman, and he borrowed his harpoon from the whaling station in Coal Harbour. For his part, Newman had funded the



aquarium's construction to a great extent with private donations from local magnates such as lumber baron H. R. MacMillan, and he relied on local fishermen and divers to stock the aquarium's collection.<sup>16</sup> In this sense, Newman viewed orcas as simply another local resource.

The chance survival of Newman's target, however, helped transform orcas into a new type of regional resource. On 16 July, Burich harpooned a young bull orca as it passed Saturna Island. In the hours-long struggle that ensued, Burich and his assistant found themselves deeply affected both by the whale's loud cries and by the efforts of other pod members to keep him afloat. In the end, they could not bring themselves to kill the orca, and soon after Newman decided to tow him to Vancouver. The whale's arrival stirred enormous public interest. After a brief stay at the Burrard Drydock, he was transferred to a holding pen at the Jericho Army Base.<sup>17</sup> Even before Newman could open the site for public viewing, he received inquiries from other aquariums. The director of Marineland of the Pacific flew to Vancouver and offered to buy the whale. Despite initially suggesting a price of \$25,000 (nearly \$190,000 in 2013 dollars), Newman opted not to sell.<sup>18</sup> The decision proved significant, not only for the Vancouver Aquarium, but also for the broader region. As news of the capture made national and international headlines, the public and local press embraced the whale as a unique attraction. Newman added to the buzz by holding a radio contest to name the young orca, which he and his staff mistakenly identified as female. As the Associated Press reported on 23 July, "The Pacific Northwest's biggest gal celebrity gained a name Wednesday. Henceforth, the world's only captive killer whale is to be called — what else — 'Moby Doll.'"<sup>19</sup>

Although embraced by Vancouver as its marine mascot, "Moby" suffered badly in his pen. Weakened by his wound and insufficient feeding, he died in October of skin and respiratory infections, likely brought on by the extensive pollution in English Bay. The subsequent outpouring of emotion revealed the extent to which, in just two months, people in Vancouver and around the region had become attached to the whale, and it hinted at the iconic status the species would attain over the following decade. At the time, however,

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Newman himself seemed bemused by the public reaction. “I worry about this sentimentalizing,” he explained to one newspaper. “It was a nice whale, but it was still a predatory, carnivorous creature. It would swallow you alive.”<sup>20</sup> Yet if Newman lagged behind the growing public affection for orcas, he recognized the species’ commercial potential for his aquarium. Over the following years, he would eagerly pursue opportunities to obtain another captive killer whale.

In the end, however, it was not Newman but Seattle Marine Aquarium owner Ted Griffin who played the pivotal role in transforming the public view of killer whales. In the process, he would have a profound impact on the environmental politics of the Pacific Northwest. An animal lover and visionary entrepreneur, Griffin had built his aquarium on the city’s waterfront amid the excitement of the 1962 Seattle World Fair, an event that had sought to present a new and modern vision of the Pacific Northwest. Although successful in drawing crowds with a range of local sealife, Griffin was eager to capture an orca, both for display at the aquarium and out of a growing personal obsession with the species. In his time on Puget Sound, he had a number of close encounters with killer whales, and in 1964 he had traveled to Vancouver see Moby Doll, returning even more determined to obtain his own orca. While scouring the waters of Puget Sound, he relied on tips from local fishermen as well as assistance from government officials. The Seattle office of the Department of Fisheries even loaned him a small harpoon gun, and the Seattle Police sometimes flew him around in a department helicopter.<sup>21</sup>

Ultimately, it was an orca from Canada that would create a sensation in Seattle. In June 1965, fishermen near Namu, B.C., accidentally netted two killer whales, a large bull and a calf. Although the Vancouver and other aquariums initially showed interest in the calf, they balked at the high asking price of \$25,000 — which Newman himself had inadvertently helped set. Assuming the 23-foot bull was too large to keep in captivity, most buyers lost interest when the calf escaped. The chagrined fishermen agreed to sell the remaining bull to Griffin for \$8,000. Borrowing money from other Seattle waterfront businessmen and hiring Canadian welders to build a transport pen, the resourceful Griffin claimed his whale, now named “Namu.” News of the transaction sparked a media frenzy in Seattle.

Seizing upon the story as a feel-good alternative to the constant headlines of troop deployments to Vietnam, both the *Seattle Times* and the *Seattle Post-Intelligencer* devoted daily front-page coverage to the southward progress of “Namu’s navy.” According to one reporter, the city was “daft over [Namu’s] arrival,” as thousands crowded the pier to catch a glimpse of “Seattle’s newest citizen.”<sup>22</sup>

Namu’s presence at the aquarium generated massive public interest. As the *Montreal Gazette* observed on 3 August 1965, a record 5,000 people had crowded the aquarium the previous Sunday to “see how Namu was doing.”<sup>23</sup> Public views of the species seemed to shift overnight, particularly after Griffin began swimming and performing with Namu — the first person to do so with a killer whale. The change was further cemented when the Hollywood producer of the *Flipper* television series cast the whale in an eponymous feature film, *Namu: My Best Friend* (1966), which portrayed a whale scientist protecting a captured orca from hostile Northwestern fishermen. In doing so, the plot hinted at the shift away from extractive culture then taking place in the Pacific Northwest.<sup>24</sup> Although the real Namu died of infection and drowning in July 1966, just before the film’s release, his short time at the Seattle Marine Aquarium brought international attention to the region, and permanently identified it with the killer whale.<sup>25</sup> It also convinced aquarium owners around the world of the orca’s potential as a signature attraction, and they looked to the Pacific Northwest, and Ted Griffin, to supply them.

The next six years witnessed the height of killer whale captures in the region. Forming a subsidiary called Namu, Inc., Griffin and his business partner, ex-fisherman Don Goldsberry, hired local fishermen to assist in their capture operations. In late 1965, they caught their first whale, which they leased and eventually sold to Sea World for \$100,000. The young female was dubbed “Shamu” (short for “She-Namu”), the first to carry a title that would become synonymous with Sea World and the southern California tourist industry.<sup>26</sup> In addition to procuring whales for the Seattle Marine Aquarium following Namu’s death, the company also supplied the captive orcas that would become iconic in southern B.C. In 1967, Griffin sold to the Vancouver Aquarium a young female that would soon be named

“Skana,” and two years later Bob Wright’s Sealand of the Pacific bought a young male named “Haida” for his newly created Sealand of the Pacific in Victoria. Until their deaths in the early 1980s, the two animals would serve as marquee attractions for southern B.C.’s growing tourist industry.<sup>27</sup>

Yet the growing trade in Northwest orcas also stirred opposition. In truth, criticism of captivity had been present on a small scale from the beginning. In the cases of both Moby Doll and Namu, for example, members of established organizations such as the SPCA and the Humane Society had protested the whales’ capture on the grounds of animal cruelty.<sup>28</sup> The broader shift in public perception of the species, however, resulted largely from orca captivity itself. The presence of killer whales at aquariums in Seattle, Vancouver, and Victoria afforded residents and tourists the opportunity for intimate, if often misleading, encounters with a species previously viewed as a dangerous predator. As a result of this public display, and overwhelmingly positive press coverage, killer whales became not only less menacing but also increasingly linked to the identity of the Pacific Northwest itself.<sup>29</sup> Perhaps inevitably, this public celebration of orcas became tied to rising concerns over the region’s environment and wildlife.

The first environmental activism targeting killer whale capture occurred in Pender Harbour, north of Vancouver. In 1968-1969, struggling fishermen in the area caught and sold nearly a dozen orcas. Among the buyers was the Vancouver Aquarium, which purchased three of the orcas and set up a satellite facility for whale shows in the harbour itself. Almost immediately, both the fishermen and the aquarium faced protests, as well as threats to release the whales. In February 1969, activists managed to do just that, freeing a large bull recently purchased by the aquarium.<sup>30</sup>

Meanwhile, dissent also emerged within the aquarium itself. By the fall of 1969, researcher Paul Spong had turned against captivity and called for the release of Skana and the Pender Harbour whales. When the aquarium refused to renew his contract, Spong mounted a sit-down protest outside the facility in Stanley Park, which was rapidly becoming a hotspot for environmental protest and other countercultural activities.<sup>31</sup> In addition to drawing wide news cover-



'Haida' and 'Chimo' performing at Sealand of the Pacific, Victoria, B.C., 1972. Image courtesy of the author.

age, Spong's vigil had a deep impact on aquarium staffers, among them Mark Perry. A Vancouver native who had seen Moby Doll as a teenager and later became one of Skana's trainers, Perry found himself increasingly torn between his duties at the aquarium and his changing environmental values. "I felt like I should be sitting with Paul," he recalled. "I'd go into work, and there were times when I felt, 'Jeez, I'm on the wrong side here.'"<sup>32</sup> For Perry, as for so many others, personal encounters with orcas had contributed to a broader shift in environmental politics.

The following year brought unprecedented public scrutiny of B.C.'s killer whale trade. In March 1970, Sealand conducted its first successful capture, netting a pod of five transient orcas at Pedder Bay. Owner Bob Wright transported the two young females of the group to Sealand. One of them, a rare white orca named "Chimo," would become a signature attraction of Victoria's growing tourist economy until her death three years later. Wright kept the remaining three whales in the pen, amid rising public concern and anxiety among his own staff. After 75 days without eating, the pod's matriarch, nick-

named “Scarred Jaw Cow,” drowned in her pen. Hoping to conceal the death from the public, Wright ordered the carcass sunk at sea, and kept the two surviving whales in the pen until 27 October, when activists apparently released them. By this time, the controversy over Sealand’s operation had caught the attention of the Canadian government. Although orcas had yet to become a celebrated symbol of B.C., the public criticism of Sealand’s operation convinced federal officials that some study and regulation was needed.<sup>33</sup>

In the meantime, a shocking event across the border galvanized public opinion in Washington State. In August 1970, Namu, Inc. conducted a capture operation in Penn Cove, off Puget Sound’s Whidbey Island, that netted some 80 killer whales. Although no one knew it at the time, this amounted to nearly the entire southern resident orca population. The capture quickly drew the attention of local residents as well as pleasure boaters. Although Griffin and Goldsberry released the vast majority of the whales, the spectacle of the capture, and particularly the removal of six orca calves, horrified many onlookers. One vocal critic was local publisher James Scripps, who flew his private plane over Penn Cove to inspect the capture. Interviewed by the *Seattle Post-Intelligencer*, Scripps described the image of orcas outside the nets “trying to get to their families inside as ‘terrible’ and ‘sickening’” and offered to finance efforts to pass legislation protecting killer whales.<sup>34</sup> State Senator Peter Francis also jumped on the bandwagon, declaring, “there seems to be no controls over the destruction of sea life in Puget Sound.”<sup>35</sup> The public fallout grew three months later, when a local fishing boat dragged up the carcasses of three more orca calves, which divers for Namu, Inc. had weighted with rocks and anchors. Although the calves had likely drowned as a result of an activist attempt to cut the holding nets, the image of their decomposed bodies heightened public outrage and drew the attention of Governor Daniel J. Evans.<sup>36</sup>

Evans was a central figure in the shifting environmental politics of the Pacific Northwest. A Republican whose tenure (1965-1977) coincided exactly with the era of killer whale capture, he had initially applauded the contribution of Griffin and his aquarium to the state’s tourist economy. Yet he also embraced the region’s emerging environmentalist values. In 1967, he had overseen the founding of the

progressive Evergreen State College, near the capital of Olympia, and three years later he created a state-level Department of Ecology — the first in the United States.<sup>37</sup> In this context, it is hardly surprising that he responded to the public outcry over the Penn Cove scandal by signing a bill to regulate orca capture in May 1971. The new law charged the Washington State Department of Game with oversight. In consultation with Fisheries officers and Namu, Inc., the department outlined acceptable capture methods and stipulated that no orca shorter than 11 feet and longer than 16 feet be collected. It also imposed a fee of \$1,000 for every killer whale removed from Washington State waters. In practice, however, the Department of Game viewed orcas as simply another extractable resource. Despite lacking reliable estimates of the region's orca population, it issued a permit to Namu, Inc. in August 1971 for the capture of six orcas.<sup>38</sup>

In the same period, the Canadian government was moving not only to tighten regulations but also to gather data. In addition to copying Washington State's guidelines and size requirements virtually verbatim, officials in Fisheries Canada authorized a study of the region's orca population. The resulting three-year "killer whale census" was a watershed moment in both orca research and informal transborder cooperation in the Pacific Northwest. Organized by Canadian scientist Michael Bigg, the top marine mammalogist at the Pacific Biological Station in Nanaimo, on Vancouver Island, the census enlisted Canadian and American volunteers from northern California to southeast Alaska in a one-day survey of orca sightings. The resulting estimate of 350 killer whales surprised observers, many of whom assumed the region's population numbered in the thousands. Indeed, the census added to the growing sense of urgency among many activists to halt orca capture. Bigg himself was less concerned. Believing killer whale capture was sustainable if properly regulated, he worked closely with local aquariums. When Sealand made its second catch at Pedder Bay in 1973, for example, the aquarium staff allowed Bigg to perform tests on a large captive bull as well as to mount a radio pack on him prior to his release.<sup>39</sup> This access to captive orcas proved critical to Bigg, who would in time become regarded as the transformative figure in the study of Pacific Northwest orcas.

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Captured orca in Pedder Bay, 1973. Image courtesy of the author.

Meanwhile, the debate over killer whale capture in Washington State underscored the growing influence of the environmental movement. In April 1972, the Washington State Game Commission held a public hearing to consider permit requests to catch orcas in the upcoming summer season. Speaking for Namu, Inc., Don Goldsberry attempted to depict killer whales primarily as a marine resource. While stressing the aquarium's cooperation with scientific researchers and his own reverence for the species, he argued that "it is like the salmon or herring out in Puget Sound. There are commercial people after those animals if there is an abundance of them." In doing so, he drew upon the longstanding theme of cross-border competition. "There is a need to capture these animals," he emphasized. "If we





Captured bull orca fitted with radio transmitter in Pedder Bay, 1973.  
Image courtesy of the author.

don't capture them, there are permits issued in Canada, and essentially they are working with the same animals we are." Also seeking permits was Gig Harbor fisherman Peter Babich, who actually welcomed a transborder connection. Having previously worked for Namu, Inc., he was now eager to start his own orca-catching business, and he shocked the Commission by declaring that he had reached an agreement with the Vancouver Aquarium to hold the whales that he captured.<sup>40</sup>

Yet these permit requests faced outspoken environmentalist opposition at the hearing. Pointing to Washington State's new

emphasis on “non-consumptive” use of state lands and protection of endangered wildlife, Tacoma native Helen Engle argued that wild killer whales not only appealed to tourists but also had “an overwhelming value to the people of Puget Sound.”<sup>41</sup> Likewise, speaking for the Wildlife Committee of the Washington Environmental Council, Vera Heminger called for a “moratorium” on orca capture, declaring “we do not want this thing to go on in Puget Sound any more.” Dr. Henning of Tacoma agreed. Although maintaining that he was not an “emotionalist,” Henning observed that the sight of an orca capture had deeply disturbed him:

I counted seven in the pens and the rest of the family outside the pens could not be driven away. They were trying to get back to the rest of the pod, and it concerned me quite a bit. There were a number of people observing this operation and all of us were upset. I think for the first time, a lot of us were really concerned that these beautiful animals were not being treated as they should be.<sup>42</sup>

Such comments highlighted the value many Northwesterners had begun to place on orcas in the context of the region’s shifting environmental politics.

Although opponents failed to halt killer whale capture, they had a significant impact on the Game Commission’s policies. After another contentious hearing in May, the commission decided to offer Namu, Inc. permits for only four orcas and to prohibit capture in Puget Sound’s main recreational areas. The decision indicated that commission members viewed the debate more as a public relations problem than as an environmental question. Still lacking information on the local orca population and its place in the region’s marine ecology, the Game Commission hoped to avoid future controversy by moving killer whale capture outside of the public eye. For Ted Griffin, however, it was an unacceptable compromise. While acknowledging the right of the state to regulate capture, he protested that moving operations outside of Puget Sound would endanger both his workers and the whales. In frustration, Griffin quit, transferring both the aquarium and Namu, Inc. to Goldsberry.<sup>43</sup>

Over the following months, the context of the debate would

shift, as forces outside of the state played an increasingly important role. Swayed in part by public pressure following the Canadian-run killer whale census, U.S. President Richard Nixon signed the Marine Mammal Protection Act in October 1972, which placed a moratorium on killer whale capture. The law posed a serious threat to Sea World, which had recently begun construction of a new franchise in Orlando and was hoping to obtain more orcas from the Pacific Northwest. Eager to find a loophole, the company requested an exemption from the moratorium on the basis of the new law's "economic hardship clause." Arguing that it had begun building in Orlando on the assumption that Northwest killer whales would be available, Sea World convinced the National Marine Fisheries Service (housed within the U.S. Department of Commerce) to issue capture permits, despite an angry public outcry from activists in Washington State. Meanwhile, the company acquired the Seattle Marine Aquarium and Namu, Inc., retaining Goldsberry to run the whale-catching operation. Now, rather than Seattle-based entrepreneurs negotiating with the state government over a local marine resource, a southern California corporation and the federal government would decide the future of killer whales in Washington State waters.<sup>44</sup> The importance of this change was not immediately apparent, however, as Goldsberry, now operating without Griffin, struggled to catch the whales. Over the next three years, as costs rose, Sea World grew impatient, particularly as Warren Magnuson, one of Washington State's two powerful U.S. Senators, began pushing to designate Puget Sound as a killer whale sanctuary.

Opposition to capture was also growing in southern British Columbia. In addition to the deaths of several whales at Sealand, critics pointed to the killer whale census, which had raised concerns about the long-term survival of the region's orca population.<sup>45</sup> Some observers turned their criticism not only on killer whale captors but also on government scientists such as Bigg. In an August 1974 letter to the *Victoria Daily Colonist*, for example, Victoria resident A. H. Roberts reminded readers that two killer whales captured in Pedder Bay the previous year had died shortly after shipment and that "fisheries researchers kept the large bull whale penned for three months while preparing a transmitter." Roberts believed such actions raised

doubts not only about whale capture but also about the motivations behind scientific research, including the census. "If sending in details of whale sighting is to result in more experiments and deaths from commercial exploitation," he declared, "the whole census should be boycotted."<sup>46</sup> Over the following months, Bigg would face mounting criticism for his relationship with killer whale captors.

Events the following year only raised the temperature of the debate. Turning increasingly toward environmental and animal rights issues, Greenpeace declared the world's first anti-whaling campaign in the spring of 1975. Although the organization focused on commercial whaling rather than cetacean captivity, its location in Vancouver, as well as the influence of Paul Spong on Greenpeace leaders, ensured that it would enter the debate over killer whale capture.<sup>47</sup> Also critical was the ongoing research of Bigg, who by 1975 had developed a system of identifying individual killer whales by their physical markings and thereby facilitating a more sophisticated understanding of the species' population dynamics in the region. His research results quickly found their way into the public debate. On 12 April 1975, the *Vancouver Sun* printed a public letter by Don White, a former associate of Spong's, which summarized Bigg's research and called for curtailment of orca capture. The following month, the *Journal of the Fisheries Research Board of Canada* published an entire issue devoted to small cetaceans. Among its featured articles was a study co-authored by Bigg entitled "Live-Capture Killer Whale Fishery, British Columbia and Washington, 1962-1973." Although the article refrained from calling for an immediate end to capture, its careful documentation of orca captures and deaths in the transborder Pacific Northwest became a crucial resource for activists and government regulators. Indeed, in their attempt to foil Kanduke's transfer to Marineland of Niagara Falls in September 1975, environmental activists and B.C. government officials alike cited Bigg's study.<sup>48</sup>

Meanwhile, Sealand's successful captures in Pedder Bay in 1973 and 1975 had placed added pressure on Namu, Inc. to capture killer whales for Sea World. Eager to acquire orcas for its new Orlando franchise and fearful of losing its federal exemption, the southern Californian corporation pushed Goldsberry to fill the permits. The

result was a brazen operation that ran headlong into the environmentalist wave sweeping the Pacific Northwest. The pursuit began on Friday, 5 March, when a local fisherman informed Goldsberry of a small pod of killer whales in southern Puget Sound. The ensuing chase lasted nearly two days and involved local purse seine vessels, several smaller boats, and a spotter aircraft. Finally, in the afternoon of Sunday, 7 March, Goldsberry and his team used small explosives, called “seal bombs,” to corner the pod in Budd Inlet. In the process, they ensnared themselves and Sea World in a public relations nightmare.<sup>49</sup>

Goldsberry could hardly have picked a worse place or time for the operation. The capture location was nearly within sight of the state capitol of Olympia, where legislators just the week before had been debating the proposal to designate Puget Sound a whale sanctuary. In addition, on the weekend of the capture, nearby Evergreen State College was hosting a symposium on killer whales in the Northwest, which was being attended by activists and scientists from both sides of the border, among them Paul Spong. Goldsberry himself had actually been scheduled to speak at the gathering. To make matters worse, just as the capture team corralled the whales, they were confronted by angry boaters, among them Ralph Munro, a young aide to Governor Evans. After a failed attempt to foil the capture, Munro and his shipmates contacted a reporter for the *Seattle Post-Intelligencer*. This first interview set the tone for the ensuing debate, with Munro declaring the operation, “the most disgusting, rotten thing I have seen” and promising that the governor would be “registering a strong protest.”<sup>50</sup>

The ensuing political storm brought to the surface the growing clash between the region’s older extractive culture and its new environmental values. The capture team, which consisted mostly of local fishermen such as Babich, soon found themselves surrounded by predominantly middle-class and student activists, who not only gathered on the shore but also encircled the nets in canoes and kayaks. Meanwhile, several hundred protestors convened outside the Seattle Marine Aquarium demanding the whales’ release, while another rally was held that evening at the University of Washington.<sup>51</sup> The following day, the editors of the *Seattle Post-*

*Intelligencer* joined the chorus, asserting that “a ban on the capture of these intelligent mammals should have been imposed long ago.” Acknowledging that Goldsberry was “legally entitled” to capture the whales, the paper nonetheless declared “enough is enough”; before these “magnificent creatures” were driven from the region, it concluded, “we must make the sound a place where killer whales are protected from this sad harvest.”<sup>52</sup> For their part, Washington State politicians on both sides of the aisle lined up to denounce not only Sea World but also the U.S. government for its complicity in the capture. Henry “Scoop” Jackson joined Magnuson on the U.S. Senate floor in calling for a whale sanctuary.<sup>53</sup> Evans, too, jumped on the “free the whales” bandwagon, calling the federal permits “another in a long line of federal actions preventing a state from protecting its own unique resources.”<sup>54</sup> Orcas, it seemed, had become a symbol of environmental self-determination.

For his part, Goldsberry became the personification of an extractive culture that seemed increasingly out of step with the region’s rising ecological sensibility. When confronted by activists and journalists, he grew only more defiant. “I care more for these animals than all the environmentalists put together,” he told one reporter. “I think my ex-partner [Griffin] and myself have done more for these animals than all environmental groups put together. We’ve shown the public what they are like. They are beautiful animals.”<sup>55</sup> There was much truth in his statement: the public exhibition of orcas, made possible by their capture, had been crucial to changing public views of the species. But the ex-fisherman now faced environmental activists who viewed his enterprise as part of a broader extractive mentality that threatened the region’s environment, and its increasingly iconic marine mammal.

Meanwhile, the debate over the Budd Inlet whales shifted to federal court, as Washington State Attorney General Slade Gorton filed suit against Sea World. The case fell to Federal District Court Judge Morell Sharp, who, in an emergency hearing on the evening of 10 March, issued a temporary restraining order preventing Sea World from moving the whales. Two days later, he ordered the animals released, claiming that conditions in the holding pens endangered their lives. Just two hours after that, however, Judge Eugene Wright of

the 9<sup>th</sup> U.S. Circuit Court of Appeals in San Francisco issued a stay on Sharp's order, granting Sea World permission to move the whales to a "safer location."<sup>56</sup> The result was utter confusion for the capture team in Budd Inlet. As one of the expedition members recalled, "First there was a federal marshal telling me that I had to release the whales. I refused, saying 'I will not take responsibility for opening this net. With these currents, the nets could tangle and drown them.' I had just gotten rid of him when another federal marshal comes down and tells me, 'Absolutely, do not release these whales.'"<sup>57</sup>

For their part, Sea World officials struggled to make sense of the public outcry. "Ten years ago you wouldn't have had this protest," asserted company Public Relations Director Polly Rash. "But we taught people about killer whales, that they're friendly ... Now, that's turned against us." In a sense, she was right, though she attributed to Sea World a change that had really originated in the Pacific Northwest. In 1965, crowds had cheered Ted Griffin and the arrival of "Namu." Now Northwesterners gathered to denounce orca capture and to question captivity itself. Indeed, when two of the whales escaped the net on 13 March, protestors cheered, and local reporters joined the chorus. *Seattle Times* reporter Erik Lacitis wrote exultantly, "What protesters and a court battle couldn't do, two of the five captured killer whales did for themselves yesterday. They ripped their netting and swam to freedom."<sup>58</sup> Despite such opposition, Sea World declared it would continue operations in Puget Sound, even if its present catch of orcas proved too large to keep.

Meanwhile, on the editorial pages of local papers, Northwesterners argued among themselves over orca capture and the region's changing environmental and social values. Celebrating the whales as "wolves of the sea," Paula Jungert of Bellingham warned that their removal would disrupt the delicate "ecological balance." Another critic of the captures, Seattle resident Fred Wiepke, likened the treatment of killer whales to racial injustice. "We have tried to enslave our black brothers, kill our red brothers and corrupt our yellow brothers," he declared. "Now we seek to encage our cousins and make them perform as fools in a Disneyland of the Sea for our own amusement." For his part, G. D. Graham of Bellevue bemoaned the federal government's complicity. Noting that federal officials had

observed the capture, he exclaimed, "What a comfort! Perhaps we should expect to hear next that police officials are supervising mugging and murder to see that they are done properly."<sup>59</sup> Such comments revealed not only the growing value many residents placed on orca lives, but also the species' symbolic importance to the changing culture of the Northwest.

Yet the debate was hardly one-sided. In the context of rising environmental regulations as well as the 1974 decision by Federal Judge George H. Boldt to award half of the state's annual salmon catch to Indian tribes, many white working-class residents felt that the region's traditional values and priorities were under siege. Indeed, the protests brought many Northwesterners to the defense of the whale catchers as representatives of an extractive culture that had defined the region for nearly 200 years. In his letter to the *Seattle Post-Intelligencer*, retired fisherman Aubrey Dunham reasserted earlier views of killer whales as a danger and a pest. "Outside of man, they are the most destructive creatures on this earth," he declared. "As an old seaman who sailed aboard whaling boats in the Gulf of Alaska and the Bering Sea, I have watched in awe and consternation as pods of orcs [sic] slashed through large salmon runs in Bristol Bay, leaving a sea of bloody ruin behind them."<sup>60</sup> For her part, Seattle resident Virginia Bencel resented the move to designate Puget Sound as a killer whale sanctuary. Dismissing this as another example of animal rights "tak[ing] precedence over the needs of mankind," she called for the region to be "famous for more productive sealife than the killer whale." In a similar vein, A. G. Schille of Clinton noted that, while "politicians, environmentalists, and ecologists have had a field day with killer whales," the public needed to hear from fishermen. Warning that the whale sanctuary would be "another nail in the coffin" of the region's fishing industry, he observed, "I think Judge Boldt should now rule that the killer whales are entitled to their share of the fish. Perhaps they should get their 50 per cent first. No doubt, they were here before the Indians."<sup>61</sup> For supporters as well as critics of capture, it seemed, killer whales had joined indigenous peoples as icons of the region's shifting environmental values.

Meanwhile, the confrontation between Washington State and Sea World moved to a conclusion. On 22 March, Judge Sharp held



hearings to determine the legality of Sea World's permits. Although both the company and federal officials argued that Puget Sound was the only viable collection area for killer whales, Gorton and other state officials such as Munro remained adamant that orca capture cease in Washington State. Finally, in private conference with federal and state officials, the company agreed to halt operations in Washington in return for retaining its permits for use in other U.S. waters. Explaining the company's decision, Sea World Vice President George Becker asserted, "Our desires for killer whales are the same as those of the people of the state ... [W]e hope some day the people will understand this."<sup>62</sup> By this time, few residents seemed to agree. Although exhibition of killer whales had begun in the Pacific Northwest, regional views of the animal had clearly diverged from those of Sea World as well as from the extractive culture that had long defined the region.

The Budd Inlet episode highlighted the central role of killer whales in the region's shifting environmental politics. In addition to ending orca capture in Washington State, the debate and publicity spurred transborder connections that would have long-term consequences. The symposium at Evergreen College, for example, provided the opportunity for Canadian and U.S. attendees to establish personal ties in the context of a nearby orca capture. Among them, Paul Spong found himself testifying as an expert witness for Washington State in its lawsuit against Sea World and in the process becoming friends with Ralph Munro, a rising figure in Washington State politics.<sup>63</sup> Even more significant was the impact on killer whale science. It was during the Budd Inlet controversy, for example, that Kenneth Balcomb began his long collaboration with Michael Bigg. An American biologist and former Navy Officer, Balcomb had begun his work in cetacean science aboard Pacific whaling ships in the 1960s before turning to the non-invasive study of Pacific Northwest killer whales in 1976. Based first on Bainbridge Island in Puget Sound and later at his Centre for Whale Research on San Juan Island, Balcomb worked closely with Bigg, still residing at the Pacific Biological Station in Nanaimo, until the latter's death in 1990.<sup>64</sup> Their collaboration contributed to an extraordinary expansion of knowledge about the region's orcas, and particularly the social organization and transborder

migrations of the southern residents. Meanwhile, the development of a thriving whale-watching industry on Vancouver Island and the San Juan Islands underscored the orca's status as an ecological icon of the larger region.<sup>65</sup> Although the coordination of U.S. and Canadian government policy, and the designation of the "Salish Sea," would come later, it was clear by the early 1980s that the shifting human relations with killer whales had a profound impact on the environmental values and transborder identity of the region.<sup>66</sup>

There was no better example of this change than Ralph Munro himself. Growing up in Puget Sound, Munro had been immersed in the extractive maritime culture that viewed killer whales as pests. As a boy, he later recalled, he "used to shoot at 'em" as they passed his family's waterfront home on Bainbridge Island. Later, as a university student, he and friends had gathered on the Deception Pass Bridge in July 1965 to cheer the arrival of Ted Griffin and "Namu." Although he thought little about orcas over the following decade, his chance encounter with Sea World's capture operation in March 1976 transformed him into a lifelong activist for the species, not only in Washington State but in the broader region.<sup>67</sup> This fact became apparent in 1982, when Bob Wright's Sealand again received permits from the Canadian government to capture orcas. As the aquarium's staff prepared their operation in Pedder Bay, they found themselves confronting not only opposition from environmental activists based on both sides of the border, but also public criticism from Munro, now secretary of state of Washington State. In addition to denouncing Sealand's operation, Munro likened the Canadian government's decision to "issuing a permit to shoot killer whales" and declared that "It's a sad day for residents of the Northwest."<sup>68</sup>

Munro's rhetorical erasure of the border underscored the connection between orca capture and the broader shift in the region's environmental politics. Through the early 1960s, the culture of the Pacific Northwest had been defined largely by industries such as lumber and fishing. This extractive culture powerfully shaped residents' and government officials' approach to the local environment and wildlife, including killer whales, which were viewed as threats to the fishing industry. Beginning in the mid-1960s, however, the business of and debate over killer whale capture contributed powerfully

to the broader shift toward “green” values. In addition to spurring the region’s tourist industry, the display of orcas in local aquariums transformed public views of the species and increasingly tied it to the identity of the Pacific Northwest. As interest and affection for orcas grew, however, concern over the moral and ecological implications of their capture contributed to the rise of environmental concerns and activism. By the mid-1970s, opposition to capture, along with growing recognition of the transborder migrations of the orcas themselves, had spurred collaboration between U.S. and Canadian activists and scientists. In the process, the debate over the fate of Pacific Northwest killer whales had become closely tied to the environmentalist values and identity of the region itself.

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**Jason Colby** is Associate Professor of History at the University of Victoria. He is the author of *The Business of Empire: United Fruit, Race, and U.S. Expansion in Central America* and is currently completing a book on the business of killer whale capture and the transformation of the Pacific Northwest between 1960 and 1990.

**JASON COLBY** est professeur agrégé en histoire à l’Université de Victoria. Il est l’auteur de l’ouvrage *The Business of Empire: United Fruit, Race, and U.S. Expansion in Central America* et termine un livre sur le commerce de la capture des épaulards et la transformation du Pacifique Nord-Ouest entre 1960 et 1990.

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