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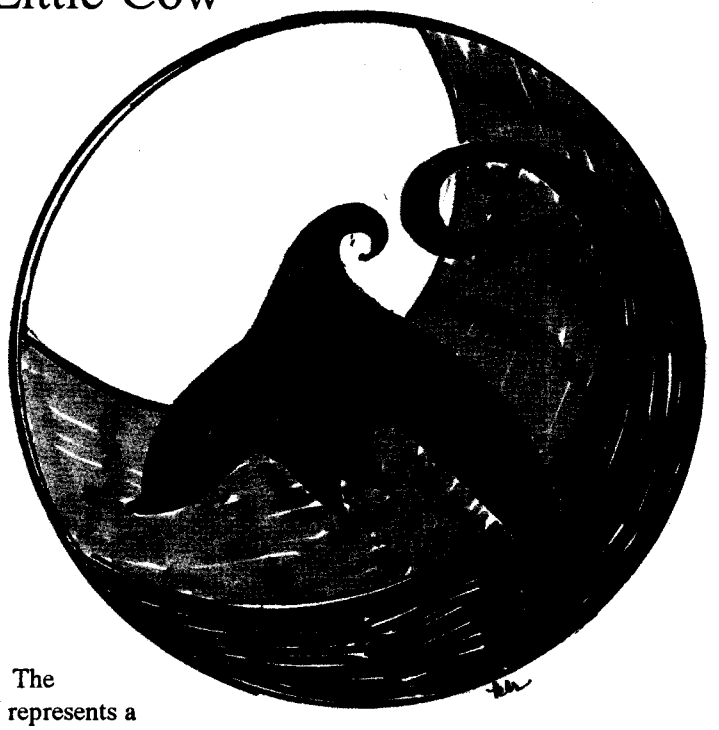
# Caught in Controversy: The Tuna, the Dolphin, and the 'Little Cow'



## Introduction

*By Arturo Gómez-Pompa*

The protection of marine mammals is part of an ongoing debate of great significance to all humanity: the conservation of nature versus economic development. Political and environmental discourse affirms that the two goals are compatible, but in reality we are far from reaching a satisfactory world-wide balance. One reason is that the perception of conservation in, let us say, Bangladesh, is very different from either U.S. or Mexican views, and the perceptions of these three countries are different from Japan's or The Netherlands'. It is extremely difficult, and perhaps unnecessary, to impose the perspectives of one country upon another. But it is desirable and possible to reach joint solutions based on scientific and objective data.

Complicating the debate are the often opposing concepts of the *preservation of nature* versus the *stewardship of natural resources*. The former means to leave nature untouched by human hands; the latter represents a search for conservation techniques that enable the prudent use and renewal of natural resources. The discussion becomes even more complex when we include the opinions of those who would extend human rights to animals, regardless of their abundance or whether they are in danger of extinction. Entangled in this issue is the practice of killing animals for food as well as for sport.

All these perspectives come into play in the consideration of two marine mammal issues currently important to both Mexico and the United States: incidental kill of vaquita (or the Gulf of California harbor porpoise) while fishing for totoaba (or the giant corbina); and incidental kill of dolphins in the eastern tropical Pacific (an area from Baja California to Peru and from the coast to 150° west) while fishing for tuna.

In July of 1992, the University of California Institute for Mexico and the United States (UC MEXUS), with the sponsorship of Mexico's Secretariat of

The essays presented in this issue were developed from the proceedings of the sixth conference in the UC MEXUS series, Critical Issues in U.S.-Mexican Relations, which was convened July 24 - 25, 1992 with support from the John D. and Catherine T. MacArthur Foundation and the Secretaría de Pesca of Mexico. Daniel W. Anderson and Saúl Alvarez-Borrego were the conference co-chairmen.

## *Inside*

Fisheries (Secretaría de Pesca) and the John D. and Catherine T. MacArthur Foundation, convened a conference to bring scientists, government officials, environmentalists, and fishermen from both countries together to discuss the perspectives entwined in the debate. The goal was to reach some informal consensus about solutions to these bilateral, marine mammal problems.

*The only lasting environmental solutions are those that take into account the dynamics of human society as well as those of natural systems. As with the Endangered Species Act, the Marine Mammal Protection Act is far from being the most common-sensical way to go about securing habitats and ecosystems without which certain animal species will be unable to survive outside of a stage-managed, zoo-like setting. For the moment, however, these two Acts are the only legal tools available to anyone working toward specific solutions for specific ecosystems.*

*It is really very important that, as tools, these two Acts should be used sensibly and carefully to secure ecosystems, and only rarely and much more judiciously in cases where the chances of species survival are small and where, relative to other factors, the likelihood of creating a wholesale backlash against the Acts themselves represents the far greater danger—one that could lead to disaster for fragile environments on a wide scale.*

*I would stress that the correct way to go about interdisciplinary applied research of environmental problems is before the application of acts of Congress to protect species becomes inevitable and, most likely, too late. There is a crying need to pursue such research in our coastal waters and those oceans where we can influence outcomes.* **(Philip Thresher**, Center for the Study of the Environment, Santa Barbara, California)

In the case of the vaquita (in English, 'little cow'), we face the basic issue of this species' very existence, for if we do not take immediate and drastic measures, our generation will be responsible for its extinction. If, on the other hand, we save it, we can be proud of having achieved a great feat with benefits not only to ourselves but also to future generations. Even better, the steps necessary to protect this charming mammal from extinction may protect other threatened species—such as the totoaba—that inhabit the extraordinarily rich waters of the Gulf of California.

While the critically serious totoaba-vaquita issue involves the indiscriminate mining of a natural resource, the tuna-dolphin issue is different. The dolphins threatened by tuna-fishing in the eastern tropical Pacific encompass species that are neither rare nor in danger of extinction. The question, rather, is about fishing techniques resulting in wasteful death or injury to mammals that humans admire for their beauty, spirit, and intelligence. The debate is also about each country's obligation to assume responsibility for fishing conducted under its flag and in its waters.

As I see it, the tuna-dolphin issue is one of conservation—wise use, or management, of a species as a *renewable* natural resource. Much of the world desperately needs inexpensive, protein-rich food, such as tuna. Any discussion of the dolphin that does not take this need into account or that does not include wise management of the tuna population itself is doomed to fail.

I would like to point out that we as humans did nothing to create fisheries. They are a gift and should be treated accordingly. Because we depend upon other species for our own existence, we must manage our use. We did not manage the totoaba fishery and now must employ emergency measures to save a fish and a porpoise. We are managing the tuna fishery using conservation measures, and so have avoided the extinction of both tuna and dolphin. Nevertheless, we must take care to continue wise management of these resources. As scientists, professionals, or simply members of the species, *Homo sapiens*, we are fortunate to possess the intelligence to enable us to find the solutions to the global ethical and economic problems represented by the totoaba-vaquita and tuna-dolphin issues—solutions upon which a better life for us all, perhaps our very survival on this planet, depends.

What follows are a summary by Daniel Anderson and Hans Herrmann of the totoaba-vaquita issue and a discussion by Saúl Alvarez-Borrego of the tuna-dolphin controversy. Each essay includes recommendations for action regarding both topics in light of the general consensus at the conference that wise management—which entails conservation techniques—of these marine mammals is critical.

In our search for management solutions we must continue the biological study of how the other organisms that share this earth, and which our actions put in danger, can survive. Only in this way will our own species endure.

*We blindly assume that once we have devastated the resources of the land, as we are doing all over the world, those of the sea will be available to us to harvest. That is a vain hope. While most people in Western Europe and North America, at least, think little of the open sea, except as a vast untouched reservoir of future food, many industries are in their third, fourth, or fifth decade of harvesting oceanic resources unchecked. We have not even begun to manage most of these harvests. And even when we do, we would do well to remember that the history of fisheries is a litany of failed attempts at management of one resource followed by equally poor management of newly exploited resources. The time will come when there are no new resources to manage.* **(Stephen Leatherwood**, chair, IUCN Cetacean Specialist Group)