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Moby, Makah, and Moral Education

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ABSTRACT: Moral Education in public schools attempts to introduce ethical issues and methods of resolving ethical disputes. Reaching consensus about ethical issues can be a complex endeavor, especially across different cultures. This paper examines a case study that puts into conflict the Makah, an indigenous people in the U.S.A, against environmentalists. The conflict is whether the Makah are justified in whaling. This paper: (1) outlines both the arguments offered in support of the Makah and presents ethical norms used by some environmentalist to make policy and personal decisions about protecting the environment, (2) examines this case and its potential for moral education in K-12 and higher education classrooms, drawing upon the three major approaches—caring, character, and developmental, and (3) speculates about the possibility of reaching consensus on this difficult dilemma.

Moby, the Makah, and Moral Education

Creating an ethical consensus about complex issues and among diverse peoples can be a daunting endeavor. We come to this conference as philosophers, psychologists, and teachers. We consider a major responsibility that we have as teachers to be moral education. This means preparing individuals to recognize and resolve ethical issues in their own lives, professional practices, and in completing the responsibilities as citizens for social and political democracy.

This paper: (1) presents a case study of an ethical dilemma, present arguments for and against the Makah whaling, (2) frames the dilemma as it might be used for moral education—through three different approaches to moral education: caring, character, and development, and (3) concludes with some conjectures about reaching consensus and with some recommendations for seekers of ethical truth and unity.

Case Study – Makah Whaling
To illustrate and provide a focus, consider the following case study that poses a conflict between a native culture and a whale. The Makah are an indigenous people whose home is what is now the northwestern-most point in the “lower forty-eight” States of the U.S. (e.g., Erikson, Ward, & Wachendorf, 2002; Tweedie, 2002) The Makah have a maritime culture. Part of their tradition is whaling. In 1994, the gray whale was removed from the list of endangered species. The Makah, citing both tradition and an 1855 treaty between the tribe and the United States, resumed whale hunting, killing one whale in May 1999 (e.g., Sullivan, 2000). For the Makah, a spiritual dimension to the whale hunt exists:

The Creator gave the Makah people the responsibility of caring for the whales, birds, medicine plants, ancestors and future generations of that corner, through ceremony and sacred ritual. The Makah people brought the whale spirit home.” (Means, 2002)

Subsequently, the Tenth Circuit Court of Appeals reversed the judgment that allowed the Makah legally to continue whaling. While the Makah are not whaling at the time this paper is prepared the issues—legally and ethically—lack resolution or consensus and are likely to be raised again.

**Exploring the Issues and Possibility for Consensus**

In an attempt to both explore the issues and to investigate the possibilities for consensus, we engaged some of our colleagues in dialogue. A discussion with Professor Ted Fortier from Seattle University provided us with several arguments supporting the Makah. We also looked to some published works of other scholars and found Gaard (2001) and Light (2004) who have responses to the points raised by Fortier. Below, we will use a point-counter-point to highlight the issues. The arguments advanced by Fortier are paraphrased, not direct quotations; Gaard and Light are quoted verbatim.

[Fortier:] Historically and legally: based on treaties, The Makah are a sovereign nation, with rights for self-determination. They have their own polices and laws. They are not subjected to state laws, though they did negotiate away certain rights and are subjected to federal laws.

[Gaard (2001):] The environmentalists who challenge the Makah’s right to hunt whales claim that these treaty rights are superceded by the International Whaling Commission [IWC] moratorium on commercial whaling, and point out that the Makah do not qualify for aboriginal whaling rights because they do not meet the IWC requirements of having an unbroken whaling tradition and a genuine subsistence need. In return, the Makah point out that their tribe was not party to the formation of the IWC, and that the United States entered into these agreements without considering former treaty obligations with the Makah; consequently, the Makah do not believe they are bound to obey the IWC rulings, and have petitioned for IWC approval simply “in the spirit of cooperation,” as a courtesy to the United States. (p. 13)
[Fortier:] Environmentalists, by imposing their values beyond their boundaries and into the M’s nation, act like missionaries who impose their subjective values on others.

[Gaard (2001):] Anti-whaling environmentalists maintain that challenging the Makah whale hunt as a cultural practice is not a form of colonialism but rather a defense of the whale. They argue that not all cultural practices are worthy of being continued, citing such examples as human sacrifice, cannibalism, bride burning, slavery, and female genital mutilation. Instead, cultural practices should be reexamined anew by each generation in light of contemporary environmental, economic, and ethical concerns. (p. 14)

[Fortier:] The Makah elders hold secrets of the tribe in whale hunting. This contributes to a respect for hierarchy and wisdom. The hunters are rigorously trained and purified. This is in contrast with situation in which men are unemployed and idle, leading to bad habits. Wives of hunters participate in the whole process, from helping husbands prepare, to praying incessantly during the hunt. Even children are inspired to learn to paddle. Paddle in the ocean requires much skills and discipline, and can’t mix with alcohol. It’s dangerous to be out in the ocean with simple equipment, and it’s not easy to get one whale. The whole whale hunting gives the Makah a positive meaning in life: we are a good people, with a mission.

[Gaard (2001):] Anti-whaling environmentalists counter that renewed cultural practices will not address the root problems, since this strategy has been tried in the past through such initiatives as the “Paddle to Seattle.” (p. 13)

[Fortier:] Finally the hunt itself is a spiritual quest. Spiritually, the Makah consider that all life participate in the Spirit. In this cosmology, animals are highly regarded as “first people.” Each nation has unique rights and responsibilities in this unified world. For the Makah, it’s to take care of the whale. The Makah are “the people of the whale.” If the whales go away, the Makah will also. It’s not that the Makah caught the whale, but the whale allows itself to be caught to provide nourishment for the Makah, resembling the Eucharist for Christians. Thus the Whale is the crux of the Makah’s spirituality. There has been a long interruption from 1880 to 1979, when Native Americans are allowed to practice their religions again. It’s crucial that they go back to their practice to reconnect to their spirituality.

[Light, 2004:] Try as I might I can’t be persuaded that the gray whale killed by the Makah in 1999 accepted its fate. While this is a view steeped in a long tradition, it does not make it correct (P.31).

As did the Makah, many environmentalists also saw spiritual issues involved, but the obligation being not to engage in or permit whaling:
Environmental spirituality embraces the notion that all living things are connected. The feeling can be particularly dramatic when it involves a 40-foot whale. “You kind of have this mutual understanding that you want to check each other out,” said Cheryl Rorabeck-Siler, an Oregon biology teacher who kayaked past the whales while preparing to block the hunt last fall. “He's purposely coming over to say, ‘Hey.’ That instant, where you can reach out and touch them, is pretty neat. An animal of that size and magnitude and intelligence is something special.” (Sorenson, 1999)

Some environmentalists protested in Neah Bay (home of the Makah and site of the hunt), in Seattle, and elsewhere. Members of one environmental organization, Sea Shepherd Conservation Society, took to boats and attempted to put themselves between the Makah whalers and their target. The issue did not, however, create unity among environmentalists; The Cousteau Society, Greenpeace, and The Sierra Club, for example, did not join in the strong condemnation of the Makah:

Greenpeace and the Cousteau Society, while endorsing the community's right to self-determination and its effort to affirm its cultural ties with whales, have proposed whalewatching as an alternative to the hunt: it would strengthen the Makah's maritime traditions as well as provide employment opportunities. (Sachs, 1997)

Another of our colleagues, Professor Loretta Jancoski from The Center for Water and Ethics at Seattle University’s Institute of Public Service, advocates an approach to environmental justice that draws upon a Christian foundation (e.g., Martin-Schramm & Stivers, 2003). This approach incorporates four ethical norms in making social policy and resolving conflicts: (1) sustainability, (2) sufficiency, (3) participation, and (4) solidarity. Below, we will examine the definition of each and the implications for the Makah/whaling dilemma.

**Sustainability:**
emphasizes that an adequate and acceptable quality of life for present generations must not jeopardize the prospect for future generations . . . [and] precludes short-sighted emphases on economic growth and also excludes long-term conservation efforts that ignore human needs and costs” (Jancoski, 2003, p. 2).

Applying this ethical norm to the issue of the Makah whaling requires some non-moral predictions about the future of the gray whale. According to Light (2004), sustainability was not an issue in this case:

From a biological standpoint, the permission to allow whaling by the Makah cannot be questioned. The Makah were allowed only to take five whales a year and the number of allocated kills was not made over and above the subsistence amount already allotted to indigenous peoples in the arctic north, but instead transferred to the Makah from that allotment. (p. 28)
Sustainability would dictate no whaling if the whale is endangered but a wider range of potential outcomes if the whale does not have endangered status.

**Sufficiency:**
emphasizes that the interests of all forms of life are entitle to those things that satisfy their basic needs and contribute to their fulfillment . . . [and] repudiates wasteful and harmful consumption, requires fairness, and encourages the virtues of humility, frugality, and generosity. (Jancoski, 2003, p. 2)

In the case of the Makah, if one concludes that their cultural and spiritual practices and beliefs are (from their own perspective) inherently connected to their basic needs, this ethical norm can support Makah whaling.

**Participation:**
emphasizes that the interests of all form of life are important and must be heard and respected in decisions that affect their lives . . . [and] is concerned with empowerment and seeks to remove all obstacles to participation by various social, economic, and political forces and institutions. (Jancoski, 2003, p. 2)

This ethical norm of participation and that of solidarity, explicated below, are strikingly similar in their attempt to promote procedural justice to the prescriptions for creating principles in an “original position” made by Rawls, (1999, 2001) and in resolving real-life moral dilemma through “moral musical chairs” as advocated by Kohlberg (1981). In the original position, Rawls would have humans agree governing principles in a situation where they are blind to the personal consequences of their decision. In “moral musical chairs,” Kohlberg recommended that individuals sequential take the perspective of every person in and affected by a moral dilemma. Both Rawls and Kohlberg concluded that equity, advancing the well-being of the least advantaged, would be the principle to be used. This in consistent with the ethical norm of solidarity, which:

emphasizes the kinship and interdependence of all forms of like and encourages support and assistance for those who suffer . . . [and] highlights the fundamental communal nature of life in contrast to individualism and encourages individuals and groups to join together in common cause and stand with those who are the victims of discrimination, abuse, and oppression. (Jancoski, 2003, p. 2)

We will return to these issues below, in a discussion of moral education.

In framing this issue, we have ignored arguments advanced by other, notably animal rights and ethical vegetarians. One of the issues in dispute in the Makah/whaling dilemma is whether, or if under some conditions, non-human animals are considered as being in the moral domain. If so, the question “to what extent?” naturally follows. The argument for including animals in the moral realm is forcefully advanced by Peter Singer (e.g., 2001a, 2001b). The arguments deserve a more detailed account and analysis than the scope of this paper permits. However, in the moral education section below we briefly describe how the question of animal rights can affect moral dialogue and discourse.
Diversity and Unity?

Before continuing a discussion of the case of the Makah, let us consider the how, it relates to the themes of this conference diversity and unity. In the Makah and the environmentalists we definitely have diverse views of the proper course of action. If we can claim any sense of unity, it is perhaps that both environmentalists and the Makah seem convinced of the rightness of their respective positions.

How, as educators, philosophers, psychologists, should we respond? Are diversity and unity desirable under all conditions (i.e., are unity and/or diversity inherently good)? How should we respond when the two are in tension? If, in our classrooms, communities, faith communities, etc. we ask “Who is not at the table?” and we discover an absence of members of the Ku Klux Klan or the Aryan Nation, should we despair or rejoice? Should we seek out members of these groups in order to add to our diversity?

Turning to unity, what types of unity or consensus are praiseworthy? Should the entire world agree with either the Makah or the environmentalists, would that settle the ethics of the case or might it be that the world would be in unanimous agreement for an immoral position?

The questions are philosophical and theoretical, but simultaneously the questions have real implications in classrooms—K-12 and higher education—as we engage in moral education. Should conflict be embraced or seen as a dis-ease to be remedied? Is all conflict to be treated the same or does it differ? Is the “math wars” conflict among mathematics educators the equivalent of conflict in the Middle East and the current tactics of suicide bombers and assassination as tactics? As the last examples illustrate, when diversity leads to conflict and the conflict to violence, we have entered yet another realm of questions and consequences.

That we cannot offer answers to all of these questions will not come as a surprise. We do, however, consider grappling with ethical issues both part of the human condition and a responsibility. We also believe that, as educators this responsibility to engage in moral education is what we must do in our classrooms. Below, we present an overview of moral education, how each of the major approaches would frame the Makah whaling dilemma for use in the classroom.

Moral Education

Three major approaches to moral education dominate the field, each with its own history, philosophy, and assumptions about human nature. The approaches are character, cognitive developmental (abbreviated as developmental hereafter), and caring. The philosophical traditions are Aristotelian Socratic, and influenced by David Hume, respectively (e.g., Howard, forthcoming). As might be expected theories about how to prepare individual to deal with frequently controversial ethical issues, many and major differences exist among the three approaches (e.g., Howard, Berkowitz, & Schaeffer, 2004). Rather than to emphasize the disagreements—especially given the nature of this
conference—let us examine the point of agreement among the approaches and the potential for creating consensus. All of the approaches agree that schooling should include moral education and that moral discourse is a necessary—but not necessarily sufficient—condition for resolving many ethical disputes. Below, we present the ways in which the three approaches frame the issues and the processes they advocate in resolving disputes.

Caring approach to the dilemma.

Of the three approaches, caring is most explicit in published materials regarding the ethical issues in the treatment of animals. In, *The Challenge to Care in Schools* (1992) Noddings includes a section that is directly relevant and applicable to the Makah’s whaling.

In the caring classroom’s examination of the Makah issue, students learn about animal behavior and, in doing so, identify attributes and capacity. Some of the attributes and capacities are valued and some deplored. Noddings (1992) illustrates this point with her household pet, “I admire my cat’s speed and grace . . . but I deplore her inclination to kill birds and play with her prey” (p. 128). Some would object to Noddings’s use of the word “play,” seeing it as anthropomorphic. While an interesting question in its own right, it is not central for this discussion: “my cat’s behavior with its prey” could be substituted with the same result. Human obligations to animals arise, Noddings (1992) claims, based on judgments about those attributes.

This is difficult critical work, and it is central not only to our relations with animals but also to the development of a coherent ethical position on our obligation to human beings exhibiting some but not all of the usual human attributes. (p. 128)

Noddings also notes the connection between the life of animals and the spiritual, citing the range from an Augustinian indifference to Jainism’s concern about not hurting animals (some going so far as to wear a mask so as not to inadvertently inhale a flying insect). Noddings (1992) also acknowledges the importance of cultures and raises the concept of “cultural evil,” as opposed to “natural” and “moral” evils.

Cultural evil is the most complex and difficult. In this category we find all the harmful practices that are variously accepted or rejected in different times and places. (p. 57)

Female circumcision/genital mutilation in Kenya (e.g., Lacey, 2002). A Nigerian court’s verdict to stone to death an unwed mother (e.g., Onishi, 2002). The decision of a jury in the Pakistani village of Meerwala Jatoi that a young woman be gang raped as a punishment for her brother’s crime (Sarwar, 2002). All of these are examples that fall, in our view, within this category of cultural evil.
Using the Makah whaling case study as a focus for moral education in classrooms, the caring approach would through investigation and dialogue, have students study whales, understand the animal’s attributes, and determine what obligations arise from judgments about the nature of those attributes. Students would also investigate the history and culture of the Makah, with a particular focus on their cosmology. To understand the culture is a necessary condition to being able to assess whether any aspect of it might constitute a “cultural evil.” These tasks and the type of dialogue that might result are easy to comprehend. What would be the resolution from the caring perspective is more difficult to determine. That might be expected with such a difficult case. This is particularly true from the caring perspective because, it does not require “universality” or prescribing a course of action for both one individual and all others in the same situation. The ethic of care places great importance on the individual context of moral decisions and actions. Perhaps no single conclusion would apply to more than one Makah, environmentalist, or concerned observer.

**Developmental Approach to the Dilemma.**

In contrast to the caring approach, from a developmental perspective, this is a case of a true ethical dilemma—where one is forced to choose between two goods (or two evils). The process of investigation of facts used by the caring approach would be repeated in a developmentalist’s classroom. The best case for whaling would be presented and summarized, such as, (arguably) respect for an indigenous people’s tradition and culture. The same would be done for the environmentalist’s position: (perhaps) intelligent and threatened animals (even if no longer endangered) should be respected and protected for the good of the animal, for humans, and for the environment. Using Kohlberg’s (1981) “moral musical chairs,” we should sequentially take every perceptive of those involved and, by giving extra weight to the moral agent most “at-risk” (or to use Rawls’s term, “least-advantaged”) making a decision based on equity. Note here how important it is to try to determine who is most at-risk and how the question of whether the whale is to be considered a moral being takes on incredible importance (e.g., Regan, 1985, 2001; Singer, 2001a, 2001b; Wise, 2001, 2002). If the Makah are the least advantaged, we conclude that they should be able to whale. If the whale is part of the moral domain and is judged to be the least advantaged, we come to the opposite conclusion.

**The Character Approach to the Dilemma.**

Unlike the caring approach, there is no single section of a publication that parallels Noddings in direct application to this case. Asked to respond to this issue, Jacques Benninga, a character educator (e.g., Benninga, 1991), prefaced his comments by citing Kenya where successful programs to protect elephants created problems for people. “They came in and swept through, they felled all the productive trees we had,” recalls Abdalla Mwakanzere, who grew up in Mwaluganje. “When they invaded the farms, they even started killing people” (Crawley, 2001). A New York Times columnist reached made the same conclusion about the gray whales in August 2002 and wrote.
The number of gray whales (which came off the endangered species list in 1994) surged so much in the late 1990's that hundreds of dead ones began washing up on West Coast beaches, so emaciated that their ribs showed. The best guess is that the numbers of grays grew, the food supply shrank and Malthus had his way. (Kristoff, 2002)

In this context, Benninga wrote:

As a character educator, I would say that one-sided sensitivity is a counter-productive emotional basis for decision-making. In this scenario, the gray whale is no longer on the endangered species list. It is legal for the Makah to hunt them and they should be allowed to do so unfettered. It's possible that left unchecked, the whales' population growth could result in negative consequences similar to that caused by the elephants in parts of Kenya.

Character education focuses on the judicious, reasonable application of traits—honesty, courage, loyalty, kindness, etc. In [this] case, sensitivity to the plight of the gray whale (described above as “an animal of that size and magnitude and intelligence is something special”) is oppositional to the right of the Makah to make a living in a traditional way.

As I see it, if the law doesn't prohibit the hunting of the gray whale, and if those same regulations control the number that can legally be killed, no independent group has the right to interfere with the Makah. Though this is not a character education issue per se, it's a pretty clear case to me. (J. Benninga, personal communication, August 15, 2002)

The Makah whaling example highlights some of the differences in how the three approaches might address an ethical issue in a classroom setting, but not reaching a consensus about the right answer.

**Summary and Conclusion**

At this point, we have yet to answer the question whether the Makah are ethically justified in whaling. From our perspectives, we are inclined to support the Makah, but we do so as carnivores and with concerns that we analyses might be found wanting by others and, upon reflection and education, by ourselves. Faced with this existential reality, we rely on our faith in reason, discourse, and development. One of our ethical exemplars, Mohandas K. Gandhi, would argue against whaling based on his vows, philosophy of nonviolence and his ethical vegetarianism. Rather than focus on his position, we prefer to focus on his practices and his development. In his political campaigns in South African and India, Gandhi never failed to keep in communication with his opponents and to reexamine his own views. While anything but shy about expressing his conclusions, Gandhi admitted to confusion and lack of certainty stating at one point “A votary of truth is often obliged to grope in the dark” (Gandhi, 1957, p. 349).

As both humans struggling to determine what is ethically right for ourselves and others and as moral educators, we conclude that, (1) s humans we need to take ethical issues
seriously; (2) our goal should be to reach an ethical consensus after considering diverse cultures, perspectives, metaphysics, etc.; (3) at any given time, we may be unable to reach consensus; and (4) we need to be humble, continue the conversation, and continue to try to reach clarity & consensus. We also invite our colleagues and students to join us in this quest.

References


Moral Education promotes universally shared principles of good citizenship. In a rapidly evolving world, the program encourages students to develop into critical thinking, independent, curious, resilient and self-sufficient individuals. Based on the established positive influence of a cohesive parent-teacher partnership, teachers and educators will encourage parents to play an active role in their child’s development. Students. For students across the UAE, Moral Education helps to create a strong foundation of moral purpose, an ethical outlook, character development and an understanding of sha