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**Seal Hunting in the Canadian Arctic: Conflicting
Perspectives on EU Regulation 1007/2009**

Master's thesis

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Declaration

1. I hereby declare that I have compiled this thesis using the listed literature and resources only.
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In Prague on 31.7. 2019

Anna Jírová

References

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Abstract

On September 16, 2009 the European parliament adopted a Regulation (EC) 1007/2009 prohibiting the seal products from being imported and placed on the European Union market. Adoption of a Seal trade ban was a result of an effective anti-sealing lobby and increasing public concern over the perceivably cruel seal hunting methods that emerged in reaction to growing popularity of seal fur in early 2000s. Even though the Seal ban includes an exception for Inuit who hunt seals traditionally for subsistence and depend on monetary income to maintain their traditions, it proved to be highly ineffective as the demand for all seal products declined dramatically, threatening Inuit way of life in the process. The purpose of this thesis is to examine the key actors involved in the conflict, specifically the Inuit, the European Union, animal welfare NGOs and the Canadian government and to contextualize and analyze the specific narratives of the seal hunting discourse and their implications. By looking at the motivation and justification of the EU Seal ban as well as the implications of the different perspectives on the issue, this research will try to test the hypothesis that the seal hunting discourse is based on a colonial mindset and that decolonization of the mind is yet to be achieved by Western society.

Abstrakt

V září roku 2009 přijal Evropský parlament regulaci (EC) 1007/2009, zakazující dovoz a uvádění tuleních výrobků na trh Evropské Unie. Přijetí tohoto tuleního zákazu bylo kulminací dlouholetých kampaní proti komerčnímu lovu tuleňů, jejichž intenzita narostla na počátku 21. století, spolu s rostoucí popularitou a tržní poptávkou tuleních kůží. Informace o zdánlivě krutých metodách lovu, rozšiřované organizacemi bojujícími za práva zvířat, úspěšně vzbudily znepokojení široké veřejnosti, která se začala aktivně dožadovat změny a vyústila v přijetí Tuleního zákazu. Přesto, že zákaz dovozu tuleních výrobků obsahoval výjimku pro Inuitské komunity v Arktidě, které se lovem tuleňů tradičně živí a závisí na příjmu z prodeje tuleních kůží, výjimka se ukázala jako vysoce neefektivní, což mělo negativní dopad na arktické komunity původních obyvatel. Tato práce se zaměřuje na jednotlivé aktéry zapojené do sporu o lov tuleňů, jmenovitě kanadské Inuity, Evropskou Unii, Organizace bojující za práva zvířat a kanadskou vládu, s cílem analyzovat různé pohledy a argumenty těchto aktérů a následně identifikovat jejich

implikace. Práce sleduje hypotézu, že současná debata ohledně lovu tuleňů je ovlivněna koloniálním myšlenkovým přístupem jednotlivých aktérů.

Keywords

Seal hunting, Animal Welfare, Inuit, Arctic, European Union, Canada, IFAW, Greenpeace, decolonization

Klíčová slova

Lov tuleňů, ochrana zvířat, Inuité, Arktida, Evropská unie, Kanada, IFAW, Greenpeace, dekolonizace

Title

Seal hunting in the Canadian Arctic: Conflicting perspectives on EU Regulation 1007/2009

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Lov tuleňů v kanadské Arktidě: Rozdílné pohledy na EU Regulaci 1007/2009

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Table of Contents

| | |
|--|-----------|
| TABLE OF CONTENTS | 1 |
| ABBREVIATIONS | 2 |
| INTRODUCTION | 3 |
| <i>Methodology and Structure</i> | 6 |
| <i>State of the art</i> | 7 |
| 1. THEORETICAL BACKGROUND | 10 |
| 1.1 <i>Coloniality of Power</i> | 10 |
| 1.2 <i>Hierarchy of Knowledge</i> | 14 |
| 1.3 <i>The Myth of Modernity</i> | 15 |
| 1.4 <i>The Other</i> | 17 |
| 2. INTRODUCING THE ACTORS | 18 |
| 2.1 <i>Inuit</i> | 18 |
| 2.2 <i>European Union</i> | 21 |
| 2.3 <i>Animal Welfare NGOs</i> | 23 |
| 2.4 <i>Canadian Government</i> | 25 |
| 3. CULTURAL ANALYSIS | 28 |
| 3.1 <i>Cultural contexts</i> | 30 |
| 3.2 <i>Cultural relativism</i> | 32 |
| 3.3 <i>Mindbombs and Propaganda</i> | 35 |
| 3.4 <i>Providing a counter-narrative</i> | 39 |
| 4. ECONOMIC ANALYSIS | 42 |
| 4.1 <i>Commercial vs. Subsistence</i> | 48 |
| 4.2 <i>Defining traditional</i> | 54 |
| CONCLUSION | 56 |
| SUMMARY | 62 |
| LIST OF REFERENCES | 64 |

Abbreviations

AB – Appellate Body of the World Trade Organization
APS – Aboriginal Peoples Survey
CAD – Canadian dollar
CMAPS – Certification and Market Access Program for Seals
COWI – Consultancy within Engineering, Environmental Science and Economics
DFO – Department of Fisheries and Oceans
DSB – Dispute Settlement Body of the World Trade Organization
ECHR – European Convention on Human Rights
ECJ – European Court of Justice
EFSA – European Food Security Agency
EU – European Union
GDP – Gross Domestic Product
IC – Indigenous Communities
IFAW – International Fund for Animal Welfare
ILO – International Labour Organization
ITK – Inuit Tapiriit Kanatami
IVWG – Independent Veterinarians Working Group
MMR – Marine Mammal Regulations
MRM – Marine Resource Management
NGO – Non-governmental Organization
NLCA – Nunavut Land Claims Agreement
NTI – Nunavut Tunngavik Incorporated
PETA – People for Ethical Treatment of Animals
SPCA – Society for Prevention of Cruelty to Animals
SSCS – Sea Shepherd Conservation Society
TAC – Total Allowable Catch
UNDRIP – United Nations Declaration on the Right of Indigenous Peoples
WTO – World Trade Organization

Introduction

Seal hunting in Canada is currently practiced for commercial reasons, marine resource management and cultural reasons by rural communities at the coast of Newfoundland and in the Gulf of St. Lawrence and in the Arctic by the Inuit. The Inuit are one of the three officially recognized Aboriginal groups in Canada, living mostly above the Arctic Circle where the temperatures remain below the freezing level for up to eight months of the year. Nonetheless, they have adapted to the Arctic conditions and adjusted their diet and lifestyle accordingly. Specifically seal hunting played a significant role in Inuit survival for thousands of years as the particular parts of the animal provided for food, clothing, shelter, fuel, and tools. It also encouraged social interaction, influenced highly valued traits in Inuit culture, and represented a thread of connection between the old and the young. While the Inuit lifestyle has changed significantly in the last decades, mainly due to Canadian government policies that forced Inuit to live in permanent settlements, seal hunting continues to play a significant role in Inuit lives. Living in permanent settlements resulted in additional costs, and the Inuit became dependent on monetary income to meet their daily needs, mainly because the cost of living in the Arctic is approximately two times the Canadian average.¹ Apart from providing food in a Canadian region with the highest food insecurity, selling excess seal skins provides for the necessary income to cover the expenses for hunting equipment to keep the tradition alive.

Seal hunting has become a highly controversial topic in the last decades, mainly for an increasing amount and intensity of animal welfare campaigns that are putting seals at their forefront. Since a release of footage from a Canadian East Coast commercial seal hunt in 1964 that showed unexpected brutality towards animals, the ultimate goal of the anti-sealing campaigns has been to stop seal hunting for its perceived inhumanness and unnecessary, even though it was later revealed the footage was staged.² The efforts of the Canadian government to appease the public outrage and improve the management of the Canadian commercial hunt, as well as the animal welfare aspect of it, have collided with more appealing NGO campaigns that rely on highly emotional language,

¹ Nunavut Bureau of Statistics, *2017 Food Price Survey* (Iqaluit: Nunavut Bureau of Statistics, 2017) available at http://www.stats.gov.nu.ca/Publications/Historical/Prices/Food%20Price%20Survey,%20Select%20Items%20Comparison%20Nunavut_CanadaCPI%20StatsUpdate,%202017.pdf (accessed 15.7.2019).

² Donald Barry, *Icy Battleground: Canada, International Fund for Animal Welfare and the Seal hunt* (St. John's: Breakwater Books, 2005), 6.

anthropomorphisms, the influence of celebrities and polls and studies of their own. Thus the campaigns have successfully raised public concern over the fate of seals.

As a result of the increasing public pressure, the European Parliament adopted a Regulation (EC) No 1007/2009 prohibiting the seal products from being imported and placed on the EU market. The EU Seal ban mentions explicitly that the intention is to stop commercial seal hunting due to public concern over cruel sealing methods and that the Seal ban is not to harm Inuit communities that hunt seals traditionally and for subsistence. The trade ban, therefore, includes an Inuit exception, allowing seal products resulting from Inuit seal hunt to be placed on the market. Even though the exception for Inuit is in place, it proved to be highly ineffective as the demand for all seal products declined dramatically, threatening Inuit way of life in the process. The EU Seal ban adopted in 2009 and amended in 2015 is a significant milestone of a long-term seal hunting debate and is, therefore, the base for this analysis.

The purpose of this thesis is to examine the seal hunting discourse to contextualize and analyze the specific narratives of key actors involved in the dispute and the implications of those narratives. After thorough research, four actors were identified as key participants in the conflict and thus will be the focus of this study; the Canadian Inuit who depend on seal hunting for survival, animal welfare NGOs that lead extensive campaigns against seal hunting, the European Union that adopted a trade ban on seal product in 2009 and the Canadian government that manages the commercial hunt and has the resources that can match the magnitude of the anti-sealing campaigns. In terms of the time frame of this research, even though the conflict can be traced decades back to the past, this research examines the second wave of anti-sealing activism that emerged as a result of growing popularity of seal fur in the early 2000s and led to the establishment of the EU Seal Regime. To be able to identify the implications and potential development of the narratives, this research follows the discourse through 2015, when the EU Seal Regime was amended following a WTO Appellate Body rulings, to present.

Although it might seem that trade and placing of seal products on the European market is a very specific and straightforward issue for the limited scope of species and products it includes, it is, in fact, a multi-dimensional debate that entails multiple levels and themes that need to be addressed. One of them is the ongoing indigenous fight for their rights. Hundreds of years of colonialism and paternalistic approach have put indigenous peoples in a position of inequality and created a socio-economic crisis the Inuit are facing today. In

the last decades, we have witnessed rising indigenous activism fighting the paternalistic oppression, demanding the Inuit to be included in decision making in order to regain greater control over their lives. Even though the EU presents itself as an active advocate for indigenous rights the implementation and wording of the Seal ban suggest that there is a profound misunderstanding or possibly even dismissal of Inuit realities at the European Union level. Similarly, as the devastating impact of the anti-sealing propaganda on indigenous communities in the Arctic surfaced, the NGOs have been forced to address the issue in recent years, demonstrating a gap in knowledge of Inuit communities and living conditions.

The seal hunting conflict essentially comes down to two different cultural systems that are based on culturally specific values. In order to contextualize and understand the seal hunting narratives, it is essential to understand the distinctive epistemological foundations of the two cultures as well as take into account the colonial history between the two. A theoretical concept of Coloniality of Power that offers an insight into the development of the relations between indigenous and Western cultures and argues that coloniality is a legacy of colonialism and is continuously practiced in contemporary world's politics is used as a tool to examine the seal hunting discourse. Based on an analysis of the language used by the European Union as well as by the animal welfare groups, this research tries to determine the point of reference of their narrative towards seal hunting and Inuit communities. I will try to test the hypothesis that the seal hunting discourse is based on a colonial mindset and that decolonization of the mind is yet to be achieved by Western society. In order to prove/disapprove the hypothesis the following research questions will be answered; What was the motivation and justification for the EU Seal Regime established in 2009? What are the implications of the specific narratives in the seal hunting discourse?

It is important to acknowledge that this research works with perceptions and narratives, and therefore depends on interpretations of soft data. As this research proves, perceptions and values are highly dependent on one's background. As a researcher coming from the European Union, my point of view and interpretation can consequently differ from other researchers with different backgrounds. Furthermore, a certain level of generalizing is necessary; nevertheless, that is not to diminish or deny the diversity of each, Inuit as well as Western culture.

Methodology and Structure

To effectively study the perceptions, trends, and behavior of the actors and consequently to be able to answer the research questions, a method of content analysis was implemented. The primary sources analyzed in this research comprise of Inuit documents issued by official Inuit organizations or opinion pieces written by Inuit, official documents of Canadian federal government as well as the territorial government of Nunavut as a representative of Inuit self-government. The European standpoint was extracted from regulations forming the EU Seal regime itself as well as official reports and impact assessments commissioned by the European Union to provide background information on seal hunting and the potential impact of the European Seal ban. Lastly, the animal welfare group viewpoint is based on official pamphlets informing on seal hunting, official blog posts, and comments as well as autobiographies of the founders of the organizations. Secondary literature on Inuit rights, seal hunting, European Union, and animal welfare campaigns is used to complete the picture.

The thesis is divided into four main chapters. The first two chapters aim to build a foundation for the last two, analytical chapters. As mentioned above, this research will examine whether we can claim that there are remains of colonial behavior in the seal hunting discourse and thus the first chapter thoroughly explores a theoretical concept of Coloniality of Power. It provides an overview of the background, the origins, and signs of coloniality in contemporary society as well as an introduction into the power dynamics between indigenous and non-indigenous cultures. The following chapter consecutively introduces each actor, and by doing so, it provides a historical context of the conflict in order to gain more in-depth insight into each actor's perception of seal hunting as well as to their relations to each other. The following first analytical chapter aims to answer the first research question and focuses on the way the EU ban was justified by the European Union as well as what were the incentives that led to its adoption in the first place. It essentially examines the culturally specific values that influence the narratives of individual actors and the methods of how the cultural values are used and influenced by animal welfare NGOs to promote their cause. The implications of the EU Seal ban, as well as the implications of specific narratives and perceptions, are further examined in the last chapter that highlights the economic dimension of the seal hunting conflict. It then identifies the problematic perceptions and explores their implications on the example of the EU ban, addressing the second research question.

State of the art

Current academic research on the EU Seal Ban and its implications can be divided into three following categories; research focusing on the international trade aspect of the EU ban and the connected rulings of World Trade Organization Dispute Settlement Body, research on implications for Inuit and indigenous peoples and research dealing with political propaganda and the methods of anti-sealing and pro-sealing campaigns.

The research on EU Seal Ban consequences for international trade is the most extensive and the main trade-related literature that has influenced this research are the works of Paola Conconi, Tania Voon³ or Martin Hennig who point out the controversy of the presence of three exceptions to which the EU trade ban does not apply. The main controversy they highlight is that the exceptions do not include any animal welfare provisions and focus instead on defining the identity of an "acceptable" hunter and trader. The exceptions, therefore, leave a way for seal products (from potential inhumane hunts) to enter the European market and therefore it is argued that "the EU ban on seal products does not promote animal welfare with sufficient efficiency to be justified under European and international trade law."⁴ This research takes up the issue of defining the identity of the hunter by the EU and approaches it from a different perspective. Instead from a trade-related view it examines it from a point of view of indigenous right to identify the implications of such definitions on indigenous identity.

Tamara Perišin, similarly to Martin Hennig looks closely at the inclusion of the poorly articulated exceptions and points out that no EU trade regulation based on animal welfare has included any exceptions so far and thus it is arguable to what extent the EU ban truly aims to protect animal welfare. Perišin's argument directed this research to explore further the motivations and justification of the EU Ban. Perišin also brings forward a substantial argument that is further developed by authors dealing with the anti-sealing campaigns of animal welfare organizations such as Donald Barry, Peter Dauvargne or Alex Marland, that in the EU, "the opposition to seal hunting is largely based on misconceptions."⁵

³ Paola Conconi and Tania Voon, "EC-Seal Products: The Tension between Public Morals and International Trade Agreements", *Robert Schuman Centre for Advanced Studies Research Paper No. RSCAS 2015/70* (2015).

⁴ Martin Hennig, "The EU Seal Products Ban: Why Ineffective Animal Welfare Protection Cannot Justify Trade Restrictions under European and International Trade Law", *Arctic Review on Law and Politics* 6, No. 1 (2015).

⁵ Tamara Perišin, "Is the EU seal products regulation a sealed deal? EU and WTO challenges", *International and Comparative Law Quarterly* 62, No. 2 (April 2013).

The structure and ineffectiveness of the Seal Ban design as well as European morality are further analyzed by Nikolas Sellheim⁶, who focuses primarily on the impacts of the EU Seal Ban on non-indigenous hunters but also highlights the strong connection between Indigenous and commercial seal hunts in Canada. He further goes into a discussion about a common European moral standard and whether such a concept even exists. In terms of the problematic structure of the Ban, Sellheim brings attention to the way the Indigenous exceptions creates a sense of an “Other” and is de facto a discriminating measure.

Kamrul Hossain⁷, a researcher, focusing on human security in the Arctic, connects international trade and human rights approach. He takes a closer look at the articulation of the EU Seal Ban and WTO regulations, analyzes the impact of the Regime on Arctic indigenous peoples and comes to a conclusion that due to an ambiguous articulation of the indigenous exception and the lack of a proper implementation, the Inuit right to economic subsistence is directly affected and threatened. Hossain also highlights multiple essential issues such as the reliance of the Inuit on cash income, which is a fact many authors defending the Inuit exception from the Seal Ban omit, or the lack of consultation with indigenous communities while creating the legislation.

The reality of Inuit economy and culture and the commercial aspect of Inuit seal hunting, as well as its perception in Western society, are further described by George Wenzel⁸. Wenzel focuses on the case of the European Seal ban from 1983 and analyzes the Inuit struggle to maintain their traditions and culture under the continually changing circumstances of their lives. Although his research regarding the seal hunting debate was published in 1991, it has influenced this thesis significantly in terms of the comprehensive insight into Inuit economy and culture it provides.

The impact of the EU Seal Regime on indigenous communities and human rights is further picked up by authors such as Simone Vezzani⁹ or Dorotheé Cambou¹⁰, who analyze the EU Seal Regime in the context of United Nations Declaration on Rights of Indigenous Peoples (UNDRIP). Both authors agree that the UN Declaration has been breached, if only

⁶ Nikola Sellheim, “The Narrated ‘Other’ – Challenging Inuit Sustainability through the European Discourse on the Seal Hunt” in *Understanding the Many Faces of Human Security* ed. Kamrul Hossain et al. (Leiden: Martinus Nijhof, 2016).

⁷ Kamrul Hossain, “EU Engagement in the Arctic”, *Arctic Review on Law and Politics* 6, No. 2 (2015).

⁸ George Wenzel, *Animal Rights, Human Rights: Ecology, economy and ideology in the Canadian Arctic* (Toronto: Toronto University Press, 1991).

⁹ Simone Vezzani, “The Inuit Tapiriit II Case and the Protection of Indigenous Peoples’ Rights: A Missed Opportunity?”, *European Papers* 1, No. 1 (2016): 307-318.

¹⁰ Dorotheé Cambou, “The Impact of the Ban on Seal Products on the Rights of Indigenous People: A European Issue”, *The Year of Polar Law* 5, No.1 (2013).

for the lack of free, prior and informed consent while creating the legislation and that there is a space for improvement when it comes to the sensitivity of the EU towards the rights of indigenous peoples.

The last category of the research comprises of authors focusing on the propaganda connected to seal hunting and the influences behind the European legislation. Donald Barry¹¹, Peter Dauvergne or Kate J. Neville¹² provide an overview of the battle of the anti-sealing and pro-sealing campaigners. They call the IFAW anti-sealing campaign a beginning of modern political propaganda, using methods tailored to manipulate public opinion such as framing debates in a specific way such as comparing seals to babies, using emotional "mind bombs" such as images of whitecoat seal pups covered in red blood on ice, gaining support of celebrities and organizing boycotts. They point out the issue of misinformation when it comes to seal hunting in Europe and the framing of public poll questions in order to get the wanted outcome. Alex Marland¹³ joins Barry, Dauvergne, and Neville in the criticism of public polls question framing and the lack of information as well as spreading misinformation about the seal hunt in Europe. Moreover, he highlights the problematic of culture-specific perspectives and sets the seal hunting debate in the context of civilized vs. barbaric rhetoric, pointing out the ideological dimension of the seal hunting debate.

This research builds on the existing literature and addresses the controversial Inuit exception from the Seal ban, indigenous rights as well as the political propaganda by examining the key actors in the conflict and their narratives. It further analyzes the narratives and their implications and puts them in the context of the colonial history of Inuit-Western relations in order to explore to what extent does the colonial history between the actors influence the current debate.

¹¹ Donald Barry, *Icy Battleground: Canada, International Fund for Animal Welfare and the Seal hunt* (St. John's: Breakwater Books, 2005).

¹² Peter Dauvergne and Kate J. Neville, "Mindbombs of right and wrong, cycles of contention in the activist campaign to stop Canada's seal hunt", *Environmental Politics* 20, No. 2 (2011).

¹³ Alex Marland, "If Seals Were Ugly Nobody Would Give a Damn: Propaganda, Nationalism and Political Marketing in the Canadian Seal Hunt", *Journal of Political Marketing* 13 (2014).

1. Theoretical Framework

This research examines and analyzes culturally specific perceptions of seal hunting. The different points of view on the issue clearly have their roots in two different cultural systems, Western and indigenous. In order to understand the current dynamic and complexity of the seal hunting conflict, it is important to explore the foundations of the two systems as well as take into account the colonial dynamic between the two. Consequently as a tool to understand the depth of Western-Inuit relations, I chose a theoretical concept of Coloniality of Power. Coloniality of Power as a concept has its roots in a series of conferences and academic work of Latin American and Caribbean scholars studying decolonization at the turn of the 21st century, later called the project of Modernity/Coloniality. The Modernity/Coloniality project consists of scholars with various areas of expertise such as sociology, literary criticism, semiotics or philosophy, whose goal was to address contemporary challenges in a postcolonial world such as exploitation, racism, ethnocentrism, and othering and at the same time provide an alternative perspective to the hegemonic, Eurocentric view and knowledge production.¹⁴

The Coloniality of Power was first introduced by Peruvian sociologist Aníbal Quijano who builds on critical theory, dependency theory and Immanuel Wallerstein's world-systems theory and expanded the concepts dealing primarily with economic relations to include ideological and cultural dimensions. Although the economic aspect is highly relevant to consider in the seal hunting debate, it is a cultural disagreement as well as economic.

In the following theoretical overview I will follow the ideas of multiple scholars of the Modernity/Coloniality project, namely, aforementioned Anibal Quijano, Argentinian semiotician Walter Mignolo who further expands Quijano's concept, Argentinian philosopher Enrique Dussel who connects the coloniality to modernity and Eurocentrism and Porto Rican Ramón Grosfoguel and Nelson Maldonado-Torres who focus on the decolonization of knowledge, being, ethics etc.

1.1 Coloniality of Power

Before I delve into the concept itself, it is essential to clarify the term coloniality and distinguish it from colonialism. The Coloniality/Modernity scholars describe colonialism

¹⁴ Walter Mignolo, "Global Coloniality, and the World Disorder", lecture presented at Rhodes Forum, Dialogue of Civilizations Research Institute, 2015, https://www.youtube.com/watch?v=pIURo8B_YdE. (accessed 13.2.2019).

as a hierarchical relationship between two nations, where political and economic sovereignty of one rests on the power of the other. More importantly, it is a time that significantly shaped the contemporary world's power structure although it has already ended.¹⁵

Coloniality, on the other hand, characterizes the continuous colonial behavior in contemporary relations. It emerged from colonialism but did not end with it. As opposed to the postcolonial theory which recognizes the legacies of colonialism such as poverty or inequality, coloniality describes an ongoing process of colonial thinking and behavior in current world politics. The Coloniality/Modernity project scholars argue that the current social hierarchies and the challenges of previously colonized countries are not only a legacy of colonialism but also a result of coloniality that is continuously practiced in world's politics as well as the economy or knowledge production and therefore influences our everyday lives. Furthermore, coloniality goes beyond relations purely between colonial power and its former colony.¹⁶ As Maldonado Torres characterizes it:

“Coloniality is maintained alive in books, in the criteria for academic performance, in cultural patterns, in common sense, in the self-image of peoples, in aspirations of self, and so many other aspects of modern experience. In a way, as modern subjects we breathe coloniality all the time and every day.”¹⁷

To sum up, coloniality is a specific mindset embedded in both systems of the former colonizers and the formerly colonized, influencing their behavior in the contemporary world.

Anibal Quijano uses Coloniality of Power to describe a model of the current world's power structure built around the idea of race, labor, capitalism, coloniality/modernity and Eurocentrism. This modern regime of power is a culmination of a global process that has been evolving since the colonial era. As Quijano states:

“With the conquest of the societies and the cultures which inhabit what today is called Latin America, began the constitution of new world order, culminating, five hundred years later, in a global power covering the whole planet.”¹⁸

As it is clear from Quijano's words, the conquest of the Americas is especially important for Coloniality/Modernity scholars. Arturo Escobar adds that

¹⁵ Nelson Maldonado-Torres, “On the Coloniality of Being”, *Cultural Studies* 21, No. 2 (2007): 243.

¹⁶ *Ibid.*, 243.

¹⁷ *Ibid.*, 244.

¹⁸ Anibal Quijano, “Coloniality and Modernity/Rationality”, *Cultural Studies* 21, No.2 (2007): 168.

“The conquest and colonization of America is the formative moment in the creation of Europe's Other; the point of origin of the capitalist world system, enabled by gold and silver from America; the origin of Europe's own concept of modernity”¹⁹

Although, Quijano writes, “the Eurocentered Colonialism, in the sense of a formal system of political domination by Western European societies over others seems a question of the past”²⁰ colonial logic, structures and processes, established over the course of European colonization, such as continuously classifying people as the Other (the non-white, the non-European, the more indigenous, traditional, primitive, irrational etc.) are deeply rooted in the contemporary world order and provide a framework within which we continue to operate.

Coloniality of Power is, therefore, a living legacy of colonialism. It manifests mainly through the appropriation of land and the exploitation of labor, the control of authority, the control of gender and sexuality and the control of subjectivity and knowledge consequently giving more power and value to some contemporary societies, knowledge, value systems and identities, creating social, political, racial, and epistemological hierarchies.²¹ Quijano further identifies two foundational elements of the Coloniality of Power; social classification and capitalism with Eurocentrism as a result.

The discovery of the Americas brought a great unknown that was yet to be explained. To deal with the variety of new people the colonists encountered and more importantly to distinguish European colonists and Native Americans, i.e., the conquerors and the conquered, a social category of race, based on biological traits such as phenotypes and skin color, was created. This Eurocentric, mentally constructed category based on biological structure, soon became a tool to identify natural superiority and inferiority. Such social classification consequently produced a racial identity and allowed the specific, superior European identity and Eurocentric perspective to emerge. Furthermore, the social category of race and the following classification of the population/subjects were utilized to anchor and justify European domination on the continent.

The established hierarchy did not serve an only political purpose, but also an economic one, as the social/racial stratification served as an inspiration for the globalized division of

¹⁹ Walter D. Mignolo and Arturo Escobar, *Globalization and the Decolonial Option*, (London: Routledge, 2010), 60.

²⁰ Anibal Quijano, “Coloniality and Modernity/Rationality”, 168.

²¹ Walter D. Mignolo, “Delinking: The rhetoric of modernity, the logic of coloniality and the grammar of de-coloniality”, *Cultural Studies* 21, No.2, (2007): 478.

labor. As Ramón Grosfoguel writes “the idea of race organizes the world's population into a hierarchical order of superior and inferior people that becomes an organizing principle of the international division of labor.”²²

The discovery of the Americas opened a possibility of appropriation of an enormous amount of land, and a labor force to produce commodities for the global market was needed. The native inhabitants already classified inferior were an “easy” choice. Exploiting Native Americans as a source of labor was influenced by the ideas of European scientific revolution, mainly the influence of René Descartes who introduced an idea that a body and a mind/spirit are two separate entities and consequently argued that a body could be nothing but an object of study (domination/exploitation). As a result, philosophical debates emerged whether the colonized people could be considered human in the sense of body and soul, or if they are purely bodies to be dominated, studied and exploited. This allowed for justification of exploitation of Native American labor, the creation of colonial racial thinking and the mindset where economic benefit takes precedence over the value of human life.²³

Eurocentrism is referred to by Quijano as a perspective and a model of producing knowledge. He also identifies two foundational myths of Eurocentrism; evolutionism and dualism. The former characterizes a belief that the history of human civilization is a linear movement to progress from primitive to advanced, allowing Europeans to think of themselves as a culmination of a civilizing trajectory. This belief also justified the creation of a racial hierarchy, placing the Europeans on top as the most advanced species, consequently assigning other races a position of inferiority and placing them in the past. Dualism emerged from the European standard the colonizers were familiar with and used it to compare to the unfamiliar. They were consequently creating the Other through dichotomies such as capital/pre-capital, modern/traditional, civilized/primitive, rational/irrational, scientific/magic and mythic. The cultural differences between human groups were then defined, codified as race, positioned as inferior and relocated to the past.²⁴

²² Ramón Grosfoguel, “The Epistemic Decolonial Turn: Beyond Political Economy Paradigms” in *Globalization and the Decolonial Option*, ed. Walter D. Mignolo and Arturo Escobar et al. (London: Routledge, 2010), 71.

²³ Walter D. Mignolo, “Delinking: The rhetoric of modernity, the logic of coloniality and the grammar of decoloniality”, 478.

²⁴ Aníbal Quijano, „The Coloniality of Power, Eurocentrism and Latin America“, *International Sociology* 15, No.2 (2000): 541.

Walter Mignolo builds on Quijano's concept and agrees with racial classification and capitalism being essential. Nevertheless, he also considers knowledge superiority as crucial to holding the system of power together.²⁵

1.2 Hierarchy of knowledge

The Coloniality/Modernity researchers agree that the current global regime of power privileges Western knowledge over non-Western knowledge in world's politics, ethics, economy, sociology, law, and other areas.²⁶ Grosfoguel also describes a contemporary linguistic hierarchy that privileges communication and knowledge production in European languages such as English, French and German and argues that non-European languages are viewed as producers of folklore or culture but not of legitimate knowledge.²⁷ Consequently, only a few languages are presumed to be the languages of science and philosophy. The knowledge production in other languages is consequently dependent on the interpretation or reproduction by western researchers. Such an approach puts non-Europeans in the position of an object that is observed, described and interpreted but is not active in the knowledge production process.

Ramón Grosfoguel believes that the foundation of Western knowledge superiority can be traced back to ideas of René Descartes who replaced a God as a source of knowledge with a Man and thus built the foundation of modern, western, European, rational knowledge. As a result, Grosfoguel argues,

“(...) the universal Truth beyond time and space, privileged access to the laws of the Universe, and the capacity to produce scientific knowledge and theory is now placed in the mind of Western man.”²⁸

A man and scientific methods as observation replaced the all-knowing God, description, identification, analysis, and interpretation became the most legitimate sources of knowledge. The rhetoric of objective, scientific and rational Western knowledge created a paradigm where non-Western knowledge production systems were excluded and marked as irrational and incorrect, creating an epistemological dominance of Western rational knowledge.

²⁵ Walter Mignolo, *Local Histories/ Global Designs* (Princeton: Princeton University Press, 2000), 332.

²⁶ Ramón Grosfoguel, “The Epistemic Decolonial Turn: Beyond Political Economy Paradigms”, 71.

²⁷ *Ibid.*, 71.

²⁸ *Ibid.*, 68.

In terms of the concept of coloniality of power, assigning people positions lower in the hierarchy based on their superior race/culture/knowledge justified colonialism and the “White Man’s Burden” of civilizing mission. Additionally, the superiority of European knowledge and even more importantly the control of non-European knowledge production played a fundamental role solidifying the power regime. As Quijano writes “Europe’s hegemony over the new model of global power concentrated all forms of the control of subjectivity, culture, and especially knowledge and the production of knowledge.”²⁹ The control of knowledge production was a first step in what Quijano calls “colonization of imagination of the dominated.”³⁰ The colonizers targeted the production of non-European knowledge, beliefs, perspectives, images, symbols, and values first and systematically, through selective teaching replaced it with their own. As Quijano points out, “(...) they (the colonizers) forced the colonized to learn the dominant culture in any way that would be useful to the reproduction of domination, whether in the field of technology and material activity or subjectivity, especially Judeo-Christian religiosity.”³¹

In addition to this, European culture and knowledge became associated with a position of power which motivated the non-European to abandon their own cultures and adopt and reproduce the European. The lack of written sources in Native American culture before the colonial encounter made it more challenging to resist the colonial cultural oppression.

The Coloniality/Modernity project researchers, therefore, claim that true decolonization comes through “epistemic disobedience,” in other words, an acceptance that Western European knowledge is not a universal one and treating other knowledge systems equally. Moving beyond intellectual bias will aid with conquering the economic bias, and then a genuine intercultural communication will be possible.³²

1.3 The myth of modernity

Modernity is a concept that is difficult to approach as there are multiple perspectives on it. Scholars of the Coloniality/Modernity project see modernity and coloniality as two sides of the same coin. As opposed to the European perspective that modernity can be traced back

²⁹ Aníbal Quijano, „The Coloniality of Power, Eurocentrism and Latin America“, *International Sociology* 15, No.2 (2000): 540.

³⁰ Aníbal Quijano, “Coloniality and Modernity/Rationality“, 169.

³¹ Aníbal Quijano, „The Coloniality of Power, Eurocentrism and Latin America“, 541.

³² Aníbal Quijano, “Coloniality and Modernity/Rationality“, 169.

to the industrial revolution in Europe in the 18th century, Quijano, Mignolo, and others place the idea of modernity further back to 17th-century European colonialism.³³

According to Mignolo and others, modernity is, therefore, more of an artificially created ideology than an evolutionary stage in history, created in a specific historical context, based on beliefs such as evolutionism and racial hierarchies, serving a specific purpose; to distinguish the conquerors and the conquered and justify European domination and superiority. As Mignolo explains, "modernity is not an exclusively European phenomenon but constituted in a dialectical relation with non-European alterity."³⁴

Walter Mignolo, inspired by Friedrich Hegel distinguishes historical and philosophical modernity. The former includes the Renaissance and the Discovery of the New World, whereas the latter emerged from events such as the Reformation, the Enlightenment, and the French Revolution. In both cases, modernity is inseparably linked to Western rationality which is considered the origins of colonial logic as well.³⁵

It is also important to highlight that modernity is different for the (former) colonizers and the (formerly) colonized. As Enrique Dussel writes, in Europe, modernity symbolizes progress, emancipation, and new historical, religious and scientific understanding, whereas outside of Europe it can be viewed as justification for "irrational praxis of violence."³⁶ Dussel further describes the logic behind the myth of modernity: "the Modern civilization casts itself as a superior developed civilization," which makes the "improvement of the most barbaric, primitive, coarse people a moral obligation." He further states that

"As the civilizing mission produces a wide array of victims, its corollary violence is understood as an inevitable action, one with a quasi-ritual character of sacrifice; (...) Finally, given the "civilizing" character of modernity, the sufferings, and sacrifices—the costs—inherent in the "modernization" of the "backward," immature people, of the races fitted to slavery, of the weaker female sex, are understood as inevitable."³⁷

Additionally, the victims of modernity are the ones responsible for their victimization. From this point of view, achieving modernity means being forced to adopt European values and ideals that are subjectively considered modern.

³³ Walter Mignolo, *The Darker Side of Western Modernity: Global Futures, Decolonial Options* (Durham: Duke University Press, 2011), 320.

³⁴ Walter Mignolo, *Local Histories/ Global Designs* (Princeton: Princeton University Press, 2000), 311.

³⁵ Enrique Dussel, *The Underside of Modernity* (New Jersey: Humanities Press International, 1996), 52.

³⁶ Enrique Dussel, „Europe, Modernity and Eurocentrism“, *Nepantla: Views from South 1*, No.3 (2000): 472.

³⁷ *Ibid.*, 473.

The Coloniality/Modernity project, therefore, considers coloniality as a darker side of modernity and argues that the positive rhetoric of modernity in terms of progress and development hides the logic of coloniality such oppression, exploitation, hierarchic ordering.³⁸ As Mignolo summarizes it “coloniality is constitutive of modernity — there is no modernity without coloniality”³⁹

1.4 The Other

The importance of the concept of the Other in terms of cross-cultural relations surfaced from the last few pages. Nevertheless, I believe it is important to summarize it as defining the Other and with it a way how to manage otherness is an essential part of contemporary coloniality.

The discovery of the Americas created the need to explain a lot of unknown and it is understandable that the unknown was explained in terms familiar to the colonists. What was known to the colonists became a standard and everything unfamiliar was scientifically described, defined, compared to the known standard, explained in relation to it and codified that way. Categories such as primitive vs. civilized, magical and mythic vs. scientific, irrational vs. rational, traditional vs. modern, pre-capitalist vs. capitalist started to emerge. Furthermore, the Other to the European standard was viewed unequal, in other words not being modern, capitalist, rational or civilized enough, consequently creating a hierarchy of power with European, white, heterosexual, Christian man on top. Through othering, a specific European identity was created but also the identity of Native Americans was altered. The diversity of the Native American population was suddenly merged under the term Indian, which was easier to understand and deal with but it also meant assigning a racial, colonial and negative identity to all Native Americans.⁴⁰ Due to the idea of separation of body and mind and the superiority of European knowledge, the Other became an object to be studied and exploited. This view made it possible to consider relations between European and other cultures as a subject-object relation and since there can be but a relation of externality between subject and object, “every relation of

³⁸ Walter Mignolo, *The Darker Side of Western Modernity: Global Futures, Decolonial Options* (Durham: Duke University Press, 2011), 84.

³⁹ *Ibid.*, 3.

⁴⁰ Anibal Quijano, “Coloniality and Modernity/Rationality”, 172.

communication, of interchange of knowledge and of modes of producing knowledge between the cultures”⁴¹ has been made impossible.

2. Introducing the Actors

The following chapter introduces the Inuit, European Union, animal welfare NGOs and Canadian government to provide a background into the decade-long seal hunting conflict and a deeper understanding of the involvement and stakes of each actor to build a foundation of knowledge in order to be able to analyse the current debate.

2.1 Inuit

Inuit are one of the three officially recognized Aboriginal groups in Canada, living mostly in the Arctic and sub-Arctic regions. There are currently four land claims agreements between Canada and the Inuit, creating the Inuit Nunangat, which can be translated as a place where Inuit live and includes Inuvialuit Settlement Region (Northwest Territories), Nunavut, Nunatsiavut (Labrador) and Nunavik (Quebec). Around 65 000 Inuit live in 53 communities in Inuit Nunangat, which includes ice, sea, and land and encompasses 35 % of Canada's landmass and around 50 % of its coastline. All communities are located mostly above the Arctic Circle and nearly all accessible only by airplanes.⁴² The temperatures remain below the freezing level for up to eight months of the year. In summer it can reach up to 35 °C and can drop below – 60 °C in winter.⁴³ Inuit have adapted to these harsh Arctic conditions for thousands of years. Due to the hardly accessible and hostile environment of the Arctic, Inuit have traditionally adjusted their diet and lifestyle accordingly and relied on hunting, fishing and trapping seasonally available wild animals such as caribou, whales, fish or seals mainly for meat and fat but also for their skin, bones and insides to make warm clothes and tools in order to survive, which has created a deep bond between Inuit and their environment.⁴⁴ Seals specifically have been vital to Inuit survival in the Arctic for thousands of years as the tradition can be traced back to Dorset

⁴¹ Aníbal Quijano, “Coloniality and Modernity/Rationality”, 174.

⁴² “About Canadian Inuit”, Inuit Tapiriit Kanatami Website, <https://www.itk.ca/about-canadian-inuit/> (accessed 20.4.2019).

⁴³ Carie Hoover et al., eds., “The Continued Importance of Hunting for Future Inuit Food Security”, *The Solutions Journal* 7, No.4 (July 2016): 40.

⁴⁴ Tim Lougheed, “The changing Landscape of Arctic Traditional Food”, *Environmental Health Prospect* 118, No.9 (September 2010): 389.

culture, 3.000 years ago.⁴⁵ Ringed seals are the primary species hunted by Inuit for subsistence purposes in the Canadian Arctic as opposed to harp seals that are the main target of the commercial seal hunt.

Seal meat and organs have a high nutritional value and contain high-quality protein, polyunsaturated fats, vitamins, and minerals.⁴⁶ They are an excellent source of nutritious meat, containing protein, iron, selenium, and omega-3 fatty acids and seal blubber and liver are sources of Vitamins A and D as well as zinc and folate necessary to survive in the harsh Arctic conditions. Three main principles guide the Inuit hunt; to be sustainable, to be humane and to create as little waste as possible by using the entire animal.⁴⁷ Seals, therefore, do not provide only nutrition as all parts of the animal are used for different purposes. Seal skins are extremely valuable for clothing as they weigh less than caribous skins and are full of oil, increasing their water repellency, yet they are also porous, allowing body humidity to escape, making them perfect for the harsh Arctic conditions and are therefore utilized for boots, trousers or parkas but also kayaks and tents. Seal intestines are turned into waterproof parkas and other coverings as well and seal fat is today rather symbolically used as a fuel oil to provide heat and light. The seal also serves medical purposes as it is believed that it heals the body and soul from sickness.⁴⁸

Besides providing proper nutrition, clothing, and fuel, sealing plays a vital role in the Inuit society as it has shaped Inuit values and worldview and provides opportunities for social interaction. As mentioned in a pamphlet the Inuit Way: "In winter, there tended to be larger groupings involving several extended families whose primary activity during this period was seal hunting. This was also a time of intense social interaction."⁴⁹ Seal hunting has influenced highly valued traits by the community such as patience, calmness, ability to accept realities beyond one's control, the preference of a group over an individual or natural tendency to share. Cooperation among community members is essential for a

⁴⁵ Daniele Lafrance, "Canada's Seal Harvest", *Library of Parliament, Economics, Resources and International Affairs Division*. No. 2017-18-E (August 2017): 5.

⁴⁶ Integral part of our culture

⁴⁷ Erik Hamovitch, *Seals and Nunavut: Our Tradition, Our Future* (Government of Nunavut, Department of Sustainable Development, 1999), 3.

⁴⁸ "Arctic Wildlife," ITK website, <https://www.itk.ca/wp-content/uploads/2016/07/Arctic-Wildlife.pdf> (accessed 12.5.2019).

⁴⁹ Pauktuutit Inuit Women of Canada, *The Inuit Way: A Guide to Inuit Culture* (Ottawa: Pauktuutit Inuit Women of Canada, 2010) available at <http://www.naho.ca/inuit/inuit-knowledge/inuit-traditional-knowledge/> (accessed 3.3.2019).

successful hunt on which the survival of the community eventually depends.⁵⁰ Additionally seal hunting represents a trans-generational continuity, allowing the elders to pass on their skills and traditional knowledge of the land and environment to younger generations, keeping skills and values alive from generation to generation.⁵¹ Although the Inuit way of life has changed significantly in the last decades and nearly all Inuit live in permanent communities, participate in wage economy and have access to a variety of food that is shipped to Arctic communities from southern Canada, seal hunting continues to play a significant role in Inuit lives as it helps to maintain Inuit cultural identity and provides highly nutritional food in a region of high food insecurity.

Inuit seal hunting in Canada is legally based in Inuit land claims agreements which give Inuit the rights to hunt, fish and trap throughout their territories. Aboriginal and treaty rights, including rights set out in land claim agreements, are protected under Section 35 of the Canadian Constitution Act, 1982. Politically, Inuit are represented on a national level by an organization Inuit Tapiriit Kanatami (ITK), and each region has an organization responsible for its land claim implementation.⁵² Furthermore, the Nunavut Land Claims Agreement changed the Canadian political map as it pledged to create a new territory with its government, which was fulfilled in April 1999. Since around 85 % of Nunavut inhabitants identify as Inuit, Nunavut is considered Inuit self-government.⁵³ Government of Nunavut along with ITK and the regional Inuit organizations are a primary source of information on Inuit view on seal hunting. It is important to point out that due to the vastness of the Inuit area, there is a great diversity between Inuit communities and the traditions regarding seal hunting may differ depending on the community, nevertheless the goal of this thesis is not to present a detailed overview of Inuit traditions, but rather to present a point of view that is different from the western perspective. Along with official documents released by the Government of Nunavut and regional Inuit organizations, the secondary literature on Inuit and seal hunting will be used to complete the picture.

⁵⁰ Aaju Peter et al., "The Seal: An Integral Part of Our Culture," *Inuit Studies* 26, No.1 (2002): 170.

⁵¹ Government of Nunavut, *Nature's Edge: Sealing in Nunavut*, (Iqaluit: Department of Environment, Fisheries and Sealing Division, 2016) available at https://www.gov.nu.ca/sites/default/files/Sealing%20Magazine_ENG.pdf (accessed 20.7.2019).

⁵² Nunatsiavut Government, Makivik Corporation, Nunavut Tunngavik Incorporated, and the Inuvialuit Regional Corporation.

⁵³ Katja Gocke, "Inuit Self-Government in the Canadian North: The Next Step in the Nunavut Project", *Journal of International Law* 71, No.1 (2011): 77.

2.2 European Union

For most of the EU's existence, the Arctic received little consideration. EU's active engagement in Arctic matters began in 2008 when the first EU Arctic Policy was articulated. Its main objectives were to protect and preserve the Arctic and its population; to promote the sustainable use of resources; and to contribute to enhanced Arctic multilateral governance.⁵⁴ The EU Arctic strategy has developed since 2008, but the main objectives remain very similar to 2008. In terms of Arctic indigenous population, the EU has not yet formulated specific indigenous policy, and therefore its approach to indigenous peoples is mostly guided by external documents such as the International Labour Organisation Convention 169 or the United Nations Declaration on the Rights of Indigenous Peoples. Especially the concept of indigenous participation as well as free, prior, and informed consent of indigenous peoples in any decision-making processes that affect them is referenced in multiple EU documents.⁵⁵ In terms of the EU's own policy, the indigenous issues have been addressed mainly through human rights and development policies. The EU highlights the right of indigenous peoples to their culture and livelihood, the importance of engagement with Arctic indigenous communities and the need for indigenous rights and views to be respected.⁵⁶ Furthermore, the EU preaches to fight against poverty, to support economic growth and to promote social, cultural, and spiritual values of indigenous peoples.⁵⁷ Despite the language of support and respect the EU has been criticized for performing inconsistently and poorly in implementation of individual adjustments to fit the needs and rights of indigenous peoples as well as missing an appropriate forum for the indigenous peoples to engage with the EU and discuss the EU policies and decisions that affect them.⁵⁸

Seal hunting was first addressed by the EU in 1983 when a Council Directive 83/129/EEC was adopted as a result of intense public pressure concerning the killing of whitecoats, which are 6 – 12 days old seal pups. The so-called Seal Pups Directive banned the import of seal pup products into the EU for the next two years. In 1985 the validity of the Seal

⁵⁴ European Commission, *The European Union and the Arctic Region* (Brussels: European Commission, 2008), 3.

⁵⁵ *Ibid.*, 4.

⁵⁶ Council of the European Union, *EU Strategic Framework and Action Plan on Human Rights and Democracy* (Luxembourg: Council of the European Union, 2012), 2.

⁵⁷ Council of the European Union, *Council Conclusions on Indigenous Peoples*, (Brussels: Council of the European Union May 2017), 2.

⁵⁸ Kamrul Hossain, "EU Engagement in the Arctic", *Arctic Review on Law and Politics* 6, No. 2 (2015): 95.

Pups Directive was extended until 1989, and in 1989 it was extended indefinitely mainly due to doubts about the effects of non-traditional hunting on the conservation of harp seals and ongoing public pressure. Although the Inuit were excluded from the ban, the whole seal market crashed as a result, and the number of harvested seals along with seal prices declined significantly for non-indigenous hunters as well as the indigenous ones. By mid-1990s, the population of harp seals increased to over five million, becoming one of the most abundant mammals in the Arctic. As the cod stock collapsed in the 1990s, theories emerged that the overabundance of seals is partly to blame.⁵⁹ Seals regained their popularity, and the seal harvest along with prices for seal products started to increase, leading to renewed animal welfare campaigns. The campaigns resulted in a decision of multiple EU Member states (Belgium, Italy, Luxembourg and the Netherlands) to adopt national bans on the import of all seal products, not only products from a specific species or age group which paved the way for a whole European ban.

In consequence of the increasing public pressure and the national bans of seal products import that were causing internal market fragmentation, the European Parliament issued a Declaration of the European Parliament on banning seal products in the European Union, requesting the Commission to draft immediately a regulation to ban the import, export and sale of all harp and hooded seal products. Parliamentary Assembly of the Council of Europe endorsed the Declaration and issued a Recommendation 1776(2006) inviting the Member States of the Council of Europe involved in seal hunting to ban all cruel hunting methods. The European Commission reacted by requesting the European Food Security Agency (EFSA) to provide a scientific opinion on the animal welfare aspects of killing seals. EFSA released a report in December 2007 which included an overview of methods of killing seals. The overall conclusions were that it is possible to kill seals without causing pain, fear or distress and the majority of seals is indeed killed humanely. Nonetheless it admits that ineffective killing is possible for there are many variables in play such as experience and skills of a hunter, weather conditions, distance from the animal or the animal's unpredictability. It is also pointed out it is unattainable to determine the exact level humane/inhumane seal kills for the different interpretations of the available data. Lastly, it concludes that proper monitoring of the humanness of the hunt is challenging due

⁵⁹ MK Trzcinski, "Continued decline of an Atlantic cod population: How important is grey seal predation?", *Ecological Society of America* 16, No. 6 (2006): 90.

to the vastness of the seal hunting territory and unpredictable weather conditions.⁶⁰ The European Commission also requested the Consultancy within Engineering, Environmental Science and Economics (COWI) to provide an impact assessment for the policy measures related to the trade in seal products. The COWI impact assessment was released in April 2008, which included the potential impact of banning all import and export of seal derived products.

With regard to the EFSA and COWI reports and the continuous public pressure, the European Commission drafted a regulation, proposing labeling system to limit the actors who could import seal products into the EU. However, the final version of the regulation adopted a year later, in 2009, was a completely different regulation from the initial draft. The much stricter final version effectively banned all products derived from seal hunts from the internal market of the EU. In order to present the EU point of view on the issue of seal hunting, documents creating the Seal ban are used; specifically, Regulation (EC) No 1007/2009, Implementing Regulation (EU) No 737/2010, Regulation (EU) 2015/1775 and Implementing Regulation (EU) 2015/1850. Furthermore, documents issued by EU bodies such as the 2006 Declaration by European Parliament and Recommendation 1776(2006) by Parliamentary Assembly of the Council of Europe along with EFSA study, COWI impact assessment, and secondary literature will be used to complete the picture.

2.3 Animal Welfare NGOs

As the attitudes towards seal hunting and the methods to promote anti-sealing agenda slightly differ from organization to organization, three leading organizations were chosen in order to represent a point of view of animal welfare activists - specifically International Fund for Animal Welfare (IFAW), Greenpeace and Sea Shepherd Conservation Society (SSCS). The organizations were chosen for their size and outreach, their long-term association with the seal hunting issue, and their acknowledgment of Inuit as of 2019. As the combined effort of the main three has brought the anti-sealing campaign to its present fashion, it would be insufficient to present only one NGO as a representative of the whole anti-sealing campaign. Although there are other major organizations involved in the anti-sealing campaigns, namely People for the Ethical Treatment of Animals (PETA) or Humane Society of the U.S., they will not be included in this research mainly for they are

⁶⁰ European Food Security Agency, “Animal Welfare aspects of the killing and skinning seals“, *EFSA Journal* 610 (December 2007): 94.

newcomers to the debate, as opposed to the main three NGOs selected for this research. Although PETA and Humane Society have a significant influence, they do not offer a narrative that would not sufficiently illustratable by using IFAW, Greenpeace and SSCS as sources. Smaller advocate groups as well as online campaigns such as Last chance for animals, Network for animals, the Animal rescue site, Anti-sealing coalition, etc. will not be considered in this thesis for the same reasons.

The Canadian seal hunting first attracted public attention in 1964 with a release of a documentary commissioned by the Québec government to document fishing and hunting. The dramatic footage became largely controversial as it showed unexpected brutality towards the animals. Even though it was later revealed the brutality was staged, the documentary has caused an outrage in Canada, USA, and Western Europe and initiated the first wave of intense anti-sealing activism.⁶¹ International Fund for Animal Welfare was the first organization with the main goal to stop the seal hunt. It was founded in 1969 by Brian Davies, a former member of the New Brunswick Society for Prevention of Cruelty to Animals (SPCA). Davies was in charge of Save the Seals fund and went to observe the seal hunt himself while working as an executive secretary of SPCA. In late 1960s Davies concluded that the SPCA is not progressive enough in its anti-sealing efforts, which was the reason Davies eventually left SPCA, founded IFAW and initiated a new era of animal welfare activism using media to spread the message. Although IFAW agenda, as well as outreach, has grown since 1969, stopping the seal hunt is one of the main objectives until the present day.⁶² As the anti-sealing campaign was gaining momentum in the 1970s, more activists joined the protests. Although Greenpeace was not initially founded as animal welfare organization,⁶³ it has played a significant role in anti-sealing campaigns, especially in the 1970s and 1980s. It joined the anti-sealing campaign in 1976, and a year later, Paul Watson, a member of Greenpeace left the organization and founded a Sea Shepherd Conservation Society an organization adopting a radical approach to protest seal hunting in the Arctic.⁶⁴

The combined effort of IFAW, Greenpeace and SSCS resulted in multiple victories in the 1980s and almost destroyed seal hunting as a practice. All the campaigns relied heavily on

⁶¹ Peter Dauvergne, *Shadows of Consumption: Consequences for the Global Environment* (Cambridge: MIT Press, 2008), 184.

⁶² Donald Barry, *Icy Battleground: Canada, International Fund for Animal Welfare and the Seal hunt* (St. John's: Breakwater Books, 2005), 6.

⁶³ Greenpeace was founded in 1971 with the primary objective to protest nuclear weapons

⁶⁴ "Our Story", SSCS website, <https://seashepherd.org/our-story/> (accessed 20.7.2019).

media coverage and creating newsworthy stories. Brian Davies often brought journalists with him to observe the hunt to make sure it will get sufficient coverage. Greenpeace started a project of dyeing newborn seals with a non-toxic green dye to devalue their pelts, and Sea Shepherd regularly sailed its ships to the Arctic to actively disrupt the hunt. During this time, gaining the support of celebrities proved to be highly effective as photos of Brigitte Bardot cuddling a baby seal circled the world in 1976. Restricted access to the ice as a result of disrupting the hunt, forced the activists to attack the seal hunting politically.⁶⁵ They focused on shutting down the European market, which has been traditionally the biggest market for sealskins and accounted for around 80 % of the world trade at the time.⁶⁶ The NGOs achieved a partial victory in 1983 when the Seal Pups Directive was adopted, banning the import of seal pups products to the EU. Although only a small portion of seal products was banned, the whole market was significantly damaged. It was only a partial victory for the NGOs for although the EU banned the import of seal pups products, the hunt in Canada continued. In order to address that, IFAW launched a campaign in the United Kingdom and the United States to boycott Canadian fish products. The pressure the NGOs were able to make on the Canadian government led to another great victory for the animal welfare groups as in 1987 Canada officially banned commercial hunt of seal pups in Canadian waters.

The collapse of the seal market essentially deprived Inuit of a source of income and contributed to a socio-economic crisis of the Inuit communities in the Arctic. In 1985 Greenpeace took partial responsibility for the damage their anti-sealing campaigns have caused the indigenous communities in the Arctic and refocused their effort on establishing a new relationship and cooperation with the Inuit. Nonetheless, as Atlantic cod stock collapsed in the 1990s and the demand for seal products as well as the seal harvest increased in 2000s, the second wave of anti-sealing activism was initiated and IFAW as well as Sea Shepherd renewed their campaigns.

2.4 Canadian Government

As a result of the alarming seal hunting footage released in 1964, the public flooded Canadian Ministry of Fisheries and Oceans with letters demanding the end of the seal hunt.

⁶⁵“Two Historic Campaigns Changed Everything for Seals and Whales” President and CEO of IFAW Azzedine T Downes, The dodo website <https://www.thedodo.com/seal-whale-campaign-successes--1011497179.html> (accessed 20.7.2019).

⁶⁶ Albert H. Malouf, *Seals and Sealing in Canada: Report of the Royal Commission* (Ottawa: Government of Canada, 1986), 43.

In response to the public pressure, negative international attention, and growing animal welfare movement, the Canadian government adopted first official rules managing the seal hunt in 1966. The Seal Protection Act set the opening and closing dates for the hunt, restricted hunting methods, the size of sealing vessels, strictly banned skinning the animals alive, set new requirements for seal hunting equipment and introduced an obligation to obtain a sealing permit.⁶⁷ The growing animal welfare activist groups addressed the new regulations as highly insufficient as the seal harvest has not gone down and remained around 250.000 animals annually. By 1970, some studies estimated that the harp seal population dropped to an ultimate low of 1.5 million which was a drop of well over a million from 1950 and a significant drop from 10 million estimated in the 19th century. To appease the animal welfare activists and limit the number of seals that could be hunted in a year in Canadian waters, the Federal Government introduced quota management of seal hunting. Total Allowable Catch (TAC) is announced annually since 1971 by the Minister of Fisheries and Oceans.⁶⁸ The suddenly limited number of animals the hunters could catch consequently led to newborn whitecoat seals being the main target of the hunters for the higher value of their snow-white pelts as opposed to grey pelts of older animals. The changed ratio of killed seal pups gained a strong reaction from the animal welfare activists in the 1970s. The Department of Fisheries and Oceans (DFO) which was responsible for overseeing the hunt domestically and Department of Foreign Affairs and International Trade taking care of the Canadian reputation abroad developed a strategy to counter the emotional rhetoric with scientific data and highlight the economic as well as social and cultural importance for Canadian communities.⁶⁹ Moreover, as a reaction to the still increasing success of animal welfare campaign, the Canadian government started to implement changes to sealing regulations to limit the protesters' access to the ice in order to limit their ability to publicize the cause, increasing the anti-sealing activists' arrests. Ironically, the controversial reasons for arrests such "loitering" in a DFO office⁷⁰ and the desperate Canadian government effort to prevent the activists from entering the ice increased the visibility of the anti-sealing cause, public sympathy for it, as well as the popularity of the animal welfare NGOs.

⁶⁷ Peter Dauvergne and Kate J. Neville, "Mindbombs of right and wrong, cycles of contention in the activist campaign to stop Canada's seal hunt", *Environmental Politics* 20, No. 2 (2011): 197.

⁶⁸ "The Numbers", Seals and Sealing Network website, <https://sealsandsealing.net/the-harvest/the-numbers/> (accessed 20.7.2019).

⁶⁹ Dauvergne and Neville, "Mindbombs of right and wrong," 198.

⁷⁰ *Ibid.*, 199.

Following the 1983 Seal Pups Directive, the Federal government in Canada established a Royal Commission on Seals and Sealing (Malouf Commission) with a purpose to gather relevant information on the Canadian sealing industry and to recommend further actions. The Commission recommended banning commercial hunting of harp and hooded seal pups as it is not acceptable to the public.⁷¹ In response to the Malouf Commission recommendations as well as ongoing animal welfare campaign focused on boycotting Canadian fish products, the Federal government prohibited the hunt of harp and hooded seal pups for commercial purposes in 1987.

In the event of Atlantic cod stock collapse and increasing seal population, the Federal government increased TAC from 186.000 to 250.000 animals in 1996 and started subsidizing the seal hunting industry,⁷² resulting in steadily increasing volume of seal harvests, reaching over 300.000 seals in the early 2000s. In response to news that the EU is preparing a new seal ban, the Federal government requested an Independent Veterinarians Working Group on the Canadian Harp Seal Hunt (IVWG) to improve and ensure humanness of the seal hunt. The IVWG recommended, among else, improving monitoring of the hunt and implementing the three-step process of killing seals. In 2009 Marine Mammal Regulations (MMR) was amended to include that all hunters need to follow the three-step process as well as undergo training. The monitoring was also improved and throughout the sealing season, an enforcement team is present on the ice constantly to confirm the three-step process is followed, seal pups are not being killed and only hunters with licenses are participating in the hunt.⁷³ In the context of the upcoming EU Seal ban, the House of Commons Standing Committee of Fisheries and Oceans decided to study the Canadian seal hunt in terms of sustainability, humanness, economic, social and cultural importance and its role in maintaining the ecological balance of the marine ecosystem. It was concluded that the Canadian seal harvest is sustainable⁷⁴, humane, economically, socially, and culturally significant and plays a role in maintaining the balance of the marine ecosystem.⁷⁵ Almost immediately after the EU trade ban was adopted in 2009, Canadian federal government issued a complaint at World Trade Organization (WTO) claiming that

⁷¹ S Albert H. Malouf, *Seals and Sealing in Canada: Report of the Royal Commission* (Ottawa: Government of Canada, 1986), 202.

⁷² All subsidies stopped in 2001.

⁷³ "Monitoring the Seal Harvest", DFO website, <https://www.dfo-mpo.gc.ca/fisheries-peches/seals-phoques/monitoring-surveillance-eng.html> (accessed 20.7.2019).

⁷⁴ The seal population estimate in 2012 is between 7.4 and 7.7 million animals.

⁷⁵ Gerald Keddy, *Ensuring a Sustainable and Humane Seal Harvest: Report of the Standing Committee of Fisheries and Oceans* (Ottawa: Government of Canada, 2007), 22.

the EU Seal Regime and measures related to it are inconsistent with the obligations of European Communities to international trade law. WTO's Dispute Settlement Body (DSB) upheld the EU Seal Regime, arguing that it is indeed consistent with international trade law and Article XX of General Agreement on Tariffs and Trade, which allows for trade barriers to exist if the reason is the protection of public morals, was applied to support the decision. The DSB found that the EU Seal Regime is necessary to protect public morals and should, therefore, stay in place. Even though the WTO dispute has significant implications specifically for international trade and animal welfare, it will not be further analyzed for the limited scope of this research.

There are currently three types of seal hunting in Canada, commercial which is the largest, personal-use and Inuit/aboriginal seal hunting. The commercial, as well as personal-use hunts, take place mainly at the east coast of Canada in communities of Newfoundland and Labrador, and both types are managed by the DFO as seals are a federal responsibility. The seal hunt is currently regulated under The Fisheries Act, The Marine Mammal Regulations, 1995 Canadian Firearms Act, and the Penal Code. The Fisheries Act governs the fisheries resources and habitats and sets general rules for conservation and management. The MMR Part IV regulates specifically seal hunting. The MMR specifies legal seal hunting methods, weapons, season, responsibilities of a hunter, etc. The Inuit seal hunting is regulated partly by DFO but mostly by wildlife native management boards established through land claims agreements. Prohibitions such as restricted hunting season or restricted hunting methods as well as the obligation to hold a license, therefore, do not apply Inuit seal hunting case. Territorial governments are involved mainly in terms of research, training, information distribution and education, promoting and supporting specific activities and programs to spread awareness and ensure maximum possible benefit to Inuit communities from seal hunting.⁷⁶

3. Cultural dimension

The fact that seal hunting debate is a cultural issue is hardly disputable. It is a known fact that seal population is not in danger as in 2012, the seal population estimates were between 7.4 and 7.7 million animals and the Convention on the International Trade of Endangered

⁷⁶ “Fisheries and Sealing”, Government of Nunavut, Department of Environment website, <https://www.gov.nu.ca/environment/information/fisheries-and-sealing> (accessed 20.7.2019).

Species lists seals as species of the least concern in the world.⁷⁷ Furthermore, multiple studies have shown that seal hunting is at least as humane as killing animals in slaughterhouses.⁷⁸ The apparent overabundance of seals has transformed anti-sealing campaign strategies over the years from trying to protect seals from endangerment to questioning humanness and morality of the hunt, insisting that "Canada's commercial seal hunt is not conducted humanely and monitoring and enforcement is all but impossible."⁷⁹ Given the outreach and influence of animal welfare NGOs, multiple EU Member states decided to adopt national bans on the import of seal products in the early 2000s, which eventually led to a Union level trade ban. The preamble of Regulation (EC) 1007/2009 states that seal hunting "(...) has led to expressions of serious concerns by members of the public and governments sensitive to animal welfare consideration."⁸⁰ Consequently, "(...) several Member States have adopted or intend to adopt legislation regulating trade in seal products,"⁸¹ which caused an internal market fragmentation and several different provisions regarding products containing seal part that was, according to the EU ban preamble, confusing for consumers. The preamble follows by addressing the public concerns and explains that since "(...) the concerns of citizens and consumers extend to the killing and skinning of seals as such, it is also necessary to take action to reduce the demand leading to the marketing of seal products and, hence, the economic demand driving the commercial hunting of seals."⁸² The fact that the EU considers necessary to ban all seal product imports and reduce the economic demand driving the commercial hunting instead of adopting a labeling regime or specifying acceptable, humane methods of seal hunting (because it would "not achieve the same result"⁸³) suggests, that the aim of the Seal ban is not so much to address seal welfare but to address a more profound, cultural issue - whether seals should be hunted at all.

⁷⁷ M.O. Hammil, *Northwest Atlantic Harp Seals Population Trends 1952-2012* (Ottawa: Government of Canada, 2011) accessible at http://www.dfo-mpo.gc.ca/csas-sccs/Publications/ResDocs-DocRech/2011/2011_099-eng.html (accessed 20.7.2019).

⁷⁸ Independent Veterinarians Working Group, *Improving Humane Practice in the Canadian Seal Hunt* (May 2015) available at http://www2.cwhc-rcsf.ca/publications/IVWG_Report_new_website.pdf, (accessed 20.7.2019).

⁷⁹ IFAW, *Ending Canada's Commercial Seal Hunt* (Yarmouth Port: IFAW, 2011) available at <https://s3.amazonaws.com/ifaw-pantheon/sites/default/files/legacy/IFAW%20US%20Seal%20Fact%20Sheet.pdf> (accessed 20.7.2019).

⁸⁰ European Parliament, *Regulation (EC) No 1007/2009 on trade in seal products* (Strasbourg: European Parliament, 2009) available at <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32009R1007> (accessed 20.7.2019).

⁸¹ Ibid.

⁸² Ibid.

⁸³ European Parliament, "Regulation (EC) No 1007/2009 on trade in seal products".

Additionally, the fact that the EU successfully defended its Seal regime in WTO dispute by arguing that the Seal trade ban is necessary to protect public morals indicates that animal welfare is not the primary issue in question.⁸⁴

3.1 Cultural contexts

The seal hunting debate, therefore, comes down to two different cultures and lifestyles having two different points of view. The Inuit standpoint comes from a way of life highly dependent on and deeply connected to the environment. In Inuit words, "The land quite literally keeps us alive because it feeds and clothes us and often also pays our (rising) bills." Consequently, "living off the land and sea, as Inuit need to do, gives us a distinct connection and perspective to our world, unlike any other population."⁸⁵ The Inuit worldview is specific for its high respect for nature and spirits of living creatures. According to Inuit spirituality, everything in the universe has a spirit and is animate, making the universe alive. For humans to live in balance with the universe, they must be aware of the connections, and they must be careful not to insult or disrupt the spirits of animals, plants, wind, or earth. Reckless treatment of the environment can, therefore, threaten the survival of the whole community as underlined by the motto "when the land is sick, so are we."⁸⁶ Hunting of animals plays a major role in Inuit survival as the harsh climatic conditions in the Arctic do not allow for farming. Inuit have traditionally viewed animals as sentient, intelligent beings that deserve their respect. Treating animals and the environment without respect can have fatal consequences for the community. According to Inuit beliefs

“(...) the seal made itself available to the hunter so that he could catch it. From the time that the seal gave itself, the hunter had an obligation. His obligation was to share the seal with the people of his camp. If he failed to honour this obligation, the seal would not give itself, to the hunter again. Inuit believed that animals have spirits and could come back, again and again. Sharing the seal ensured that there would always be seals to be caught. Sharing was the traditional way of life. What was needed was taken. It was not to be abused, and it was given to be shared.”⁸⁷

⁸⁴ Martin Hennig, "The EU Seal Products Ban: Why Ineffective Animal Welfare Protection Cannot Justify Trade Restrictions under European and International Trade Law" *Arctic Review on Law and Politics* 6, No. 1 (2015).

⁸⁵ Roberta Hawkins and Jennifer J Silver, "From selfie to sealife: nature 2.0 and the digital cultural politics on the internationally contested resource," *Geoforum* 79 (2017): 77.

⁸⁶ Frank Tester and Peter Irniq, "Inuit Qaujimaqatuqangit: Social History, Politics and the Practice of Resistance," *Arctic* 61, No. 1 (2008): 55.

⁸⁷ Aaju Peter, "The Seal: An Integral Part of Our Culture," 168.

It is also important to not let it suffer as the animal would avenge itself on the person or on ones loved by the person that made it suffer.⁸⁸ Lastly, sustainability is a key in a worldview where the survival depends on the health of the environment and where time is considered to be always in a cycle, connecting past, present and the future.

On the other hand, there is a Western, consumer society where farming is the primary way of food production. The distribution of labor in Western society along with globalization resulted in the fact that majority of the society is not involved in the food production process in any way. Consequently the members of the Western society rarely come in contact and have the opportunity to witness the conditions of factory farming. Meat is bought in supermarkets, (for marketing purposes) served in plastic boxes to look as little as possible as the animal it comes from, consequently creating a certain detachment of the society from its environment. Furthermore, the Western perception of hunting significantly differs from the Inuit. The majority of Western society perceives hunting negatively, or as an unnecessary practice that belongs to the past as domestication of animals, factory farming and industrialization brought new methods and technologies enabling a more comfortable way of life, making the need of hunt for survival a matter of the past. Consequently, a Western society based on farming is at times subconsciously considered (by the Western society members) to occupy a higher place on the evolutionary trajectory.⁸⁹ IFAW's founder Brian Davies well understood the society's opposition to hunting. When commenting on the anti-sealing campaign tactics, Davies expressed his thoughts that “the absolute essence of the hunt itself is what people are against, not any specific cruelty.”⁹⁰

This is not to suggest that one society is correct and the other one is wrong or indicate whether farming or hunting is a better way of food production. "The reality is that no animal-killing is pretty. It is, by nature, ugly. But pretty and ugly are not synonyms for right and wrong or good and bad."⁹¹ The point here is instead to acknowledge the different cultural backgrounds in order to understand specific narratives in the seal hunting dispute better.

⁸⁸ Aaju Peter, “The Seal: An Integral Part of Our Culture,” 168.

⁸⁹ Irena Knezevic, “Hunting and Environmentalism: Conflict of Misperceptions”, *Human Dimensions of Wildlife* 41, No. 1 (2009): 14.

⁹⁰ Donald Barry, “Icy Battleground”, 149.

⁹¹ “Hypocrisy of Western sealing Policies”, Jim Winter founder of Canadian Sealers Association, National Fishermen news website, <https://www.nationalfisherman.com/viewpoints/national-international/hypocrisy-in-western-sealing-policies/> (accessed 20.7.2019).

3.2 Cultural relativism

Even though we take into account the different background of each society and the naturally different culture-specific standpoints, it is undeniable that many societal double standards come to surface through the seal hunting dispute. Before the adoption of the European Seal ban, international consulting group COWI conducted an impact assessment which included a public opinion poll where 73.153 participants were asked about their view on seal hunting. The results were mostly negative, and 87.4 % agreed that seal hunting is unacceptable. More importantly, in this case, almost half of the respondents agreed that wildlife should be left alone, but there is nothing wrong with slaughtering animals raised for human consumption.⁹² The similarities and differences of seal hunting and meat farming are often brought up in the context of seal hunting and are an excellent example of the two sets of rules as there is a general tendency not to hold same standards for meat farming as for seal hunting. Canadian Sealers Association addresses the contradictory standards and argues that

“Sealing is part of an annual mosaic of income for rural Canadians whose money is derived from a number of individual activities that in total provide a livelihood that enables them to live in their communities. The same thing applies to Canadian farmers, ranchers, trappers, and so on: the only difference is the species killed.”⁹³

On the other hand, IFAW believes that commercial seal hunting and killing of farm animals “(...) have little in common. Unlike abattoirs, the commercial slaughter of seals takes place in an unpredictable, unmanageable environment where humane killing is impossible to achieve consistently.”⁹⁴ The argument that unpredictable weather conditions prevent the seal hunt from being appropriately monitored and more importantly prevent the seals from being killed humanely played a significant role in the EU ban adoption, indicating the influence of animal welfare NGOs. Regulation 1007/2009 specifically mentions that

“(...) given the conditions in which seal hunting occurs, consistent verification and control of hunters’ compliance with animal welfare requirements is not feasible in practice or, at least, is very difficult to achieve in an effective way (...)”⁹⁵

⁹² COWI, *Potential Impact of a ban of products derived from seal species* (Copenhagen: COWI, 2008), 125.

⁹³ Jim Winter, “Antisealing propaganda and democracy”, Norwegian Barents Secretariat (May 2015).

⁹⁴ Sheryl Fink, *Seals and Sealing in Canada* (Guelph: IFAW, 2007), 12.

⁹⁵ European Parliament, “Regulation (EC) No 1007/2009 on trade in seal products”.

Despite the challenging conditions of the hunt, some veterinarians argue that seal hunting is more humane than meat farming as seals are killed in their natural environment whereas meat farming often puts animals in situations where they experience fear and distress for hours in some cases even days.⁹⁶ It is therefore questionable if seconds of fear and distress the seals are experiencing when they are hunted, weigh more than hours and days in slaughterhouses and transportation vehicles. Also, it is important to underscore that there are around 3 million cows, 20 million pigs, and 800 million chickens annually killed for human consumption in Canada alone.⁹⁷ In contrast, the Canadian commercial seal hunt at its best concerned 362,000 animals⁹⁸, suggesting that the concern about conditions of farm animals should be much greater due to the higher volume of the slaughter. To sum up, unless the anti-sealing activists are vegan, they show a high level of hypocrisy.

One can argue that in terms of anti-sealing campaigns, George Orwell's quote - all animals are equal, but some animals are more equal than others is incredibly relevant. Studies in the past have concluded that ugliness of an animal that is mainly established by cultural values "influences public opinions about its treatment."⁹⁹ Thus the public is more likely to spend money on protecting species considered helpless, cute or intelligent rather than species perceived as ugly. This explains, for instance, the volume of activities focused on saving whales, pandas, tigers or seals but ignoring the conditions of slaughterhouses and ridiculing campaigns such as saving the snail darter.¹⁰⁰ The culture-specific perception of animals is not something to raise eyebrows over. It becomes a problem when the values of one culture are forced on the other, especially taking into account the context of colonialism between the two. According to Alex Marland in recent years, we have registered a rise of active modern urban society, concerned about the environment, fascinated with the idea of unspoiled wilderness and consequently concerned about the effects of industrialization. An active and engaged society is undoubtedly a positive development. Nonetheless, people are increasingly advocating for causes in which they

⁹⁶ Adam Leith Gollner, "The Ethics of Hunting Seals", Documentary, 2017, available at https://www.vice.com/en_us/article/3kn8ew/the-ethics-of-hunting-seals (accessed 12.4.2019).

⁹⁷ "Agriculture and food industry market and trade", DFO website, <https://aimis-simia.agr.gc.ca/rp/index-eng.cfm?action=pR&pdctc=&r=1#wb-cont> (accessed 20.7.2019).

⁹⁸ "Seal Hunt Quotas and Official Numbers of Seals Killed Over the Years", Harpseals website, https://www.harpseals.org/about_the_hunt/quota_tac.php (accessed 20.7.2019).

⁹⁹ Phyllis Morrow and Chase Hensel, "Hidden Dissension: Minority-Majority Relationships and the Use of Contested Terminology," *Arctic Anthropology* 29, No.1 (1992): 45.

¹⁰⁰ *Ibid.*, 45.

personally have little at stake.¹⁰¹ Seal hunting is one example as the only thing the anti-sealing activists need to give up is a fashionable fur coat, not a weeks' worth of food for their children. Consequently, the activists essentially embody cultural superiority for they mostly fail, or in most cases do not even try to understand a circumstance where seal hunting is essential for the survival of a society and thus completely miss the implications their activism has on seal hunting communities. Inuit themselves comment on it that it is “(...) deplorable and illogical when people, whose collective lifestyle is much less sustainable and much more comfortable than our own, cast ill-informed judgment on what we do and how we do it.”¹⁰²

In partial defense of the public judgment, it is important to mention that the judgment is formed and based on the available data. In terms of seal hunting, the biggest amount of data and more importantly, the easiest data to get to are provided by the NGOs with an anti-sealing agenda. Importantly, information on Inuit seal hunting and its cultural and economic importance to Inuit communities is, if included at all, not exhaustively covered by the NGOs. In order to support their arguments regarding sustainability, humanness or economic importance of the hunt, the animal welfare NGOs often conduct polls on their own and commission veterinary studies where the figures and ratios are much different than in the studies and reports commissioned by the Canadian government. For instance, the IVWG concluded that 98 % of the seal hunt is humane, whereas a Veterinary Report on the Canadian Commercial Seal Hunt commissioned by IFAW in 2001 concluded that 42 % of examined seals have been skinned while conscious and were therefore not killed humanely.¹⁰³ EFSA addressed the discrepancies in the available data and highlighted that “other studies (e.g., by NGOs, industry-linked groups) that highlight serious deficiencies and concerns in the hunts, may contain potentially unproven serious biases.”¹⁰⁴ Nonetheless, the alarming conclusions of NGO studies and their point of view is communicated to the public very well, motivating the public to pressure the Western institutions to adopt measures addressing the perceived atrocities committed on seals. Consequently the EU Seal ban dismisses conclusion by EFSA that although it is difficult to

¹⁰¹ Alex Marland, “If Seals Were Ugly Nobody Would Give a Damn: Propaganda, Nationalism and Political Marketing in the Canadian Seal Hunt”, *Journal of Political Marketing* 13 (2014): 71

¹⁰² “The Only people making money of the seal hunt are anti-sealing campaigners”, Terry Audla, President of ITK, Huffingtonpost website, https://www.huffingtonpost.ca/terry-audla/sealing_b_5214956.html (accessed 13.6.2019).

¹⁰³ Gerald Keddy, “Report of the Standing Committee of Fisheries and Oceans”, 14.

¹⁰⁴ European Food Security Agency, “Animal Welfare aspects of the killing and skinning seals”, 94.

determine the exact degree of humane seal killing, the majority of seals “can be, and are, killed rapidly and effectively without causing avoidable pain, distress, fear and other forms of suffering, using a variety of methods that aim to destroy sensory brain functions.”¹⁰⁵ Instead, the EU founds the trade ban on public concerns over “the pain, distress, fear and other forms of suffering which the killing and skinning of seals, as they are most frequently performed, cause to those animals,”¹⁰⁶ which is not a scientifically proven fact.

3.3 Mindbombs and Propaganda

Unquestionably, animal welfare NGOs have played a significant role in forming public opinion on seal hunting. This is not to diminish the importance of such activist groups in contemporary society. Admittedly, animal welfare groups have achieved multiple positive goals. Since the campaigns have started in the late 1960s, the seal population grew from 1.5 million in 1970s to current 7.4 million animals. Furthermore, a comprehensive management system of the hunt and a set of highly monitored rules were developed by the Canadian federal government in response to the public pressure. For instance, to prevent the considered EU Seal ban, the Canadian Federal government decided to review the hunt once again, commission studies to ensure the humanness of it and improve its monitoring in the early 2000s. The animal welfare groups, along with the public pressure they generate have therefore certainly helped to improve the animal welfare aspect of the Canadian seal hunt. However, their radicalism and strictly one-sided point of view that does not allow a real debate with the ones affected the most by the activism, along with the methods and tactics they use to achieve their goals are highly problematic for it is arguable that they cause as much harm as they do good.

Over the years, animal welfare NGOs have developed specific methods and tactics to promote their cause and catch the public’s attention. Firstly, all campaigns rely heavily on the media to distribute their content. Consequently, a significant part of an animal welfare campaign strategy is creating newsworthy stories concerning the hunt, ideally through generating shocking content. The ultimate goal is to reach people's consciousness with controversial stories, powerful graphic images such as white seal pup on ice-covered in blood, short catchphrases, and emotional language. As Brian Davies illustrates “(...) the young animals clubbed to death in an area of great beauty, it photographs well. It can be

¹⁰⁵ European Food Security Agency, “Animal Welfare aspects of the killing and skinning seals”, 94.

¹⁰⁶ European Parliament, “Regulation (EC) No 1007/2009 on trade in seal products”.

depicted before people dramatically (...)”¹⁰⁷ Sea Shepherd’s Paul Watson agrees that “The seal is very easy to exploit as an image (...) It’s an image that goes right into the heart of animal lovers all over North America.”¹⁰⁸ Bob Hunter, a co-founder of Greenpeace, calls this a strategy of creating “mind bombs.”¹⁰⁹ In cross-cultural issues like seal hunting, language used in connection to it is essential as the words have the power to determine how the reality is constructed and perceived. The animal welfare campaigns understand this and use dramatic, emotional language to “inform” about the hunt and promote their reality of it. An excerpt from a seal hunt report written by IFAW’s Sheryl Fink can be used as an example.

“When they are finished, all that remains are bloody piles of hundreds of seal carcasses. The bodies of skinned pups are left on the ice, their little skulls crushed by a hakapik, eyes bulging wildly from their sockets. And occasionally we would find lone pups that managed to escape, crawling through the pools of blood crying and confused, gently nosing the dead bodies of their companions.”¹¹⁰

The campaigns turn seals into crying babies with eyes bulging wildly from their sockets that are being wildly clubbed and butchered in their nurseries for unnecessary consumption. It is important to point out that although seal eyes are always watered, the reason is to prevent their eyes from freezing as they do not have a blinking reflex. The interpretation that seals are “crying” to mourn over the dead bodies is spreading misinformation. Also, even though hakapiks are still used to make sure the animal is not conscious, most of the seals are killed by a shot to the head to ensure a quick death.¹¹¹ The previous excerpt also shows another tactic that is frequently used by the animal welfare NGOs, and that is the use of metaphors and comparing seals to humans to simplify the narrative and “bring seals closer” to the members of modern urban society. For instance, Sea Shepherd’s Paul Watson claims that he is

¹⁰⁷ Donald Barry, “Icy Battleground”, 149.

¹⁰⁸ Alethea Arnaquq-Baril, „Angry Inuk“, Documentary, 2016, accessed at <https://vimeo.com/163595949>

¹⁰⁹ Peter Dauvergne and Kate J. Neville, “Mindbombs of right and wrong, cycles of contention in the activist campaign to stop Canada’s seal hunt“, 192.

¹¹⁰ “Inuit v. East Coast Commercial: Confusing Canada’s seal hunts” Sheryl Fink, IFAW, Harpseals website, https://www.harpseals.org/resources/news_and_press/2017/seal_sealing_protests_actions_2017.php (accessed 20.7.2019).

¹¹¹ P-Y Daoust and C Carague, “The Canadian harp seal hunt: observations on the effectiveness of procedures to avoid poor animal welfare outcomes”, *Animal Welfare*, No. 21 (2012): 448-451.

“(…) confident of seeing the day when we will look upon seals as the valuable citizens of the sea that they are, for their ecological worth, for their aesthetic value and because they are the caretakers of the fish and the custodians of the deep.”¹¹²

Assigning seals human traits is highly criticized by the Canadian Sealers Association. The Association points out that the use of the word baby when referring to seals is “(…) designed to influence and upset urban people who have a total disconnect with the sources of their food, clothing, medicines and other objects of daily use.” They continue with a counter-argument that

“The seals killed are fully weaned, are independent of their dames, and are on their own to survive or not: this is nature. Not Yogi or Pooh bears who live in a fictional fantasyland.”¹¹³

Another tactic that is frequently used by the NGOs is attacking and reframing the identity of a seal hunter. The community members often admire the hunters in Canadian sealing communities for their bravery and skill, yet in the light of the animal welfare campaigns, they are portrayed as ruthless, despicable murderers. The mind bombs are fundamentally reframing the way sealers are portrayed, and as a result, the way people think about nature and seal hunting transforms. When seal hunting is mentioned, the goal of the NGOs is for the public to imagine cute, helpless, crying seal pups against ruthless, industrial, “barbaric” men, consequently concluding that seal hunting is morally as well as environmentally wrong. The following excerpt is from Paul Watson’s *Seal Wars*.

“The barbarians were at the gate. The stench of stale tobacco and spilt beer seeped down the hallways into our rooms. The low, nasal snarl of the local French patois was punctuated with bastardized English obscenities. The snarl rose to an ugly growl as a swarm of sealers surged through the hotel hallway, piss-drunk on cheap booze and fuelled by a rabid malevolence born of a history of ethnic feuding and the frustrations of the uneducated and the institutionally unemployed.”¹¹⁴

The fact that majority of seal hunting is conducted in remote, rural Canadian communities or in the Arctic where an average Canadian does not step foot in his life, makes the formation of the narrative of “Wild North” where the uncivilized barbarians skin seals alive much easier.

¹¹² “The Strategy Behind Sea Shepherd’s Opposition to the Canadian Seal Hunt”, Sea Shepherd website, <https://seashepherd.org/2015/04/13/the-strategy-behind-sea-shepherds-opposition-to-the-canadian-seal-slaughter/> (accessed 19.5.2019).

¹¹³ “EU, British and American Anti-sealing policy is hypocritical and anti-democratic”, Jim Winter, IWMC website, <https://www.iwmc.org/wild-species/seals.html> (accessed 8.6.2019).

¹¹⁴ Paul Watson, *Seal Wars: Twenty-Five Years at the Front Line with Harp Seals* (Richmond Hill: Firefly Books, 2003), 17.

This leads to another related NGO narrative, that seal hunting is a primitive and barbaric practice that belongs to the past and there is no place for it in modern society. For instance, Sea Shepherd members promise to seal hunters that they will "crush your markets, and we will toss your abominable industry into the trash bin of history where it belongs."¹¹⁵ IFAW article headlines are often a version of a following "Thanks to the outcry of a concerned global citizenry – the end may finally be in sight for this cruel, unnecessary and outdated practice." Barbaric, primitive and savage is often used in terms of seal hunting, not only by NGOs themselves but also by members of the public, especially in online discussions. For instance, the following comments were made regarding a restaurant serving seal in Toronto "This is a barbaric act that belongs in the shameful areas in our history books" or "What is wrong with Canadians? What happened to you people that you are all turning into savages? Seals are not to eat and not for fur."¹¹⁶ The use of savage in this context is especially controversial as savage is a racial slur used against indigenous communities for centuries. Indigenous as well as non-indigenous sealers are enraged by the radicalism of the campaigns, turning images of their heroes and hunters into cowards and killers', but the Canadian sealing industry consists mainly of communities from isolated regions of Canada that are often without the funds or necessary connections to effectively counter the highly emotional rhetoric of the animal welfare groups. Additionally, in the society infatuated with celebrities, the increasing engagement of various artists in the anti-sealing campaigns increases the reach and deepens the foundations of the anti-sealing narrative of the NGOs and simultaneously decreases the options of providing a compelling counter-narrative. Animal welfare groups discovered the benefits of recruiting celebrities after images of Brigitte Bardot holding a seal pup flooded the newspapers in 1976. As Bob Hunter, the founder of Greenpeace, stated: "Until her arrival, the seal hunt story was all blood and death. But now it was blood and death and sex. No more potent combination could be put together."¹¹⁷ Since then, Hollywood celebrities including Paris Hilton, Pamela Anderson, Paul McCartney or Ryan Reynolds have been recruited continuously to further the anti-sealing agenda.

¹¹⁵ "The Strategy Behind Sea Shepherd's Opposition to the Canadian Seal Hunt", Sea Shepherd website, <https://seashepherd.org/2015/04/13/the-strategy-behind-sea-shepherds-opposition-to-the-canadian-seal-slaughter/> (accessed 19.5.2019).

¹¹⁶ „Anti-seal hunt rhetoric ignores facts and suppresses Indigenous culture“, The Globe and Mail website, <https://www.theglobeandmail.com/opinion/anti-seal-hunt-rhetoric-borne-of-long-legacy-of-suppression-of-indigenous-food/article36565128/> (accessed 2.5.2019).

¹¹⁷ Frank Zelko, *Make it a Green Peace: The Rise of Countercultural Environmentalism* (Oxford: Oxford University Press, 2013), 267.

3.4 Providing a counter-argument

The Federal Government promotes the rhetoric of scientific management and tries to reinforce the image of sealers as hard-working, brave men, maintaining the community traditions although the Canadian government campaigns do not resonate with the public as much as the stuffed baby seal toys, white balloons, powerful images of whitecoats covered in blood and popular celebrities wearing shirts with slogans “Club sandwiches not seals”. Furthermore, the Canadian government lobby for seal hunting is complicated as it needs to take into account the implications of such a lobby in different areas and balance the campaign accordingly not to negatively affect Canadian international reputation, trade, diplomacy, tourism, etc.

Some authors suggest that the ones who are affected the most and who are closest to the issue should be the ones leading counter campaigns and speaking on their behalf.¹¹⁸ Nevertheless, Inuit efforts to communicate the economic and cultural value of seal hunting in their society and provide a counter-narrative to the emotional animal welfare campaigns have so far mostly fallen short for multiple reasons. First, there is a clear power imbalance between Inuit communities and the European Union, preventing a real debate between the actors without which the Inuit arguments cannot be adequately understood. When Inuit took their cause to European Court of Justice and started a multiple-year lawsuit in 2010, after months of discussing its admissibility, it was eventually concluded that the EU ban includes an exception for Inuit and therefore does not affect Inuit communities as the Inuit claimed.¹¹⁹ Importantly, at that point, Canadian Inuit had no way how to benefit from the trade ban exception, which was a flaw that was fixed only after WTO ordered the EU to do so. The effectiveness of the Inuit exception will be discussed in detail in the economic chapter of this research, the point here is that although Inuit themselves tried to explain their point of view, it was dismissed by the European Union.

Another challenge in an effort to communicate the importance of seal hunting for Inuit is that their counter campaigns are very culturally specific. Inuit counter-campaigns with slogans such as “Eat seal, wear seal” or “I tried seal, so should you”¹²⁰ that make perfect sense from the Inuit point of view, are hardly convincing to members of the Western society who view seal fashion as unnecessary luxurious items (because the climate

¹¹⁸ Donald Barry, “Icy Battleground”, 12.

¹¹⁹ Simone Vezzani, “The Inuit Tapiriit II Case and the Protection of Indigenous Peoples’ Rights: A Missed Opportunity?”, *European Papers I*, No. 1 (2016): 307-318.

¹²⁰ Alethea Arnaquq-Baril, „Angry Inuk“.

conditions do not call for such clothing) and who have not been led to eating seals and in most cases never tried it as they have options to meet the nutritional needs of their bodies in other ways.

Lastly, the depth to which the anti-sealing campaigns have reached the Western public consciousness proves to be challenging. In 2014 Ellen DeGeneres posted on Twitter a selfie from Academy Awards with multiple prime celebrities. The selfie taken by a Samsung phone became one of the most re-tweeted posts on Twitter, and in gratitude of the marketing boost, Samsung donated to Humane Society of the U.S.'s campaign against seal hunting, which was a cause Ellen DeGeneres chose. In reaction to the Oscar selfie, Inuit started an online trend of posting photos of themselves wearing seal fur with a hashtag "Sealfie" aiming to explain cultural and economic importance of seal hunting to their communities. The Twitter Sealfie campaign generated a heated response from the public. For instance, in support of the initiative Inuit throat singer Tanya Tagaq posted a photo of her baby next to a dead seal and received death threats and suggestions to remove the baby from her in response.¹²¹ The backlash was not only aimed at individuals participating in the Sealfie trend but also on the Inuit culture in general. Trending Twitter comments included "They sure are barbaric savages 2 go 2 that kinda length, posting a pic of their baby laying NEXT 2 a murdered baby seal" or "That's just NOT normal, I don't care WHAT culture people are brought up in."¹²² Admittedly online comments are hardly acceptable to represent a general perception adopted by a society on the other hand as the internet offers a veil of anonymity the online comments do illustrate a genuine point of view of individuals.

Despite the odds, in recent years the Inuit managed to draw attention to the impact of the anti-sealing campaign and the EU Seal ban on their communities. Consequently, all activist groups considered in this thesis have addressed this controversy. It is now widely recognized that Inuit hunt seals and the practice is crucial for them socially and culturally. However, the reaction of NGOs is limited to statements that their campaigns are not opposed to Inuit seal hunting - either missing the point of Inuit argument or dismissing it as unimportant. First, it is unclear how a statement that anti-sealing campaigns are not targeted at Inuit, yet continuing with such campaigns when there is strong evidence that the

¹²¹ Kathleen Rogers and Willow Scobie, "Sealfies, seals and celebs: expressions of Inuit resilience in the Twitter era", *A Journal for and about Social Movements* 7, No. 1 (May 2015): 90.

¹²² Lori CherCrew Twitter account, <https://twitter.com/PricelessBiach/status/450024369990164480> (accessed 25.7.2019).

Inuit have been hurt by the anti-sealing agenda, is supposed to help the affected Inuit. After analysing the NGO materials I came to a conclusion that the NGO narrative comes from the strict distinction between commercial and subsistence hunting which will be discussed in detail in the next chapter. In short, it is often stressed out by Inuit that all Inuit hunts have a commercial aspect to it. They are part of the industry, and there is an inseparable connection between Inuit and southern Canadian seal hunts as the Inuit need the same trade routes to sell their products. Nonetheless it remains unclear why NGOs believe that their campaigns will impact indigenous and non-indigenous hunting separately, especially given the fact that the NGOs themselves did not make any effort to distinguish the two until recently. Recent statements such as “IFAW has never campaigned against Inuit seal hunting – period”¹²³ ignore decades of painting a negative picture of seal hunting by the NGOs which successfully destroyed its reputation and market demands in general. To comment on the lack of effort in the past IFAW claims that

“If you had never seen those massive piles of skins and carcasses, the hundreds of sealing vessels and their helicopters, you could be forgiven for thinking that there is no difference between the East Coast seal hunt and Inuit seal hunting.”¹²⁴

The purpose of such a statement is purely to distance IFAW from any responsibility for the impact their campaigns have on Inuit communities. The blame for the challenging socio-economic situation in the Arctic communities due to lack of income from seal hunting is also often put on poor management of the Canadian government. The IFAW, for example, continues to “urge the Government of Canada to take measures to ensure that the inevitable disappearance of global markets for seal fur does not negatively impact Inuit livelihoods”¹²⁵ Sea Shepherd’s Paul Watson goes even so far to suggest that Inuit are themselves to blame for the hard socio-economic situation as “with the Inuit leadership willing to demonstrate solidarity with the White commercial hunters, the Inuit voluntarily included themselves in the ban on all seal products.”¹²⁶

¹²³ “Differences between Inuit, Canada’s East Coast Seal Hunts”, Sheryl Fink, IFAW website, <https://www.ifaw.org/european-union/news/differences-between-inuit-canada%E2%80%99s-east-coast-seal-hunts> (accessed 5.3.2019).

¹²⁴ „The Question of Inuit Seal hunting: Sealfies, Subsistence Sealing and Commercial Sealing“, Sheryl Fink, Harpseals website, https://www.harpseals.org/politics_and_propaganda/inuit_seal_hunting.php (accessed 12.3.2019).

¹²⁵ IFAW, *Canada’s Commercial Seal hunt: Past, Present and Future* (Ottawa: IFAW, 2016), 8.

¹²⁶ “I do not apologize for opposing the slaughter of seals“, Paul Watson, Pamela Anderson Foundation website, <https://www.pamelaandersonfoundation.org/news/2016/1/27/i-do-not-apologize-for-opposing-the-slaughter-of-seals-by-captain-paul-watson> (accessed 10.7.2019).

Greenpeace is the only activist group that has acknowledged its role in the current hardships of Inuit communities, claiming that their campaigns in the 1970s and 1980s “didn’t adequately distinguish between the inhumane and cruel industrial hunt and the traditional one. The results were devastating to many Arctic Indigenous communities”¹²⁷ consequently stopping its anti-sealing campaign and not renewing it to lobby for the 2009 Seal ban. In the context of the renewed anti-sealing campaigns in the early 2000s, Greenpeace continued to defend its position. Paul Watson, a co-founder of Greenpeace, was enraged by the standpoint of the organization on sealing commenting that “None of these Greenpeace apologists today were there. They did not see the clubs smashing the skulls of seal pups, they did not see the hot blood steaming on the ice, they did not see them being skinned alive nor hear their screams. They did not see the anguish of shocked mother seals desperately trying to nurse the skinned bodies of their babies.”¹²⁸

Even though Greenpeace has not extended its support of seal hunting beyond its official statement, it has worked on re-establishment of Inuit-Greenpeace relations by actively stepping up to assist Inuit protest against seismic testing in Clyde River, Nunavut¹²⁹ and hopefully paving the way for deeper cooperation and knowledge exchange between environmental activists and indigenous communities.

4. Economic dimension

Even though the anti-sealing NGOs, as well as the EU, stated on multiple occasions that the anti-sealing campaigns and the EU Seal ban did not intend to threaten socio-economic interests of Inuit communities in Canada, both the campaigns, as well as the EU regulation, continue to have significant implications for the indigenous communities in Canada. The following chapter, therefore, focuses on the socio-economic dimension of the seal hunting debate.

The socio-economic importance of seal hunting to Inuit was acknowledged by the EU multiple times in the process of drafting and adopting the Seal ban. The involved European

¹²⁷ “Where does Greenpeace stand on Seal hunting?”, Greenpeace USA website, <https://www.greenpeace.org/usa/where-does-greenpeace-stand-on-seal-hunting/>

¹²⁸ “I do not apologize for opposing the slaughter of seals“, Paul Watson, Pamela Anderson Foundation website, <https://www.pamelaandersonfoundation.org/news/2016/1/27/i-do-not-apologize-for-opposing-the-slaughter-of-seals-by-captain-paul-watson> (accessed 10.7.2019).

¹²⁹“Clyde River’s case against seismic testing at the Supreme Court of Canada”, Greenpeace Canada website, <https://www.greenpeace.org/canada/en/press-release/310/clyde-rivers-case-against-seismic-testing-at-the-supreme-court-of-canada/> (accessed 15.7.2019).

institutions agreed that “this regulation should not have an impact on Inuit seal hunting”¹³⁰ which was an objective repeated in multiple EU documents before the adoption of the Seal ban, including the EU first Arctic Policy in 2008. The need to include a paragraph defending the upcoming Seal ban in the 2008 EU Arctic policy stating that

“The Community is currently considering banning the placing on the market, import, transit, and export of seal products” and that this European measure “(...) should not adversely affect the fundamental economic and social interests of indigenous communities traditionally engaged in the hunting of seals”¹³¹

highlights the awareness of the European Union that seal hunting plays a significant role in the lives of Arctic inhabitants and is a controversial issue, one that could affect the future EU-Arctic relations. Through Regulation (EC) No 1007/2009 and Implementing Regulation (EU) No 737/2010, all import of seal products to the European Union was banned nevertheless Inuit were granted an exception from the Ban in order to avoid potential conflict and any harm it would cause the Inuit communities. The final version of the Seal ban adopted in 2009 established that

“The fundamental economic and social interests of Inuit communities engaged in the hunting of seals as a means to ensure their subsistence should not be adversely affected. The hunt is an integral part of the culture and identity of the members of the Inuit society, and as such is recognized by the United Nations Declaration on the Rights of Indigenous Peoples. Therefore the placing on the market of seal products which result from hunts traditionally conducted by Inuit and other indigenous communities and which contribute to their subsistence should be allowed.”¹³²

The Implementing Regulation issued by the European Commission specified the conditions for the placing on the market of seal products. The seal products allowed to enter European market had to come from seal hunts traditionally conducted by Inuit or other indigenous communities which have a tradition of seal hunting in the community and in the geographical region; seal hunts where the seals were at least partly used, consumed and processed within the communities according to their traditions and seal hunts which contribute to the subsistence of the community.¹³³ The initial wording of the Inuit exception was highly criticized mainly for its missing animal welfare reference. As stated in Regulation No 1007/2009, the main objective was to address “concerns of citizens and

¹³⁰ European Parliament, *Declaration of the European Parliament on banning seal products in the European Union* (Strasbourg: European Parliament, 2006).

¹³¹ European Commission, “The European Union and the Arctic Region”, 5.

¹³² European Parliament, “Regulation (EC) No 1007/2009 on trade in seal products”.

¹³³ European Commission, *Commission Regulation (EU) No 737/2010 laying down detailed rules for the implementation of Regulation (EC) No 1007/2009* (Brussels: European Commission, 2010).

consumers about the animal welfare aspects of the killing and skinning of seals."¹³⁴ Nevertheless, the Inuit exception, as defined in 2009/2010, did not mention animal welfare at any point, making the main objective of the legislation questionable. The Inuit exception focused on defining the identity of the hunter who can place products on the EU market rather than defining an acceptable method of the hunt which would address animal welfare concerns more suitably.¹³⁵

The second point that was questioned was the potential misuse of the three conditions as not only indigenous hunters but also many non-indigenous hunters from Canadian Atlantic communities can prove a tradition of seal hunting in the community and the geographical region, partial use, consumption, and processing of the seal as well as contribution to the subsistence of the community. Both points were addressed in Regulation (EU) 2015/1775 amending Regulation No 1007/2009. The adjusted Inuit exception that is currently in place allows for seal products to enter the EU market if

“the hunt has traditionally been conducted by the community; the hunt is conducted for and contributes to the subsistence of the community, including in order to provide food and income to support life and sustainable livelihood, and is not conducted primarily for commercial reasons; the hunt is conducted in a manner which has due regard to animal welfare in a manner which reduces pain, distress, fear or other forms of suffering experienced by the animals hunted to the extent possible, taking into consideration the way of life of the community and the subsistence purpose of the hunt.”¹³⁶

Despite the inclusion of an Inuit exception, the EU ban had a significant impact on the Inuit communities in Canada. The estimated number of seals annually harvested in Nunavut is 40.000 animals that are consumed and processed by the communities. The skins that are not used within the community are then sold. In 2006 approximately 8.000 sealskins were sold to the European Union, accounting for 20 % and more of the Inuit sealskin trade. In contrast, since the adoption of the trade ban, Inuit have been able to export less than 4.000 sealskins to the EU annually.

Furthermore, the prices of sealskins are determined by world market demand, which was significantly influenced by the adoption of the EU ban. The market interest in seal products started to decline after the adoption of Declaration of the European Parliament on banning

¹³⁴ European Parliament, “Regulation (EC) No 1007/2009 on trade in seal products”.

¹³⁵ Martin Hennig, "The EU Seal Products Ban: Why Ineffective Animal Welfare Protection Cannot Justify Trade Restrictions under European and International Trade Law".

¹³⁶ European Parliament, *Regulation (EU) 2015/1775 Amending Regulation (EC) No 1007/2009 on trade in seal products* (Strasbourg: European Parliament, 2015).

seal products in 2006 and its subsequent endorsement by Parliamentary Assembly of the Council of Europe. According to data released by the Government of Nunavut in 2012, both sales volume, as well as average price, decreased dramatically since the EU ban entered the picture with the average price of sealskin going down from over 70 CAD in 2005 to 55 CAD in 2007. After the adoption of the Seal ban the prices dropped dramatically in 2009 and 2010 and stabilized on slightly over 15 CAD in 2011. In terms of the EU seal market, the Nunavut total seal sales revenue from skins sold to the EU consistently exceeded 400.000 CAD, in the three years before the adoption of the EU Seal ban. Between 2007 and 2009 the sales volume decreased by more than half and nowadays less than 4.000 sealskins are sold annually. Combined with the decline in prices for seal skins, the EU seal skin market currently generates sales revenue of less than 100.000 CAD, which is a drop of more than 75 % since the EU Seal ban was suggested by the European Parliament in 2006.¹³⁷

It is important to acknowledge that the timing of the European Seal ban correlates with the timing of the global financial crisis. Seal products as luxury goods are more likely to be affected by the economic crisis, and thus the state of world's economy in 2008 and 2009 likely contributed to the sharp decline in price and sales volume of seal products. Even though the EU could not have predicted the Financial Crisis, it is hard to believe that the EU did not expect the Inuit communities to be affected by the Ban. According to the impact assessment conducted for the EU by COWI in 2008

"The impact on the Inuit population follows the impact on the local economy. (...) policy measures that have an adverse impact on the image of seal skins and other seal products will have a negative impact on the Inuit population anyway."¹³⁸

The reality is that Inuit sealskin production is not sufficient to generate international market interest on its own. The Inuit seal trade, therefore, benefits from the trade connections of the much larger non-indigenous seal hunts.¹³⁹ Once the non-indigenous trade routes disappear, the Inuit seal trade suffers as well. Furthermore, in March 1983 the Council adopted a Directive 83/129/EEC which prohibited the import of harp and hooded seal pup products into the EU. Similarly to the 2009 Seal ban, it was established that "(...) hunting, as traditionally practiced by the Inuit people, leaves seal pups unharmed and it is

¹³⁷ Government of Nunavut, *Report on the Impacts of the European Union Seal Ban* (Iqaluit: Government of Nunavut, 2012), 5.

¹³⁸ COWI, „Potential Impact of a Ban of Products Derived from Seal Species“,102.

¹³⁹ Government of Nunavut, “Report on the Impacts of the European Union Seal Ban”,3.

therefore appropriate to see that the interests of the Inuit people are not affected."¹⁴⁰ Thus the Directive "shall only apply to products not resulting from traditional hunting by the Inuit people."¹⁴¹ Even though an exception for Inuit was included and the main objective was to target commercial seal hunting, the 1983 Directive resulted in a crash of the seal market which impacted the Inuit just as dramatically as non-indigenous hunters.¹⁴² As George Wenzel points out

"Inuit cash income from sealing dropped by nearly 85 %. The immediate effect was a decline in all types of Inuit harvesting because the same equipment [snowmobiles, guns, canoe, and motor] used for seal hunting was important to almost all wildlife harvesting. As a result, the overall quantity of country food normally available to Inuit communities also declined."¹⁴³

Considering the results of the impact assessment conducted for the EU prior to adoption of the Seal ban along with the well-known impacts of the Seal Pups Directive from 1983, it is arguable that the EU was well aware of the potential impact of the 2009 Seal ban yet decided to act on the public pressure and enact the Ban despite the condemning evidence.

The EU position was possibly based on the inclusion of Inuit exception in the Ban however its effectiveness remains questionable as well as to what extent is the Inuit exception a symbolic measure. For instance, the wording of the Regulation No 1007/2009 allows Inuit to sell sealskins and seal products to EU manufacturers. However, anything manufactured from the Inuit seal products by non-Inuit would be illegal to place on the EU market as it would no longer be considered an Inuit seal product. The Inuit were therefore allowed to place their products on the EU market, but finding a buyer became extremely challenging. Even more importantly, the Implementing Regulation No 737/2010 establishes that in order to clarify whether a seal product is coming from a hunt that fulfills all the above-mentioned conditions,

"(...) a mechanism should exist by which recognised bodies issue documents attesting that seal products are compliant with the requirements laid down in Regulation (EC) No 1007/2009."¹⁴⁴

As of August 2010, when the Seal ban came into effect, there were no recognised bodies in Canada that would be able to issue a document attesting that seal products are compliant

¹⁴⁰ The Council of the European Union, *Council Directive 83/129/EEC* (Brussels, Council of the European Union, 1983).

¹⁴¹ *Ibid.*,

¹⁴² Albert H. Malouf, "Seals and Sealing in Canada: Report of the Royal Commission", 43.

¹⁴³ George Wenzel, *Animal Rights, Human Rights: Ecology, economy and ideology in the Canadian Arctic* (Toronto: Toronto University Press, 1991), 53.

¹⁴⁴ European Commission, "Commission Regulation (EU) No 737/2010 laying down detailed rules for the implementation of Regulation (EC) No 1007/2009".

with the EU requirements, and therefore there was no way the Canadian Inuit could use the EU exception to place their seal products on the market. The Department of Environment of the Government of Nunavut was added on the list of recognised bodies in October 2015, five years after the Seal ban came into effect as a result of WTO dispute. The Government of Northwest Territories of Canada was added in February 2017.¹⁴⁵

In order to support the seal hunting practice after the EU Seal Regime was upheld by the WTO, the Canadian federal government started to focus on securing the Inuit access to EU market. As a result, Certification and Market Access Program for Seals (CMAPS) was established. CMAPS committed 5.7 million CAD over five years to fund the development of a certification system that would ensure that Inuit seal products can be sold to the European Union.¹⁴⁶ It also committed to support broader sealing industry and provide advice and training to Inuit on how to start and manage small seal businesses. The funds allocated through CMAPS are to be used to fund projects to increase the amount and market value of seal products and make EU markets more accessible to Inuit.

Furthermore, the Nunavut Department of Environment, the section of Fisheries and Sealing currently supports multiple projects aiming to make seal hunting affordable to Inuit hunters and help them sell their products. The Commercial Fisheries Freight Subsidy offers to cover up to 50 % of the cost of transporting products to markets outside of Nunavut. The Fur Pricing Program established in response to seal market crash in 1983 and currently managed by the Nunavut government helps the hunters sell their sealskin at competitive prices. Through the Fur Pricing Program, the government of Nunavut purchases sealskins from the hunters pays a guaranteed price of at least 30 CAD per skin upfront and transports the skin for marketing to national and international buyers to a bi-annual auction in North Bay.¹⁴⁷ Nonetheless, the number of sealskins the government of Nunavut can purchase through this program depends on the market interest and price of the skins. Despite the indisputably essential efforts of the federal government to provide funding and relieve the hunters from the high costs of marketing the seal products, there has been little to no effort

¹⁴⁵ “Trade in Seal Products”, European Commission website, https://ec.europa.eu/environment/biodiversity/animal_welfare/seals/seal_hunting.htm (accessed 8.7.2019).

¹⁴⁶ „Growing Trade and Expanding Markets“, Budget Plan 2015, Government of Canada website, https://www.budget.gc.ca/2015/docs/plan/ch3-5-eng.html#Supporting_the_Canadian__Sealing_Industry (accessed 22.7.2019).

¹⁴⁷ “Fisheries and Sealing Programs”, Government of Nunavut, Department of Environment website, <https://www.gov.nu.ca/environment/information/fisheries-and-sealing-programs> (accessed 22.7.2019).

to join forces with the Inuit and try to counter-balance the prevailing narrative of seal hunting being a primitive, barbaric and unnecessary practice.

The fact, that no effort was made by the EU to ensure the functionality of the Inuit exemption, improve its visibility, or inform the consumers, did certainly not help the Inuit situation either. The pledge to honor indigenous rights in inviting them to participate in decision-making matters which would affect them, as well as the pledge to honor the indigenous right to a free, prior and informed consent, was put aside, and a more paternalistic attitude was adopted, where the Inuit perspective and knowledge is not considered equal to the European. Adoption of the EU Ban without proper consultation with the Inuit brings us to another controversial point of the Regulation, and that is its ambiguity along with the use of terms that can be interpreted differently depending on the perception. In terms of the economic dimension of the debate, the distinction between commercial and subsistence hunting is especially problematic.

4.1 Commercial vs. Subsistence

As stated in the Inuit exception, the import of seal products into the EU is allowed if “the hunt is conducted for and contributes to the subsistence of the community, including in order to provide food and income to support life and sustainable livelihood, and is not conducted primarily for commercial reasons.”¹⁴⁸

It is clear that the EU strongly condemns the hunting for commercial purposes nevertheless it is unclear whether the EU truly understands the reality of Inuit seal hunting as from Inuit point of view, it is challenging to distinguish commercial from subsistence hunts clearly, and consequently it is challenging to consider the two as two separate types of hunting.

Subsistence for Inuit is not only about food production and the number of seals caught, but it is a dynamic and complex set of beliefs and practices that stand for a specific way of life. Food production is an important part of Inuit subsistence. Nevertheless, subsistence from the Inuit point of view is not limited only to food production. The reality of Inuit seal hunting is that it works within a system that can be described as a mixed and social economy. Living in a mixed economy ultimately means the Inuit depend on material resources such as money and equipment in order to be able to keep hunting and meet their nutritional and cultural needs. The concept of social economy is based on sharing and redistribution of resources which has been the guiding principle of Inuit culture and society

¹⁴⁸ European Parliament, “Regulation (EU) 2015/1775 Amending Regulation (EC) No 1007/2009 on trade in seal products”.

for millennia. While the redistribution of resources played an essential part in Inuit survival in the past, the change to the modern economy has made it even more important as hunting requires a considerable investment of time, which not all Inuit can make as it often conflicts with the demands of waged employment.¹⁴⁹ As demonstrated by the 2017 Aboriginal Peoples Survey, 33 % of Inuit in Nunavut claim that they do not participate in hunting activities for the lack of time.¹⁵⁰

As a result of Canadian Government social policies as well as the need for establishing a presence in the Arctic to defend Canadian sovereignty in the region, Inuit were centralized into permanent settlements. The new lifestyle meant additional costs the Inuit did not have to bother with while living nomadically, such as paying rent, and consequently Inuit became dependent on money as much as everyone else. Money for purchasing and maintaining modern hunting equipment has become an essential subsistence resource as the settlements were not chosen for its ideal access to hunting grounds. The hunters suddenly had to travel longer distances, remain longer on the ice and therefore needed better equipment. Rapidly changing climatic conditions in the Arctic have increased the unpredictability of the environment, making hunting without proper equipment the more dangerous. As the Inuit explain

“(…) hunting is an expensive business since life has become incredibly expensive in the North. A hunter needs at least \$15,000 to \$30,000 worth of equipment. In the summer, he needs a canoe or boat, an outboard motor, and other equipment. In the winter he needs a snowmobile because the animals he hunts are far away. Because travel for several days or weeks is necessary, he also needs to carry a two-way radio with him in case of equipment break-down or emergency. Very often, weather gets bad for several days and when hunters carry a radio it makes it easier for rescue teams to locate them.”¹⁵¹

By the 1960s the seal skins, as well as processed seal products that were not utilized by the community, became a valuable source of income for Inuit hunters and the Inuit seal hunt gained a commercial aspect to it. As Alethea Arnaquq-Baril, the producer of the documentary *Angry Inuk* underlines, all contemporary Inuit seal hunting is commercial.¹⁵²

¹⁴⁹ George Wenzel, “Canadian Inuit subsistence and ecological instability – if the climate changes, must the Inuit?” (2009): 92.

¹⁵⁰ Statistics Canada, *Harvesting activities among First Nations People living off reserve, Métis and Inuit: Time trends, barriers and associated factors* (Ottawa: Government of Canada, 2019) available at <https://www150.statcan.gc.ca/n1/pub/89-653-x/89-653-x2019001-eng.htm> (accessed 14.7.2019).

¹⁵¹ Aaju Peter, “The Seal: An Integral Part of Our Culture,” 168.

¹⁵² Alethea Arnaquq-Baril, „Angry Inuk“.

Arctic communities are part of the world cash economy and need monetary resources for surviving and developing their economy and society. As George Wenzel sums it up

"Money is important, because for traditional resources to be captured effectively, even the most traditional hunter must have sufficient money to operate and maintain, not to mention periodically renew, a complex and expensive set of tools that include snowmobiles, firearms, and outboard engine-equipped boats."¹⁵³

Monetary income from the sale of seal by-products allows hunters to maintain their way of life by making it possible to cover rising costs of hunting equipment, ammunition, and fuel, enabling seal hunting to become an economically sustainable practice. The declining prices of seal products due to destroyed reputation and lack of market interest limit the Inuit ability to cover the expenses and continue hunting. Seal hunting becomes not only not profitable but more importantly, not affordable to the hunters. According to APS, the percentage of Inuit participating in hunting declined from 70 % in 2006 to 58 % in 2017, and 29 % of Inuit in Nunavut identified the lack of money for equipment and supplies as their primary reason for not participating in hunting activities.¹⁵⁴ Removing the option of hunting not even leads to a loss of cultural identity but also increases Inuit food insecurity. As mentioned above, the Inuit way of life, as well as the diet, has changed significantly in the last decades, and nearly all Inuit live in settled communities, participate in the wage economy and have access to a variety of food available in grocery stores, shipped to the Arctic communities from southern Canada. Nonetheless, seals continue to have great importance to the Inuit nutritional and mental well-being as well as to Inuit food security. For instance, in 2006, around 65 % of Inuit lived in a household where more than half of the meat and fish consumed was harvested country food.¹⁵⁵ However, due to the Inuit dependence on wages, the changing Arctic environment and consequently the increasing cost of hunting equipment, fewer people are able to hunt full-time, limiting the community access to country foods, increasing the dependence on food from the stores and the Arctic food insecurity along with it. Although Inuit can buy their food in grocery stores, the distance, lack of infrastructure and harsh Arctic conditions make the transportation costs high, and consequently fresh, and nutritious food is significantly more expensive in Arctic

¹⁵³ George Wenzel, "Canadian Inuit subsistence and ecological instability – if the climate changes, must the Inuit?" (2009): 93.

¹⁵⁴ Statistics Canada, "Harvesting activities among First Nations People living off reserve, Métis and Inuit".

¹⁵⁵ Statistics Canada, *Aboriginal Peoples Survey, 2006: Inuit Health and Social Conditions* (Ottawa: Government of Canada, 2006) available at <https://www150.statcan.gc.ca/n1/pub/89-637-x/89-637-x2008001-eng.htm#a6> (accessed 7.6.2019).

communities than in southern Canada. According to 2017 Food Price Survey, inhabitants of Nunavut “can expect to pay around 2.2 times the price in the rest of Canada for the same items”¹⁵⁶ with some items such as flour, carrots or toothpaste being up to 3 times more expensive than in the rest of Canada. Moreover, the annual median Inuit income is 24.502 CAD, whereas the average for the rest of Canada, where prices are two times lower than in Nunavut, is approximately 10.000 CAD higher. As a result of multiple factors, including the high cost of living, low income, and limited hunting options and access to country food, approximately 70 % of Inuit households are currently classified as food insecure.¹⁵⁷ Additionally, the processed and “junk” food is an unhealthy alternative that is not suited for life in the far north. As one Inuit elder put it, “When one eats seal, you are full all day. When you eat packaged foods, two hours later you get cold. If you eat Inuit food, you stay warm.”¹⁵⁸ Traditional locally harvested country food, therefore, continues to be the best option for Inuit in terms of nutrition, health, and culture.

Making the option of seal hunting not affordable to Inuit hunters ultimately deprives the Inuit of their traditional food and one of the few income opportunities they have control over. Moreover, it forces Inuit to search for other ways to earn money to cover their expenses that do not necessarily go well together with Inuit culture. Mining and drilling are one of the options Inuit have as the resource extraction industries are one of the fastest-growing industries in Nunavut. In 2011 mining, quarrying and oil and gas extraction accounted for 18 % of Nunavut GDP whereas in 2018 it was already 23 %.¹⁵⁹ Although there are multiple different opinions on whether to support resource extraction or not among Inuit themselves, being involved in the extractive industry is often the only option for Inuit to earn enough money for living. Nonetheless, the participation of Inuit in resource extraction industries brings them once again in conflict with environmental conservation groups, Greenpeace among them. Greenpeace’s campaign Save the Arctic that is focused on stopping oil drilling in the Arctic does not sit well with many Inuit who point out that by trying to block oil exploration that was authorized by Inuit, Greenpeace

¹⁵⁶ Nunavut Bureau of Statistics, *2017 Food Price Survey* (Iqaluit: Nunavut Bureau of Statistics, 2017) available at http://www.stats.gov.nu.ca/Publications/Historical/Prices/Food%20Price%20Survey,%20Select%20Items%20Comparison%20Nunavut_CanadaCPI%20StatsUpdate,%202017.pdf (accessed 23.7.2019).

¹⁵⁷ Inuit Tapiriit Kanatami, *Inuit Statistical Profile 2018* (Ottawa: ITK, 2018) available at <https://www.itk.ca/wp-content/uploads/2018/08/Inuit-Statistical-Profile.pdf> (accessed 6.7.2019).

¹⁵⁸ Lougheed, “The Changing Landscape of Arctic Traditional Food,” A390.

¹⁵⁹ Nunavut Statistics Bureau, *Nunavut Real GDP by Industry 2011-2018* (Iqaluit: Nunavut BUreau of Statistics, 2019) available at <http://www.stats.gov.nu.ca/en/Economic%20GDP.aspx> (accessed 22.7.2019).

indicates that the Inuit are incapable of managing their environment and that the Arctic needs to be saved from them as well. In this context, the environmental campaigns essentially result in cultural and economic oppression as they not only deny Inuit the benefits of their land and resources but also interfere with the way Inuit occupy and use their land and are thus labeled by some as the epitome of eco-colonialism.¹⁶⁰ The need for greater cooperation and communication between Inuit and animal welfare/environmental NGOs is, therefore, apparent. Although the Arctic mining and oil drilling and the Inuit perception of it, is a subject for a whole new debate, I believe it is important to highlight the vicious circle of Inuit reality the anti-sealing discourse creates.

The EU shows signs of understanding of the Inuit realities and that the Inuit seal hunting is not purely subsistence-based. If it were, there would be no need for an Inuit exception setting the conditions for Inuit seal trade with the EU. However, the legislation is full of contradictions. For instance, the indigenous exception allows subsistence hunting, "including in order to provide food and income to support life and sustainable livelihood" but condemns seal hunting as a commercial activity in the next sentence, creating a Catch-22 situation when looking at it from Inuit point of view. The sealskins are sold as a by-product of Inuit food production hunt nevertheless the income from the commercial transaction is crucial in order to be able to continue the food production hunt. Moreover, subsistence, as well as commercial Inuit hunting, involves the same hunters, equipment, and methods posing yet another challenge in the distinction between the two. Furthermore, Regulation 2015/1775 includes a paragraph stating that

"(...) seal hunting is an integral part of the socio-economy, nutrition, culture and identity of the Inuit and other indigenous communities, making a major contribution to their subsistence and development, providing food and income to support the life and sustainable livelihood of the community, preserving and continuing the traditional existence of the community."¹⁶¹

which is a highly insightful statement. However at the end of the day the reality of the Seal ban, including the ineffectiveness of the Inuit exception, the destroyed reputation of seal products along with the lack of effort to consult the issue with Inuit or inform consumers about sustainable, humanely harvested Inuit seal products, prevents Inuit from economically benefiting from natural resources and consequently threatens the very Inuit socio-economic security the EU conveys the impression of understanding. To sum up,

¹⁶⁰ Anthony Speca, "Greenshit go home" (Paper presented at University of Chichester, March 28, 2014).

¹⁶¹ European Parliament, "Regulation (EU) 2015/1775 Amending Regulation (EC) No 1007/2009 on trade in seal products".

merely acknowledging that seal hunting is an integral part of the socio-economy, nutrition, culture and identity of the Inuit is an insufficient effort in enabling Inuit to profit from seal hunting trade.

The missing effort to conduct a real debate on the depth of Inuit dependence on seals is not only a trait of the European Union in the seal hunting conflict. In the aftermath of the EU Seal ban, multiple NGOs took the effort to clarify that the Inuit seal hunting is not the anti-sealing campaign's target making the lack of communication and understanding between Inuit and animal welfare organizations painfully visible. The debate between animal welfare organizations and Inuit continues to be limited to official statements by the NGOs acknowledging the role of seal hunting to Inuit communities nevertheless making little to no effort to hear the Inuit arguments out and make amends. IFAW 2016 seal hunting brochure suggests that "Traditional seal hunting is central to Inuit cultural identity, and will continue regardless of global demand for seal products."¹⁶² I believe that the paragraphs above show that the seal hunting issue is much more complicated than IFAW suggests. Furthermore, the possibility of Inuit participation in the modern economy is dismissed, for instance, by Sea Shepherd whose members do "not oppose subsistence hunting by traditional people practicing traditional cultures utilizing traditional hunting practices." Nevertheless, they "(...) do not support the killing of seals by aboriginal communities for export outside of their communities,"¹⁶³ showing limited understanding of the inseparable connection between commercial and subsistence hunting. Possibly based on these narratives, Western society sees and allows Inuit seal hunting as a subsistence driven practice only, and the idea of Inuit seal hunting for commercial profit does not sit well with some as reflected in comments such as "Don't want colonization then don't do this. No more aboriginals selling culture for money!"¹⁶⁴

The animal welfare campaigns also often argue that the seal hunt is not a crucial industry, generates minimal economic revenue for the hunting communities and therefore is economically as well as environmentally unnecessary.

Although the hunting season is limited for commercial seal hunting, according to DFO data, some sealers report that the profit from seal products makes up to 30 % of their

¹⁶² IFAW, *Canada's Commercial Seal hunt: Past, Present and Future* (Ottawa: IFAW, 2016), 8.

¹⁶³ "Frequently Asked Questions – Seal Hunting", SSCS website, <http://www.seashepherd.org/seals/seals-faq.html#16> (accessed 5.3.2019).

¹⁶⁴ „Anti-seal hunt rhetoric ignores facts and suppresses Indigenous culture“, The Globe and Mail website, <https://www.theglobeandmail.com/opinion/anti-seal-hunt-rhetoric-borne-of-long-legacy-of-suppression-of-indigenous-food/article36565128/> (accessed 2.5.2019).

income.¹⁶⁵ In terms of Nunavut, it was established above that only the EU market for sealskins accounted for around 20 % of Nunavut's seal trade. The approximate food replacement value of seal meat consumed by Inuit is around 5 million dollars.¹⁶⁶ However, the approximate food replacement value does not take into account other valuable factors of subsistence hunting such as food security, health benefits, cultural importance, strengthening social connections, etc. and therefore the value of seal hunting for Inuit is much higher. Although seal hunting as industry contributes next to nothing to Nunavut's GDP¹⁶⁷, its importance in terms of cultural well-being and food security is innumerable.

4.2 Defining traditional

The use of ambiguous terms such as subsistence or tradition in the sealing debate presents a significant challenge. It was established earlier that the lack of understanding, and more importantly, the lack of effort to understand a different point of view, is quite problematic. That is because it leads to resuming to own interpretations and definitions of someone else's reality. From this point of view, the European Seal ban, specifically the Inuit exemption, is highly controversial. For instance, Amending Regulation (EC) 2015/1775 allows "the placing on the market of seal products which result from hunts traditionally conducted by Inuit and other indigenous communities." The wording of the Regulation sparked a debate, especially about the meaning of a phrase "traditionally conducted by Inuit." Some argued that the wording implies hunt conducted by traditional equipment and methods, questioning to what extent can be Inuit contemporary seal hunts considered traditional, for modern equipment such as high powered rifles or snowmobiles is involved.¹⁶⁸ Following the logic of these claims, the use of modern technology would automatically equal the loss of tradition and culture as it suggested that traditional and modern are two opposites that cannot coexist. George Wenzel addresses these claims by applying the same standards to western culture and argues that

¹⁶⁵ "Seals and Sealing", DFO website, <https://www.dfo-mpo.gc.ca/fisheries-peches/seals-phoques/index-eng.html> (accessed 25.7.2019).

¹⁶⁶ "Nunavut Economy", Government of Nunavut website, <https://www.gov.nu.ca/eia/documents/nunavut-economy> (accessed 22.7.2019).

¹⁶⁷ Nunavut Statistics Bureau, „Nunavut Real GDP by Industry 2011-2018“.

¹⁶⁸ George Wenzel, „I was once Independent: The Southern Seal Protest and Inuit“ *Anthropologica* 29, No. 2 (1987): 201.

“We recognize that our own cultural traditions are founded on philosophical values, not cars and skyscrapers, yet we fail to make that leap in our appreciation of Inuit culture.”¹⁶⁹

These claims also completely omit the colonial history of Inuit relations with Western society and the vicious circle that is the Inuit reality. As described above, as result of Canadian policies, the Inuit moved to permanent settlements which essentially meant additional costs of living and dependence on monetary income. They adapted to the new situation and took advantage of the booming sealskin market to earn enough money to cover the living and hunting expenses. Nonetheless, the commercial aspect of Inuit seal hunting is complicating the matter even further as it does not correspond with the Western perception and Western definition of traditional Inuit seal hunting. Paul Watson sums it up by stating that

“Supplying wealthy people with expensive seal fur products in Dubai, Tokyo, and Copenhagen cannot be defined as traditional, cultural or indigenous. Parading white models on fashion runways sporting trendy dyed seal fur is not a part of Inuit culture.”¹⁷⁰

Aaju Peter, Inuit lawyer, and activist calls this perception of Inuit seal hunting the

“(…) Bambification of Inuit culture. Europeans think that Inuit are a fiction of a Hollywood Movie, something so ancient, something to beautify and not to be changed. Europeans are trying to keep us as eskimos running around on the ice with spears and dog teams and not to be involved in modern life and not be involved in modern economy. We are not living in the stone ages. We are a part of this modern world. We are just as modern and connected to the rest of the world as any European citizen.”¹⁷¹

The different perceptions of what traditional Inuit seal hunting means, become even more problematic once the seal hunting issue gets to an institutional level and are used as a base for a regulation such as the EU Seal ban. There are multiple interpretations of what the wording of the European seal ban implies, showing the ambiguity of the European system, possibly leading to cases where it is disputable if the European conditions were met. The dispute settlement defined in Regulation 2015/1775 delegates power to the Commission

¹⁶⁹ George Wenzel, “Animal Rights, Human Rights: Ecology, economy and ideology in the Canadian Arctic“, 57.

¹⁷⁰ “I do not apologize for opposing the slaughter of seals“, Paul Watson, Pamela Anderson Foundation website, <https://www.pamelaandersonfoundation.org/news/2016/1/27/i-do-not-apologize-for-opposing-the-slaughter-of-seals-by-captain-paul-watson> (accessed 10.7.2019).

¹⁷¹ Aaju Peter, “Protecting the Inuit Way of Life“ (Lecture presented at Fredericton Playhouse, 24. April, 2017) available at <https://thewalrus.ca/protecting-the-inuit-way-of-life/> (accessed 14.5.2019).

“(…) to prohibit the placing on the market or limit the quantity that may be placed on the market of seal products (…) if there is evidence that a seal hunt is conducted primarily for commercial reasons.”¹⁷²

Meaning that in disputable seal product origin cases, the European Commission is ultimately the one who decides what subsistence hunt means, what is traditional or who is Inuit, making Inuit hunters adjust their identity according to the western definitions in order to be able to sell their products to the EU. Contemporary Inuit constantly need to prove their Indigeneity to western institutions for various purposes such as claiming land, receiving fishing and hunting rights, receiving health services, being allowed to sell seal products to the EU, etc. Moreover, the criteria are set by the respective institutions and are in the majority not unified, forcing Inuit to fulfill different criteria each time to prove their indigenous identity, subconsciously redefining it in the process. Western institutions should, therefore, avoid any attempt to define Inuit reality. Also, for the fact that any definition preserves the concept in the exact form and prevents its development, which contrasts with the Inuit perception of tradition being a dynamic, developing concept connecting the past, present, and future. To be fair, the Regulation 2015/1775 points out that in disputable cases it is important for the Commission to “carry out appropriate consultations with the countries of origin concerned and with relevant stakeholders”¹⁷³ before reaching a decision, nevertheless the need to “conduct dialogues with indigenous and other local communities traditionally engaged in the hunting of seals” is highlighted in majority of documents concerning Arctic indigenous communities yet the practical implementation of the pledge seems to be more problematic, possibly as the EU still lacks a proper forum for the indigenous members to express their concerns.

¹⁷² European Parliament, “Regulation (EU) 2015/1775 Amending Regulation (EC) No 1007/2009 on trade in seal products”.

¹⁷³ Ibid.

Conclusion

This research has examined the specific narratives of key actors involved in the seal hunting conflict and their implications. The initial hypothesis was that the seal hunting discourse is based on a colonial mindset resulting in colonial patterns of behavior that continues shaping the current world's power structure. In order to prove or disapprove this hypothesis, two main research questions were set at the beginning of this research. What is the motivation and justification for the EU Seal regime? What are the implications of the specific narratives in the sealing hunting discourse? The first chapter introduced a theoretical framework detailing the origins and patterns of colonial behavior in contemporary society. The following chapter focused on individual actors in the dispute and explained their relations to seal hunting and to each other. The first analytical chapter examined the cultural specific values and the motivations and justifications, leading to the EU Seal ban. The last chapter addressed the implications of the EU Seal ban, as well as the implications of specific narratives.

Based on thorough analysis of the EU documents related to the Seal ban the first analytical chapter demonstrated that despite the existence of substantial evidence that seal hunting methods are at least as humane as killing animals in slaughterhouses, that was provided by the Canadian government as well as by studies commissioned by the European Union, the main reason for adopting the EU Seal ban was public concern over pain and distress the perceivably cruel seal hunting methods caused the animals. Despite the efforts of the Canadian government to improve the management and monitoring of the hunt to ensure it is conducted with regard to animal welfare, the perception of seal hunting as cruel and barbaric practice prevails.

I argue that this is due to major animal welfare campaigns and the manipulative methods they utilize to reframe the narrative and swing the public to support their cause, specifically using highly emotional language in connection to the hunt, creating shocking newsworthy content for the media, distributing graphic images, assigning seals human traits, and spreading a negative perception of the hunt by labelling it barbaric, primitive, cruel, outdated and unnecessary. Although the NGOs have presented polls and data of their own, claiming a significantly higher number of seals is killed inhumanely, the EFSA report commissioned by the European Union confirmed that the studies and polls initiated by the

animal welfare advocate NGOs can include serious biases and can hardly be considered objective.

The seal hunting conflict is essentially a conflict of two culturally specific perceptions that are formed by the distinct backgrounds and realities of each culture. On the one hand, there is a hunting culture, and on the other, there is a culture that depends on farming for its food production, resulting in naturally different values. The NGO animal welfare campaigns exploit the cultural values of Western society but more importantly limit the possibility of a different point of view as in the amount of the information regarding seal hunting they produce, the information on Inuit seal hunting is very scarce and based on misunderstandings and Western perception of how Inuit reality should be. Nonetheless, this thesis demonstrated that positive development and change of attitude is possible. Greenpeace is the first of the anti-sealing NGOs that admitted their mistake and the damage their campaigns have caused the Inuit communities in the Arctic, consequently stopping their anti-sealing campaigns and putting effort into re-establishment of the Inuit-Greenpeace relations. Even though there is a continuing distrust between the NGO and Inuit based on years of conflict that is yet to be overcome, the significance of the first step Greenpeace made to build a foundation for future cooperation is indisputable. Still, there is a long way to go.

The research showed that the Inuit attempts to set the record straight and explain their reality that includes seal hunting are no match for the still dominating emotional narrative of remaining animal welfare campaigns. The Inuit online movement in support of seal hunting, for instance, resulted in death threats, accusations of child abuse, and attacks on Inuit culture.

I argue that it is mainly for the fact that the Inuit do not dispose of the resources and lack in training to effectively counterbalance the deeply rooted narrative that seal hunting is wrong which is where the assistance of the Canadian government becomes crucial. The Canadian government's approach has been focused on improving the management and monitoring of commercial hunting and questioning the Seal ban in terms of international trade regulations. Both are undeniably necessary actions; nonetheless, as this research noted the ones directly affected by the anti-sealing narrative should be the ones leading the counter-movement. Despite the fact that, to some extent, the Canadian government and Inuit share their view on seal hunting, there were no pro-sealing campaigns that would actively include the Inuit initiated by the government. Based on my research I argue that

joining forces with the Inuit and providing more support in terms of training on media campaigns as well as providing resources and funding to make Inuit perspective widely known would be more effective than Inuit and Canadian government trying to address the issue separately.

From the analyzed sources, it is clear that there are conflicting perceptions of what tradition, subsistence, and commercial seal hunting imply. The lack of consideration for Inuit point of view by the NGOs is founded on the argument that Inuit seal hunting is significantly different from the Canadian commercial hunts and therefore, the campaigns are not targeting the Inuit.

This narrative shows the lack of knowledge of Inuit conditions and realities, precisely the misunderstanding of mixed economy Inuit live in. Since Inuit were forced to permanent settlements, they have been dependent on material resources such as money and equipment in order to be able to cover their daily expenses as well as to keep hunting and meet their nutritional and cultural needs. The income from the sealskin trade allows hunters to take a break from their daily jobs and buy expensive hunting equipment that is needed to travel long distances to stay safe on the ice. Cash income from selling seal skins is therefore crucial for the seal hunting to survive as a practice, and thus it is impossible to distinguish subsistence from commercial hunts in Inuit case. The Inuit and Canadian commercial hunts might differ in methods and regulations, but the market for seal skins is only one and Inuit are part of it just as well as the commercial hunters from Newfoundland and Labrador. The Western society's denial that Inuit hunting is also done for commercial reasons and the consequent lack of support of it essentially denies the Inuit the profit from them available natural resources.

Moreover, the official statements of animal welfare groups, as well as the message of the EU Seal, ban that Inuit subsistence hunts are respected, but any commercial hunting should be condemned essentially dictates the parts of Inuit culture that are acceptable. The studied NGO materials suggest the western standpoint of supporting subsistence hunts only comes from the perception of Inuit as an isolated, underdeveloped community of indigenous peoples living in tents and igloos, and more importantly, it attempts to preserve Inuit in such perception by denying them the participation in the modern economy. This perception is highly problematic by itself but even more so when it gets to an institutional level. The institutional definitions based on this narrative such as the EU ban, essentially set the Inuit

culture in stone, denying it a chance for development and possibly force the Inuit to redefine their identity to fit the Western criteria and Western perception of their culture.

Based on official documents rhetoric, the EU demonstrates an insightful understanding of the meaning of seal hunting for Inuit, their way of life and the commercial aspect of the hunts. The very existence of an Inuit exception from the trade ban is proof of the awareness of commercial Inuit hunting, yet it implemented a regulation that threatens the Inuit way of life anyway. Even though the Seal ban includes Inuit exemption, the Canadian Inuit were not able to take advantage of it until 2015 when the EU placed the Government of Nunavut on a list of recognised bodies with the jurisdiction to issue documents proving the indigenous origin of the seal products. Furthermore, even the Inuit seal skins can now be placed on the EU market they cannot be further processed, eliminating a significant number of seal skin buyers. The devastating impacts of 1983 Seal Pups Directive on the Inuit as well as impact assessments that Inuit communities will be harmed by a trade ban on all seal products were ignored as well, dismissing the Inuit point of view completely. Even though the EU acknowledges the cultural and economic importance of seals to Inuit, there is no further discussion on the topic that would include the Inuit. Inuit effort to call attention to the challenge the EU ban represents to their communities by initiating a lawsuit at European Court of Justice fell short and was dismissed by the European Union, indicating the power imbalance between Inuit and the EU.

Even though the EU presents itself as an active advocate for indigenous rights and has undeniably pushed for progress in this area, the adoption of the Seal ban based primarily on public concern suggests that popularity plays an important role in the decision-making process and is in some cases worth more than the EU's commitments. Specifically, in this case, the commitment to ensure free, prior, and informed consent that the EU made by adopting UNDRIP in 2007.

The research has proved rather than disapproved the initial hypothesis. There are indeed colonial patterns of behaviour present in contemporary seal hunting debate. The tendency to overlook and dismiss rather than properly hear Inuit arguments by the EU as well as by the animal welfare NGOs foreshadows the power dynamics between indigenous and non-indigenous cultures and confirms that a certain hierarchy of knowledge in contemporary world structure is in place. According to Coloniality/Modernity authors, the superiority of Western knowledge aims to solidify the power structure. In the case of seal hunting, the Western institutionalized definitions of commercial and subsistence hunting as well as the

superiority of Western knowledge, in the form of EU Seal ban, limits the Inuit ability to profit from their land and resources and consequently limits their ability to hunt and maintain their culture. It forces them to conform to Western perception, further disrupting the Inuit way of life and consequently solidifying the power imbalance.

Analysed texts of the animal welfare groups describing seal hunting as a barbaric, primitive, traditional, outdated practice confirm that there is a notion that human civilization is a trajectory and the Western culture is at the peak of it, being the most modern and progressive. Achieving modernity, therefore, means accepting values that are subjectively considered modern such as that the seal hunting is bad. Such discourse, along with the dual perception that modern and traditional are two opposite sides of the spectrum and are in contrast with each other, essentially projects the Western perception and values on the Inuit, attempts to redefine their reality and identity and preserves them in the past. It does not accept the possibility of a different point of view and the value of different knowledge.

Lastly, suggestions such as that Inuit themselves are to blame for the impacts the Seal ban has on their communities for associating with the East Coast hunt and not distinguishing themselves properly is precisely the type of colonial practice of blaming victims for their victimization that was described by Enrique Dussel.

Although there is a proof of development of the discourse, it is essential to address the coloniality that is still present. The identification of the problem is a crucial step on the way to proper decolonization of the mind of the colonizers as well as the mind of the colonized. Only after we acknowledge the existing coloniality of power and the problematic language we use to maintain it, we can start correcting it and achieve substantial progress. Once the hierarchy of knowledge and feelings of cultural superiority are dismissed, we can truly benefit from a cultural exchange and reach a deeper understanding and solidarity.

Summary

Seal hunting have played a significant role in the survival of Inuit Arctic communities for millennia as parts of the animal provided for food, clothing, shelter, fuel, tools. It also encourages social interaction, influences highly valued traits in Inuit culture, and represents a thread of connection between the old and the young. While the Inuit lifestyle has changed significantly in the last decades, seal hunting continues to play a significant role in Inuit lives. Moving to permanent settlements resulted in additional costs, and the Inuit became dependent on monetary income to meet their daily needs. Due to multiple factors such as high cost of living, low income and limited access to traditional country food, up to 70 % of Inuit households currently identify as food insecure. Apart from providing food in a Canadian region with the highest food insecurity, selling excess seal skins provides for the necessary income to cover the expenses for hunting equipment to keep the tradition alive.

The increasing popularity of seal fur and the growing market demand resulted in re-emerged anti-sealing activism that successfully increased public concern over the perceivably cruel seal hunting methods. As a result of the increasing public concern and pressure, the European Parliament adopted a Regulation (EC) No 1007/2009 in September 2009, prohibiting the seal products from being imported and placed on the EU market. Even though the Seal ban includes an exception for Inuit, it proved to be highly ineffective as the demand for all seal products declined dramatically, impacting significantly Inuit way of life in the process. The purpose of this thesis was to examine the seal hunting discourse to contextualize and analyze the specific narratives of key actors involved in the dispute and the implications of those narratives. It intended to test the hypothesis that the seal hunting discourse is based on a colonial mindset and that decolonization of the mind is yet to be achieved by Western society.

Based on thorough analysis of the sources it is argued that the prevailing negative perception of seal hunting originates in cultural backgrounds and is connected to culture-specific values. Nonetheless the perception is enforced by the animal welfare campaigns that use highly emotional language in connection to the hunt, create shocking newsworthy content for the media, distribute graphic images or assign seals human traits to swing the public to their cause. Although there are signs of development and some NGOs

acknowledge that their anti-sealing campaigns are hurtful to Inuit communities, there is still continuing distrust between the NGO and Inuit based on years of conflict that is yet to be overcome and a deeper cooperation and understanding to be established. Inuit themselves do not dispose of the resources and do lack in negotiation power and in training to effectively counterbalance the deeply rooted narrative that seal hunting is wrong which is where the assistance of the Canadian government becomes crucial. Nevertheless, so far the Canadian government have not initiated joint campaigns to counter-balance the negative sealing narrative.

Furthermore the clearly conflicting perceptions of tradition, subsistence, and commercial seal hunting are highly problematic on an institutional level. The institutional definitions based on one-sided narratives such as the EU ban, essentially set the Inuit culture in stone, denying it a chance for development and possibly force the Inuit to redefine their identity to fit the Western criteria and Western perception of their culture. To conclude, the research has proved rather than disapproved the initial hypothesis. There are indeed colonial patterns of behaviour present in contemporary seal hunting debate; specifically the tendency to overlook and dismiss rather than properly hear Inuit arguments, limiting the Inuit ability to profit from their land and resources and consequently limiting their ability to hunt and maintain their culture or the notion that human civilization is a trajectory and the Western culture is at the peak of it.

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