

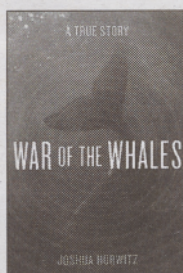
The whale doesn't win

Joshua Horwitz's new book "War of the Whales" is an unsettling book chronicles how the Navy used fear tactics to gut concerns about marine mammal health



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War of the Whales: A True Story by Joshua Horwitz

After years as a loner adrift in his own world, Ken (Balcomb) had finally found a peer group and a mission," writes Joshua Horwitz in his new book. Balcomb was the first to do in-depth studies of the various pods of orca whales that live in Washington's Puget Sound. "(His) and Michael Bigg's (of the Humane Society) research offered the first science-based understanding of orca behavior and communication, and an appreciation of a mammal group whose social complexity equaled that of elephants and great apes," Horwitz writes.

Balcomb observed so closely that he detected a matrilineal social organization among orcas; he knew every whale by the signature scars on their dorsal fins; he knew how many there were and when their numbers dropped. So when whales started stranding on beaches in the Bahamas, where Balcomb spent his summers researching beaked whales, he was the first to sound the alarm.

What follows in Joshua Horwitz's "War of the Whales" is the tale of the fight to win protections for marine mammals. But sides are sometimes hard to determine. The lawyers of the Natural Resources Defense Council (NRDC), particularly Joel Reynolds, are staunchly against the U.S. Navy's indiscriminate use of sonar in their antisubmarine exercises; they dump noise pollution into the world's oceans, confusing whales and causing strandings, which are usually fatal.

But the Navy has tentacles nearly

everywhere: Many of the cetacean researchers get their funding from the nautical branch of the military, making them hesitant to cross the Navy. And that's not to mention how much political sway it has. Even Balcomb was originally reluctant to speak out against the world's most powerful nautical fleet. "Balcomb was 60 years old, a proud veteran of two tours — too old and too loyal to call out the Navy in public. He'd taken oaths. He knew how to keep secrets and he understood why the Navy had to keep some things hidden."

The priorities of the Navy, revealed throughout the sweeping course of Horwitz's retelling of the war for the whales, are decidedly not healthy for marine life. The use of sonar was a matter of national security; a few whale deaths here and there could be viewed as merely incidental, especially when the lives of men and women — civilian and uniformed — are at stake.

But "despite its power and privilege at sea, on Capitol Hill and in the courts, the Navy leadership cared deeply about public opinion. They disliked being perceived as bullies or as bad stewards of the environment. Most of all, they hated being seen as losers in face-offs against environmental activists."

Of course, the rally cry to save the whales hasn't always been ringing. "When the Navy began studying cetacean biosonar in the late 1940s, the only people who cared about saving the whales were whalers."

The perils of antisubmarine sonar technology were brought to the attention of the general public recently, and even in the

face of undeniable evidence, they have not been easy to curtail.

"Photographs of stranded whales with blood leaking from their eyes fed a growing wave of public indignation that even the world's most powerful Navy couldn't contain," Horwitz writes. But this indignation was difficult to sustain.

"Millions of Americans watched (Balcomb's) videotape of the mass stranding (in the Bahamas in 2000) and listened to David Martin of CBS News indict the U.S. Navy as the likeliest culprit — and then went back to speculating on whether or not the New York Mets and the New York Yankees would face off in the first Sunday Series since 1956. Except for a few calls from journalists, the '60 Minutes' broadcast didn't seem to move the meter." The world's most powerful Navy can be moved by public opinion, but the public, it seems, can be moved more easily by football than threats to sea life.

Eventually, Reynolds, the lead lawyer at the NRDC, was able to stir public outrage, which he did as part of his burgeoning case against the Navy's use of low- and mid-frequency sonar in its training exercises.

"Reynolds' compulsion to answer calls for help was bred in the bone. Growing up, his brother and four sisters often joked about his messiah complex. ... He reserved his professional aspirations for the only mission that really mattered to him: saving the planet."

With a team of the smartest lawyers he could find, Reynolds filed suit against the Navy for violating environmental regulations

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