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HUMAN–DOLPHIN ENCOUNTER SPACES: A QUALITATIVE INVESTIGATION OF THE GEOGRAPHIES AND ETHICS OF SWIM-WITH-THE-DOLPHINS PROGRAMS

By

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To Jessica

a person, not a thing

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ABSTRACT

Throughout history and all over the world, dolphins have been welcomed across the human-animal boundary as an ethical subject fit for human companionship. The dolphin's charismatic status has led to a burgeoning swim-with-dolphins industry that offers eager customers opportunities for close, in-water interactions with dolphins. With qualitative methods, I investigate human-dolphin encounter geographies in the marketplace today. Contributing to a growing animal geographies literature, three case studies in Florida and the Bahamas inform a situated understanding of particular animal encounter spaces. Through the use of narrative, I suggest that as encounter spaces change, so do the views and experiences associated with human-dolphin interactions, as well as the essential nature of what it means to *be* dolphin. Encouraging further dialogue about how we ought to interact with dolphins, I evaluate various encounter contexts, consider policy alternatives, and propose a practical ethic for human-dolphin encounters in a decidedly normative effort to advance the well-being of dolphins, humans and the spaces we share.

CHAPTER 1

INTRODUCTION

The world abounds with living, mindful beings possessed of both intentionality and instinct. As humans, we belong to a wider association of animals who share the planet with one another (although hardly in equal measure). Consequently, our daily lives require that we negotiate the myriad associations we have, consciously or not, with nonhuman animals. Our relationships with animals range from intense love, to abject fear, to human disregard for the relationship altogether. What is more, our interactions with other animals inspire a multitude of complex questions about just what it means to be human, and as humans, how we ought to live in this more-than-human world (Lynn, 1999; Peterson, 2001).

Human–animal interactions have come under increasing scrutiny by geographers over the past decade (e.g., Philo & Wilbert, 2000a; E. Shepard & Lynn, 2004; Wolch & Emel, 1995; Wolch & Emel, 1998). Contemporary scholars in other disciplines are paying increased attention to such relationships as well, including anthropologists (e.g., Arluke & Sanders, 1996; Ingold, 1994; Serpell, 1986), biologists (e.g., Birke & Hubbard, 1995; Kellert & Wilson, 1993), feminists (Noske, 1997a; Plumwood, 1993, 2002), and those in fields such as literature and cultural studies (e.g., Ham & Senior, 1997). Anthropologist Emily Martin (1995) thinks that the heightened interest in human relationships with other species is inspired by the considerable amount of boundary crossing going on in today's world. Human–animal relations scholar Molly Mullin (1999) suggests that it is not only the crossing of boundaries between humans and nonhumans but how those boundaries are subject to continual redefinition and conflict that is so interesting.

Our relationships with undeniably popular and charismatic marine mammals like dolphins are no less subject to boundary crossing, redefinition, and conflict as those we have with other animals in western society today. Unlike many animals, however, dolphins are often granted a privileged status and considered more than "just" an animal. Throughout history,

dolphins have been welcomed across the human–animal boundary as an ethical subject fit for human companionship. It is this status that has led to the burgeoning swim-with-dolphins industry that offers paying customers the opportunity for close, tactile encounters with dolphins. This qualitative research project investigates human–dolphin encounters in the marketplace today. Through several case studies, I explore interactions between dolphins and humans in various encounter contexts. I also examine the politics, policies, and pay-offs related to dolphin–human encounters in a contested encounter space in Panama City Beach, Florida. The research is meant to enrich understanding of the dynamic, complex, and sometimes obscure issues associated with commercial dolphin–human encounters, and aims to suggest alternatives to current dolphin–human encounter policy and practice. In all, I intend the project to extend both practical and intellectual horizons in order to advance the well being of dolphins, humans, and the spaces we share.

Disciplinary Themes: Geography, Ethics and Animals

Geography is essentially the study of relations between society and the natural world (Peet, 1998). Indeed, examining relations between nature and society has long been a central goal for geographers (e.g., Castree, 2001; Sauer, 1925; N. Smith, 1984; Thomas, Sauer, Bates, & Mumford, 1956). Yet remarkably, until recently, animals did not figure prominently as a part of the natural world that held much interest for geographers. Since the 1990s, however, nature/society traditions in geography have given way to a "new" animal geography that appreciates animals as important agents in the constitution of space and place (Philo & Wilbert, 2000a; Whatmore, Wolch, & Emel, 2000; Wolch & Emel, 1995; Wolch & Emel, 1998). Woven throughout much of the new animal geographies work is a normative concern with both human and animal well-being (Emel, 1998; O. Jones, 2000; Lynn, 1998a; Philo & Wilbert, 2000b). These ethical sensibilities mirror the wider engagement of moral dimensions that have increased recently in what has been called the moral turn in geography (Lynn, 1999). To fully situate my current project on dolphin–human relations, I begin with a brief introduction to the relevant literature pertaining to geography, ethics, and animals.

Justice, Ethics, and Geography

Moral norms are deeply embedded in the history of geography (Lynn, 1999). The explicit engagement of contemporary geography with ethics and social justice, however, dates from the

late 1960s (D. M. Smith, 1994). Many geographers today who are not specifically in tune with "the animal question" are nevertheless concerned about ethical questions associated with justice and human interaction with their environment in a world of rapid urbanization, economic globalization and socioecological processes. For example, David Smith is "concerned with normative thinking: with how we conceive of what is right or wrong, better or worse, in human affairs lived out in geographical space" (D. M. Smith, 1994, p. xiii). The decided focus of Smith's book *Geography and Social Justice* is to "place social justice at the heart of human geography" (D. M. Smith, 1994, p. 1).[1] Also, in *Justice, Nature and the Geography of Difference*, David Harvey strives to provide a conceptual apparatus with which to assess how spatial and ecological differences affect the "justness" of socioecological processes (D. Harvey, 1996, p. 6).

In a wider circle of ethical concern that explicitly recognizes the role of both humans and nonhumans, Low and Gleeson (1998) examine the moral response that the world should make to (what they term) the ecological crisis. They acknowledge that "today the relationship between humans and the rest of the natural world is … being redefined" and they appreciate the call to "think morally about a relationship we had [until recently] assumed was purely instrumental" (Low & Gleeson, p. 1). With ethical sensibilities that involve more than humans, Low and Gleeson define the struggle for justice as one shaped by a politics of the environment that includes both the justice of the distribution of environments among peoples as well as the justice of the relationship between humans and the rest of the (nonhuman) world (Low & Gleeson, 1998). With an approach that contextualizes thinking about justice in the "real world," they call for an ecological justice that accepts that "all life forms are mutually dependent" and entitles "every natural entity … to enjoy the fullness of its own form of life" (Low & Gleeson, p. 199).[2]

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[1] For Smith, it is the notion of equality that opens the way for potential universal claims about justice (D. M. Smith, 1994). "That is, justice as equalization should apply wherever and whenever inequality is an issue, whether geographically, among socioeconomic groups, by ethnicity, race, or gender. And the greater the inequity, the more urgent the application of the principle" (D. M. Smith, 1994, p. 124). But Smith is exclusively concerned with human welfare via other humans. His concept of justice does not extend beyond humans' relationships with other humans.

[2] That life forms are mutually dependent naturally causes conflicts of interest, not the least of which occurs between humans and nonhumans. Low and Gleeson develop distinct guidelines that may act as a means of guiding judgment in a dialectic fashion; these include: (a) life as a moral precedence over nonlife; (b) individualized life-forms have moral precedence over life-forms which only exist as communities; and (c) individualized life forms with human consciousness have moral precedence over other life forms (Low & Gleeson, 1998).

In the ongoing debates about environmental ethics, Noel Castree (2003c) questions the ontological choices being made by scholars and calls for a more fluid mode of ethical reasoning. Castree is not concerned about who is *right* in the debates—just about the ontological underpinnings of the theorists involved (Castree, 2003c). Castree suggests that most contemporary theorists fall into one ontological category—material essentialists. According to Castree, material essentialists may seem to stress the importance of relations in their work, but they also attribute certain immutable capacities to *specific* relationships. He refers to Haraway's *cyborgs* to demonstrate an alternative position that resists the rigid characterizations of the material essentialists. To show why discrete categorizations are problematic, Castree (2003c, p. 9) observes that "advanced industrial societies are increasingly filled with … 'inappropriate/d others'—those who are part–human, part-organic, part-mechanic entities that resist being represented within the conventional 'scientific' taxonomy." As such, any claims to hard-line distinctions are ontologically unstable, even those apparently stable beings we label as human or nonhuman. To illustrate, Castree (2003c) calls on Whatmore and Thorne's research of human–elephant relations that show that "becoming elephant" is a contingent process. Depending upon whether the life (social and otherwise) of an elephant is experienced in the openness of a savannah or in the closed spaces of a zoo, those extremely varied life experiences will shape the elephant as an individual in entirely different ways. Which, he asks, should be called the "real" elephant (in the simple, easy way we typically categorize elephants)? (Castree, 2003c).

Many contemporary animal geographers now question traditional dualistic notions of humans and animals (strict categorizations of one versus the other). In doing so, they too challenge the ethical positions Castree (2003c) refers to as material essentialism. Jonathan Murdoch (2003), in the interdisciplinary journal *Geoforum* that includes a section that features critical assessments of research, shows how the moral circle of geography is in the process of enlarging to include a greater emphasis on "understanding" in a way that includes both knowledge *and* compassion. He suggests that "it is time to clearly show how our carefully reasoned theories and descriptions give expression to deeply held sympathies, commitments, and affiliations for these ultimately determine the circle of our geographical concern" (Murdoch, 2003, p. 289). Echoing the normative concerns of other animal geographers, his editorial reiterates that *new* animal geographies are intimately engaged with ethical theory.

Animals in Geography

As Sarah Whatmore put it, "geography stakes its disciplinary identity on being uniquely concerned with the interface between human culture and natural environment" (2003, p. 165). Until recently, however, nonhuman animals were largely overlooked or considered nondistinct elements of the larger "natural environment." When animals did show up in the discipline, it was primarily as biological pieces of a larger ecological system, instruments for human use or forms of symbolic capital. This is not to say that geographers showed no interest in animals. There was a field called animal geography as early as 1913, consisting of studies of animal populations and examination of floral and fauna regions (Newbigin, 1913, 1936). Hartshorne even considered animal geography (as allied to zoology) as a systematic subfield of geography (Hartshorne, 1939).

In these early days of animal geography, two approaches emerged, mirroring the widening gap between physical and human geography. Zoogeography was rooted in zoology and physical geography, and focused mainly on animal distributions. The second approach was more culturally oriented, aligned with human geography and social sciences, and focused on animal domestications (Donkin, 1985; Harris, 1962; Sauer, 1952). By the 1960s, owing to the low status of cultural geography (due partly to the Berkeley School's treatment of culture–economy relations), questions about human–environment relations receded from view, and by the last quarter of the twentieth century, the term "animal geography" had disappeared from the discipline altogether (Anderson, 2003).

Today's animal geographies differ substantially from the "old" animal geography. The interplay between geography and social theory, cultural studies and environmental ethics in the 1990s led to a rebirth of interest in nonhuman animals (Anderson, 2003). The increased focus on animals, culture, and society came on the heels of growing public and academic concern about environmental degradation, habitat loss, and species endangerment, and the plight of animals relegated to a dismal life (and untimely death) in shelters, labs, and factory farms (Wolch, Emel, & Wilbert, 2003). The 1970s and 1980s witnessed hundreds of new organizations created to lead social movements involving animals and the environment. Animal rights groups (especially the more radical organizations like PETA and the Animal Liberation Front) challenged people to reconsider their relationships with animals by suggesting, for example, that racism and sexism were equivalent to *speciesism* (Singer, 1993); that animal captivity was as heinous as human

slavery (Spiegel, 1996); and that factory farms, fur farms, and research labs were tantamount to genocide (Wolch et al., 2003, p. 187). Today, animal politics are no less contentious and the globalized animal economy grows ever more intensive and extensive through, among other things, factory farming, wildlife trade, and biotechnology (Emel & Wolch, 1998).

Alongside this tumultuous public activity, the legacies of modernity and modernist ways of thinking came under attack as critics argued (and still argue) that the achievements of modernity rested on race, class, and gender domination, as well as colonialism and imperialism, anthropocentrism, and the destruction of nature (e.g., Elder, Wolch, & Emel, 1998b; Emel & Wolch, 1998; Noske, 1997a; Plumwood, 1993). Given this, scholars in social theory and cultural studies began to rethink culture, and geographers (along with other social and natural scientists) began "arguing for animal subjectivity and the need to unpack the 'black box' of nature" (Wolch et al., 2003, p. 188).

Jennifer Wolch and Jody Emel brought human–animal interactions to the foreground in the mid 1990s with a thematic issue of *Society and Space* (1995) and the edited book *Animal Geographies* (1998). Chris Philo and Chris Wilbert followed soon after with a collection of essays titled *Animal Spaces, Beastly Plac*es (2000a). Reviving and remaking the face of animal geography, today these scholars recognize animals as both foundational to our ontology and epistemology *and* as beings with inner lives and intentionality, worthy of consideration in their own right (e.g., Emel & Wolch, 1998; Lynn, 1998a; Philo & Wolch, 1998; Whatmore, 2002; Wolch, 2002).

Animal Geographies: Putting Animals in Their Place

Contemporary animal geographies are about the interplay between animals, culture and society, and the exploration of a broad range of human–animal concerns including habitat loss and species endangerment, domestication, animal entertainment and display, wildlife restoration, global trade of animal bodies, and many others. Animal geographies are fundamentally geographical[3] because they are essentially about nonhuman animals and their *place* in human

[3] As mentioned above, the discipline of "geography stakes its disciplinary identity on being uniquely concerned with the interface between human culture and natural environment" (Wolch et al., 2003, p. 165). Although animal geographers have drawn upon these nature/society traditions in geography (indeed, contemporary geography dealing with nature–society relations, as informed by social theory, philosophy, and cultural studies, provided new ground upon which to base fresh thinking about human–animal relationships), the *geography* in today's animal geographies is also found in those thoughtful and critical discussions about animals, humans, and their proper *place* on the earth we share as "home." By place I mean both material borders between those spaces where some animals are "allowed" and others are not—wild animals in zoos (Anderson, 1995; Whatmore & Thorne, 1998), pets in homes (Tuan,

society—place meaning both material borders (societal practices that shape the spaces where some animals are welcomed and others are not) and conceptual boundaries that call up questions of human identity and animal subjectivity.

There are three basic themes in contemporary animal geographies: (a) animals and the making of place (including material boundaries); (b) human identity and animal subjectivity (involving questions of conceptual boundaries); and (c) the role of ethics and how we *ought* to treat animals. These organizational themes are not independent of one another, and they frequently overlap and dovetail with concepts such as animal instrumentalism, anthropocentrism and the human–animal divide. Animal geographers recognize the fluidity of boundaries, emphasizing not only the distinctions, but also the connections, overlaps, and similitudes between human and animal worlds (Stewart, 2006).

Yi-Fu Tuan suggests that, at its core, geography is "the study of the earth as the home of people" (Tuan, 1991, p. 99). His is a broadly humanistic viewpoint—and, for the most part, anthropocentric—but he suggests a concept of earth and "home" that includes more than human residents and asks, "what if the entire planet is taken as the human home, and we realize that there are no strangers, human or nonhuman?" (Tuan, 1991, p. 55). Animal geographers have realized as much, and in the process have endeavored to bring the animals back into geography as the study of earth as the human *and animal* home (Wolch & Emel, 1995).

Material Boundaries: Animals and the Making of Place

Discussions in human geography about the social construction of landscapes have led to the exploration of how animals and their networks leave their imprint on places, regions, and landscapes over time. For example, Kay Anderson (1995) drew inspiration from sources as diverse as Tuan's and Sauer's inquiries into animal domestication when she considered the human-ordered placement of wild captive animals at Adelaide Zoo. Anderson suggested that the zoo is a means of crafting a human experience of animals; that animals become inserted into human discourses that have, over time, coded animals as either worthy of exclusion or inclusion in humans' lives, with "animals such as lions and bears tending to be at the exclusionary

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1984), domestic animals on farms and in slaughter houses (Anderson, 1998; Ingold, 1994)—as well as conceptual boundaries that call up questions of identity—anthropomorphism (e.g., Noske, 1997a; Plumwood, 1993)—and animal subjectivity—are animals mere resources, or agents? (e.g., Matless, 2000).

extreme" (Anderson, 1995, p. 66). Animal geographers consider tangible places such as zoos,[4] farms, experimental laboratories, and wildlife reserves as well as economic, social, and political spaces like the worldwide trade of captive wild animals (e.g., Anderson, 1995; Anderson, 1998; Gullo, Lassiter, & Wolch, 1998; Matless, 2000; Proctor, 1998; Whatmore & Thorne, 1998; Wolch, Brownlow, & Lassiter, 2000).

Other work focuses on places characterized by the presence or absence of animals, and how human–animal interactions create distinctive landscapes. Lisa Naughton-Treves (2002) considered the place of animals in human-dominated environments when she evaluated the impacts of individual and regional land-use practices on wildlife survival in the Peruvian Amazon. In Alec Brownlow's (2000) discussion of the reintroduction of gray wolves to an area of the Adirondack Mountains, he showed how boundary (re)making policy can lead to conflict between urban and rural New Yorkers over the proper *place* for wolves. In another instance of wildlife conflicting with human urban (and suburban) residents, Gullo, Lassiter and Wolch (1998) considered changing relationships between people and mountain lions in California. Human–wildlife interactions inevitably increased in the late twentieth century as more people moved into areas inhabited by cougars, coyotes, bears, and golden eagles. These interactions, along with scientific disputes over cougar ecology, led to a renegotiation over cougar population management, which, in turn, led to public conflict and renewed advocacy of trophy hunting by hunting enthusiasts. Media coverage revealed and reinforced changes in public attitudes toward cougars—once admirable symbols of wilderness—as cold-blooded serial killers (Gullo et al., 1998; Philo, 1998).

Conceptual Boundaries: Human Identity and Animal Subjectivity

Jody Emel (1995, 1998) documented how landscapes of the nineteenth-century American West were transformed by a contest for space and dominance over land and investment. She suggested that wolf killing was not a simple material border dispute in the shape of an economic need to protect livestock (as some may contend); instead, she argued that

[4] Davies (2000) focused on the construction and characteristics of a different sort of zoo—a relatively new space through which animals are woven into human culture, exploring an emerging form of animal display that he calls the "electronic zoo." Unlike traditional zoos that trade in animal bodies, the electronic zoo (far more ubiquitous) appropriates digital images, circulates them for production of movies and television and, thus, gains an accelerated accumulation of value from images that can be recycled over and over again. In occupying these spaces, "plants and animals play important roles in practices which define the complex relationships between human and non-human worlds; processes of domesticating, commodifying, aestheticizing, as well as constructing knowledge about the natural world" (Davies, pp. 243–244).

> like the Native American, the wolf was killed to secure land and investment. No less importantly, it was killed to sustain big game animals so that human hunters could kill them. It was killed for pelts, for data, for science, and for trophies. It was also tortured, set on fire, annihilated. (Emel, 1998, p. 102)

The wolf hunting continues today, and Emel suggests that what undercuts the matter is based on *conceptual* boundary issues:

> As cultural ecofeminists contend, cultural phenomena and economic factors interact with each other in a complex dialectic. So while much of the story about wolf eradication has to do with class and economy, there is an intertwining causality stemming from a dominant construction of masculinity that is predicated upon mastery and control through the hunt. A fear of what is considered "wild," "irrational," or "different" is also part of the construction. (Emel, 1998, p. 102)

Animal geographers are exploring questions related to how and why the demarcation between humans and animals shifts over time and space, and the relationships between animals and human identities. Calling for a theoretically inclusive approach to thinking about humans and animals, animal geographers today explicitly recognize that both humans and nonhumans are embedded in natural and social relations and networks with others upon whom their social welfare depends. Essentially, animal geographers argue that dualistic, human-centered thinking has led to instrumentalism, exclusion and exploitation of the nonhuman world (e.g., White, 1967). Such views suggest a reconceptualization of what has been called the *human–animal divide*—naturalized thinking that casts humans as vastly different from (and superior to) animals.[5]

Many scholars contend that the distinctions between nature and society, and between human and animal, are so profoundly ingrained in Western culture that the conceptual separation between them has gone largely unquestioned (e.g., Elder, Wolch, & Emel, 1998a; Emel, 1998; Plumwood, 1993; Wolch et al., 2000). More than separating human from animal, scholars highlight that humans are privileged *over* animals, just as society is privileged over nature, the rational over emotional, and the West over the non-West (e.g., Elder et al., 1998b; Gregory, 2001; Noske, 1997a, 1997b; Plumwood, 1993). Some suggest that anthropocentrism is so prevalent that the stark inequality of privilege between humans and animals seems perfectly natural. Consequently, those on the bottom of the vertical ranking (because they are deemed

[5] Chapter 3 provides a more detail discussion of how this thinking developed over time.

inferior) are justifiably subjugated and oppressed. This system of exploitation is analogous to that explored in the Orientalism literature that recognizes and denaturalizes the West/East dualism and how the act of *othering* has led to the domineering treatment of non-Western people (Spiegel, 1996).

In a similar way, it is the hierarchical nature of dualistic thinking—the vertical ranking—that has helped to promote what is seen today, generally, as human distance from and control over the sphere of nonhuman animals as the *other*, while minimizing nonhuman animal claims to space and to elements of agency, reason, and ethical consideration (Plumwood, 2002). For example, returning to Emel's (1995) discussion of wolf eradication efforts, she explains how, in the process of constructing the landscape, the wolf came to represent savagery, lack of mercy, and unfair habits of pack hunting and cowardice. Such traits were all contrary to the image of masculinity and humanity on the American frontier that was represented as morality, progress, and civilization. Emel (1995) showed how such representations ultimately devastated wolf populations and how such thinking and practice is analogous to racist and sadistic treatment of people falling below European-American males on the hierarchy of beings.

Ethics, Humans and Other Animals

Much of the animal geographies literature is critical and concerned (whether explicitly or not) with the normative task of advancing the well-being of animals (O. Jones, 2000; Lynn, 1998a, 1998b, 1999; Proctor, 1995). Animal geographers interested in animal well-being call for the human–animal divide to be remade from an oppositional dualism to a network of complex interdependences (Anderson, Domosh, Pile, & Thrift, 2003). Animal geographers also encourage thinking about animal agency and subjectivity, emphasizing that a great many animals have intentions and are communicative subjects with potential viewpoints, desires, and projects of their own.

Jenifer Wolch, along with other animal geographers, criticizes the theoretical and methodological impulses that have shaped geographies that privilege cognition and language as the markers of an exclusively *human* geography while ignoring our ethical kinship with other animals (Wolch et al., 2003). Instead, many animal geographers think that nonhuman animals are equally important subjects of human geography and conceptualize them as "strange persons," or as marginalized, socially excluded people (e.g., Ingold, 1994; Philo & Wilbert, 2000b; Wilbert, 2002). Indeed, recent findings on animal thinking, culture, and politics from

comparative psychology, primatology and cognitive ethology have provided extraordinary insight into nonhuman animal consciousness and capacities for complex thought and behavior in many animals (De Waal, 1982; Goodall, 1986; Griffin, 2001; Savage-Rumbaugh & Lewin, 1994). But because animals cannot, as a practical matter, directly challenge human policy decisions (which take place in a thoroughly human venue), animal geographers recognize that they require human representatives to speak and act in their interests. For better or worse, humans are regulators in today's political world, largely deciding whether animals are "in place" or "out of place."

To advance the unmistakably normative project of animal geographies, many have worked to explicate societal values to understand how animals have shaped particular *moral landscapes* (see e.g., Matless, 2000; Proctor, 1998). For instance, David Matless (2000) analyzed Broadland's moral geography as a constellation of ideas about how human life should be lived in relation to given environments; for example, he compared a perspective predicated on a hunting approach (with all the violence hunting entails) with other, more preservationist approaches. Matless found that such conflicting cultures of human–animal relations resolutely shaped local society-animal relations and ideas of the proper place of animals in that space. Similarly, James Proctor (1998) argued that the spotted owl conflict in the Pacific Northwest was part of a larger debate over the moral landscape as revealed in the relationship between people and the forest. Where environmentalists argued that old growth forests and wildlife predated (and existed without) people—and thus people had an ethical obligation to protect them (that is, not to destroy them)—pro-timber advocates contended that logging was the best way to manage and sustain the forest (with human welfare dependent upon such management). Between the two visions of the Pacific Northwest's moral landscape happened to be the spotted owl (Proctor, 1998).

On the whole, in their efforts to advance the well-being of both humans and animals, animal geographers argue for the inclusion of animals in the moral community, valuing animals as ends in themselves rather than as means to human ends.[6] The practical consequences of such inclusions are considerable: How do we decide who or what is most important in environmental policymaking, for example? These sorts of questions become especially difficult when human and animal needs clash in a world of finite space. Some animal geographers suggest that a framework of normative principles (inclusive of animal interests and desires) can guide human–

[6] Chapter 3 provides a more detailed discussion relating to the intrinsic value of nonhuman animals.

animal relations and help to resolve the moral dilemmas that relate to conflicting wants and needs of both humans and animals.

Merging the "horizons of ethics and geography," animal geographer and ethicist Bill Lynn (1999, p. 1) developed such a framework of principles for seeking "moral understanding that values the well-being of animals … on our inextricably earth-bound and interconnected world." Lynn's *practical ethics* approach is a geographically informed theory of moral understanding that positions context at the center of our moral concerns (Lynn, 1999, p. 2). Practical ethics calls for a recognition of the ethical questions that are present in all human and animal geographies (Lynn, 1998a, p. 281).

> Moral value is the keystone concept for remapping this world and locating animals in our moral landscape. [Lynn's] intention … is to center our attention on the subject of moral value, and present a geographically informed argument on the moral status of animals. This … [is] the key to reconfiguring how humans (including geographers) understand and relate to the animal world. (Lynn, 1998a, p. 280)

Similarly, Owain Jones (2000) has suggested an ethics that accounts for different spatial contexts and practices, recognizing that human relationships with animals have been and remain deeply complex and shifting: "They range from the sublime to the obscene, and are twisted and folded into all kinds of paradoxical, ironic, tragic and also cathartic forms" (O. Jones, 2000, p. 269).

Critical Reflexivity

An increasing number of qualitative researchers have recognized reflexivity as an important dimension of scholarly research (e.g., Berg & Mansvelt, 2000; Dowling, 2000; Gergen & Gergen, 2000). Critical reflexivity is self-reflection about a researcher's historical and personal situatedness, their personal investments in the research, their various biases at the outset of the work, and the kinks, turns, and surprises they experienced during the research process. It is, in part, a call to relinquish the god's-eye-view approach to research that is still embraced by those mired in a positivist, objectivist world view. But social scientists are never neutral third parties. Researchers are people with inner lives and complex worlds that are in constant motion around them. And when researchers deny their own presence, or ignore it, an important part of the research is lost.

The practice of writing in the third person is widely accepted today, even by those who object to the positivist model that supported the development of the approach (see Berg & Mansvelt). Writing in the third person allows an academician to erase their authorial self from their written work and to create distance between themselves, as researchers or authors, and their research subject(s). The implicit rationale for writing this way is an effort to maintain objectivity—a disembodied vantage point that is both universal and totalizing (Berg & Mansvelt). As geographers Lawrence Berg and Juliana Mansvelt recognized,

> the detached third-person writing style so common in academic journals and reports implies that the researcher is omnipotent … [but] what may appear to be the truth spoken from "everywhere" is actually a partial perspective spoken from some*where* and by some*one*. (p. 173)

I disagree with those who suggest that the use of "I" in academic spheres may be the "enemy of truth," or represent the insertion of *emotion* in place of *reason* (A. Jones, 1992). On the contrary, writing in the first person brings us closer to "truth" by making explicit the politics associated with the personal voice, and bringing attention to assumptions embedded in research texts (Berg & Mansvelt, 2000). In my estimation, all academics should be held accountable for both the intentions and consequences of their work (Schwandt, 2000). In line with Lynn (1999), I accept that responsibility and intend, therefore, to place myself squarely in view so that the reader may have access to my presuppositions and consider how my own positionality[7] might affect the process of inquiry.

Why Dolphins?

I spent my summers growing up at a beach house in North Carolina with my aunts, uncles, sisters, cousins, and grandparents. Often, the family would spend the days together at the beach. Everything stopped when someone shouted out that they had just spotted a dolphin. When

[7] By positionality, I mean to go beyond a catalogue of my race, gender, age, socioeconomic class, etc., and to include such things as personal experience and political values. While I believe that social positionality contributes significantly to our experiences, values and presuppositions, I reject the idea that one is determinative of the other, or that demographic identifiers necessarily must (or should) limit anyone's abilities (or responsibilities!) to expand their own values and politics, or to challenge the ideas, values and politics of others (Lynn, 1999). That said, I am a white American woman in my mid-30s from an upper-middle class family. My ideas of what is important and what is not, and of what I value more or less, have developed and changed over my life, and, I am certain, will continue to evolve. My choices and experiences are reflected in those changes, and I hope to demonstrate clearly throughout this work, just how this research project (in the field and in the writing) has affected my beliefs and values about human-dolphin interactions.

we heard the call "Dolphins!" all of us—from my littlest cousin to my grandparents—would stop what we were doing and rush to the water's edge and wait, searching the waters and hoping to catch a glimpse of a dorsal fin emerging from the water way out in the Atlantic Ocean. Nobody rushed into the water. We knew that there was no point to diving in and swimming out to get closer to the dolphins. They were too fast and always too far away to catch up with, so my family and I watched from the beach as they swam by. From a very early age, I came to think of dolphins as different from other animals—both special and elusive.

I can not tell whether my summers at the beach inspired my personal enthusiasm for dolphins or whether I was (like so many of my generation), influenced by *Flipper* television re-runs and marine parks like SeaWorld. I have said many times in the past that I "love dolphins," a phrase that I have heard repeatedly while interviewing people during this research project. But what I understand now is that I did not "love dolphins"—that is, if *love* means to value dolphins as sentient, sapient individuals who are intrinsically valuable and therefore worthy of respect, autonomy, and freedom. Instead, I was one of countless people who are fascinated by and drawn to these aquatic beings who seem so familiar on the one hand—playful, intelligent, and friendly—and so elusive and alien on the other. My desire to be closer to dolphins led to full-time volunteer work rehabilitating and releasing two stranded rough-toothed dolphins and a job as a dolphin trainer in a captive dolphin facility in Florida. With these experiences came some understanding, but ultimately led to deeper questions about dolphins and about our relationships with dolphins.

Thus, it may be clear why I chose this dissertation topic. What may be less clear, given my early fascination with dolphins and my personal history as a dolphin trainer, is whether I believe that people *ought to* swim with (or touch, or feed, or interact at all with) dolphins. This research project has been an evolutionary process and I, as part of the process, have also evolved in my thinking and axiological stance on the matter. Instead of offering any conclusions at this point, I ask the reader to travel with me through these inquiries and investigations of various human–dolphin encounter spaces. In the concluding chapter I suggest that there are better and worse ways of interacting with dolphins. I also offer suggestions—both policy suggestions and applied, structural alternatives—in light of what I consider the most important lessons learned from investigating the burgeoning swim-with-dolphins industry. Finally, it is no secret that my interests here are decidedly critical and my project motivated by normative concerns (see

Graham, 1997): I aspire not just to make human–dolphin encounters intelligible, but also to promote the well being of both the humans and dolphins involved.

Understanding Dolphin–Human Encounter Spaces: A Brief Outline

I begin exploring relationships between dolphins and people with a *geohistory* in chapter two, a historically and geographically informed narrative, which provides a context for investigating human–dolphin encounter spaces today. I next present my theoretical approach to understanding our relations with other animals—a constellation of ideas I term posthuman pluralism. Chapter 4 describes my qualitative research strategy, which consists of three individual case studies. Chapter 5 details the first case study, which describes human–dolphin encounters in the wild. The second case study, presented in chapter 6, describes human–dolphin encounters in captivity.[8] The third case study describes a policy dispute relating to dolphin–human encounters, explicating how societal structures both encourage and resist such interactions in a particular contested space—Panama City Beach, Florida. Description gives way to evaluation and understanding in the final chapter where I suggest alternatives to current dolphin–human encounter policy and practice. In all, I intend my research to extend both practical and intellectual horizons in order to advance the well being of dolphins, humans, and the spaces we share.

[8] The use of the terms "wild" and "captive" are not unproblematic. I consider all dolphins—whether living in human care or free-ranging in the open sea—to be wild animals. But the concept of "wild" can be as tenuous as ideas about what is "nature" (e.g., Soper, 1995). Instead of engaging in a realist or constructionist discussion of what may or may not be considered "wild" spaces or "wild" animals (to do so would have been to participate in debates that resonate with nature-society traditions that I find troublesome—see chapter 3), I fully described each of the encounter spaces that I investigated and labeled them as clearly as I thought possible.

CHAPTER 2

A GEOHISTORY OF DOLPHIN–HUMAN INTERACTIONS

People have welcomed dolphins into their lives and their ways of life for ages. To the Minoans, as far back as 2000 B.C., dolphins were symbols of joy and music (Dobbs, 1984; Montagu, 1962).

Figure 2.1 Minoan Dolphin Fresco (circa1500 BC) reproduction installed in the Queen's Megaron at Knossos. The original is in the Iraklio Archaeology Museum.

Centuries later, the ancient Greeks and Romans included dolphins prominently in their mythology, art, and literature (Dobbs, 1984; Montagu, 1962; Reynolds, Wells, & Eide, 2000). In Australia, four extreme points of the continent have always been significant *dolphin dreaming* sites for Aboriginal tribes (Cressey, 1999; Taylor, 2003). All over the world—Australia, Oceania, China, India, Egypt, and Africa (even Sub-Saharan Africa)—dolphins and whales figure in stories of human creation and civilization (Taylor, 2003).

Figure 2.2 The Dionysos Cup by Exekias, circa 540 B.C.

Dolphins were especially prominent in the classical Greek era. They were featured on both Odysseus' and Hercules' shields, became a constellation after delivering Amphitrite's love to Zeus, appeared on coins and in statues, had towns and the main court in Athens named for them, and were held to have saved many young princes' lives (Alpers, 1960; Taylor, 2003). The myth of Arion is among the most well-known of ancient human–dolphin legends. Mentioned by Shakespeare in the first act of *Twelfth Night*, Arion was a famous musician of his time who was saved from drowning by a benevolent dolphin. Another legendary story of a boy's relationship with a dolphin led Alexander the Great to name the boy "The Great Priest of Poseidon" in the Temple of Babylon (Brown, 1999; Taylor, 2003). About 400 years later, Roman scholar Pliny the Elder, in *Natural History* (IX, 8, 24–28) remarked:

Figure 2.3 Ancient coin from Taranto, with Taras (son of Poseidon) riding a dolphin, circa 344 B.C.

> The dolphin is an animal that is … friendly to mankind [and] is not afraid of a human being as something strange to it, but comes to meet vessels at sea and sports and gambols round them, actually trying to race them and passing them even when under full sail. In the reign of the late lamented Augustus a dolphin that had been brought into the Lucrine Lake fell marvelously in love with a certain boy …. I should be ashamed to tell the story were it not that it has been written about by Maecenas and Fabianus and Flavius Alfius and many others—and when the boy called to [the dolphin] at whatever time of day … it used to fly to him out of the depth, eat out of his hand, and let him mount on its back … and used to carry him when mounted right across the bay to Pozzuoli to school, bring him back in similar manner, for several years, until the boy died of disease, and then it used to keep coming sorrowfully and like a mourner to the customary place, and itself also expired, quite undoubtedly from longing. (Montagu, 1962, pp. 11–12)

Pliny the Elder's tale of the Italian boy and his dolphin friend may seem like a fanciful myth, but close encounters with dolphins, even tales of children "riding" on dolphins, are not unique to ancient legends. For example, there is a well-documented account of a female bottlenose dolphin named Opo at Opononi, New Zealand, who was renowned for letting children

"ride" on her back in the mid 1950s (Alpers, 1960; Constantine & Baker, 1996; Montagu, 1962, 2003). Twelve year-old Jill Baker and Opo reportedly formed a very strong bond; Opo would tow Jill around the bay, and the two would play all sorts of games together (Doak, 1988). The local community gave the dolphin a public funeral when she died in 1956, and later erected a statue in her honor.

Figure 2.4 Children interact with Opo at Opononi, New Zealand, circa 1955.

Opo was what is now called a "lone sociable dolphin" by many scientists who study dolphins (e.g., Samuels et al., 2000). Lone sociable dolphins typically seek out interaction with humans and are usually not seen with other dolphins. Opo is not the only lone sociable dolphin to have gained attention in the twentieth century. Other solitary sociable dolphins who have been the subject of much public fascination and scholarly research include: Donald in the Isle of Man on the British coastline (Doak, 1988), Tiao in Brazil (Santos, 1997), Pita in Belize (Flanagan, 1996), JoJo in the Turks and Cacaos (Cressey, personal communications, May 24, 2003), Viola in Sao Vicente, Sao Paulo (Santos et al., 2000) and others (Doak; Dobbs, 1984; Frohoff & Packard, 1995).

Figure 2.5 Statue erected in honor of Opo the dolphin in Opononi, New Zealand, circa 1957

Contemporary evidence also supports ancient tales[9] of dolphins engaging in cooperative fishing endeavors with humans (Busnel, 1973; Pryor, Lindbergh, Lindbergh, & Milano, 1990; Reynolds et al., 2000). Accounts of cooperative fishing are markedly familiar, ranging from the Mediterranean to North Africa to Australia, and involve dolphins herding fish into human fishers' waiting nets (Busnel; Pryor et al., 1990). A long-term fishing cooperative has reportedly gone on in the town of Laguna, near the southern tip of Brazil, since 1847 (Pryor et al.). Laguna

[9] Pliny the elder also wrote in *Natural History* about a regularly occurring relationship between fishermen and dolphins. According to him, when the fishermen called the dolphins, they responded quickly and "arranged themselves in a battle line which [was] distributed inward toward the place where the action [was] concentrated; they block[ed] the access to the deep waters and [drove] the disturbed fish toward the shallow waters" where fishermen caught them. The dolphins, he said, were "content to delay eating until final victory [was] attained" (Busnel, 1973, p. 112).

has come to rely on the dolphin-assisted fishery, as it is considered the primary source of income for some 100 families (Pryor et al.). Researchers who observed the phenomena in the late 1980s recounted the regular, highly ritualized cooperation that appears to involve learned behavior in both human and dolphin participants (Pryor et al.):

> The fishermen, each with a circular nylon throw-net rimmed with weights, position themselves in a single-line, a net's diameter apart, standing approximately 1 m of water parallel to the shore. One or two dolphins station themselves several meters outside the line of men, facing seaward, floating or moving slowly at the surface. From time to time a dolphin submerges, usually moving seaward; the men then brace themselves. The dolphin reappears, usually in a few seconds, traveling toward the line of men. It comes to an abrupt halt and dives just out of net range, 5–7 m from the line, thus making a surging roll at the surface, a movement markedly different from normal respiratory surfacings. Men who are in front of the dolphin as it rolls then cast their nets. Fish are caught under the nets and become entangled in the meshes. Successful fishermen return to the beach to harvest their catch, and others replace them in the line. (Pryor et al., 1990, p. 78)

Because the water is very turbid (visibility is reportedly less than three feet), the Laguna men can not see the fish and must depend on the dolphins' behavior to know when to throw their nets (Pryor et al., 1990). According to the fishermen, the dolphins detect the fish, round them up, and deliver them to the line (Pryor et al.).

Knowing Dolphins

Dolphins are aquatic mammals, [10] classified as belonging to the order called *Cetacea,* which is made up of whales, dolphins, and porpoises. Cetaceans are divided into *odontocetes* (toothed whales) and *mysticetes* (untoothed whales, mostly the great whales who use baleen to strain the water for tiny organisms to eat). Dolphins, orcas, porpoises, freshwater river dolphins, and sperm whales are all considered *odontocetes*, which is why dolphins are essentially thought of as small toothed whales. Evidence suggests that modern cetaceans originated from a land mammal that is thought to have returned to the sea some 50 to 60 million years ago (Reynolds et al., 2000). Many people are familiar with bottlenose dolphins (*Tursiops truncatus*), those most often on display at marine parks and aquariums and the species of dolphin that starred in the *Flipper* shows and movies. Still, there are more than 30 different species of dolphins worldwide (Herzing & White, 1999). Like humans, all dolphins are highly social and most live in groups ranging from a few members to thousands. They generally devote substantial time and energy to

caring for their young[11] and engaging in relationships, some of which have been documented to span decades (Herzing & White; Reynolds et al.). Sometimes referred to as "fission/fusion" societies, dolphin groups have dynamic hierarchical relationships that remain generally in flux (Herzing & White). Biologist Rachel Smolker observed that,

> like us, dolphins spend much of their brain power keeping track of who does what with whom, engaging in rivalries and social politics, figuring out what others might be thinking, competing and cooperating in complicated, multi-leveled alliance. Like us, their minds are on each other. (Smolker, 2001, p. 256)

Having "watched the intensity and complexity of dolphins' social interactions" in Australia for nearly decade, Smolker is "convinced that this is the driving force behind dolphin intelligence" (Smolker, p. 263).

Dolphins have a complex brain. The brain's cortex is where information is received, organized, analyzed, and stored in mammals (Byrne, 1995), and the surface area of the dolphin cortex is enormous in relation to the rest of the brain (and compared to human brains—the former averaging 3,700 centimeters squared, and the later 2,300 centimeters squared) (Griffin, 2001). Dolphin brains are also asymmetrical; asymmetry in humans is associated with such sophisticated mental abilities as language (Griffin).

The dolphin brain is similar to the human brain in complexity and convolutions, in brain to body weight ratio, and in neural complexity (Marino, 1998; Marino, Rilling, Lin, & Ridgway, 2000). However, dolphin brains differ from humans' in the overall structure and organization, connections to the limbic system and probably other ways that are not yet identified (Herzing & White, 1999). According to Herzing and White (pp. 74–75), "dolphin brains have apparently evolved through a similar process as those of humans: the needs and pressures for intricate societies, relationships, and complex communication between each other and their neighbors," but dolphin brains, as they are now, have been around millions of years longer than the modern human brain. That is, humans have had the brain we do for about 100,000 years; dolphins have had the same sized brains (or larger) than ours for about 15 million years (Herzing & White).

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[10] There is a fish that is also called a dolphin; it is also known as a Mahi Mahi, Jumping Jack or Dorado.

[11] Calves stay with their mothers for three to five years, then are overseen in juvenile groups for another five years or so.

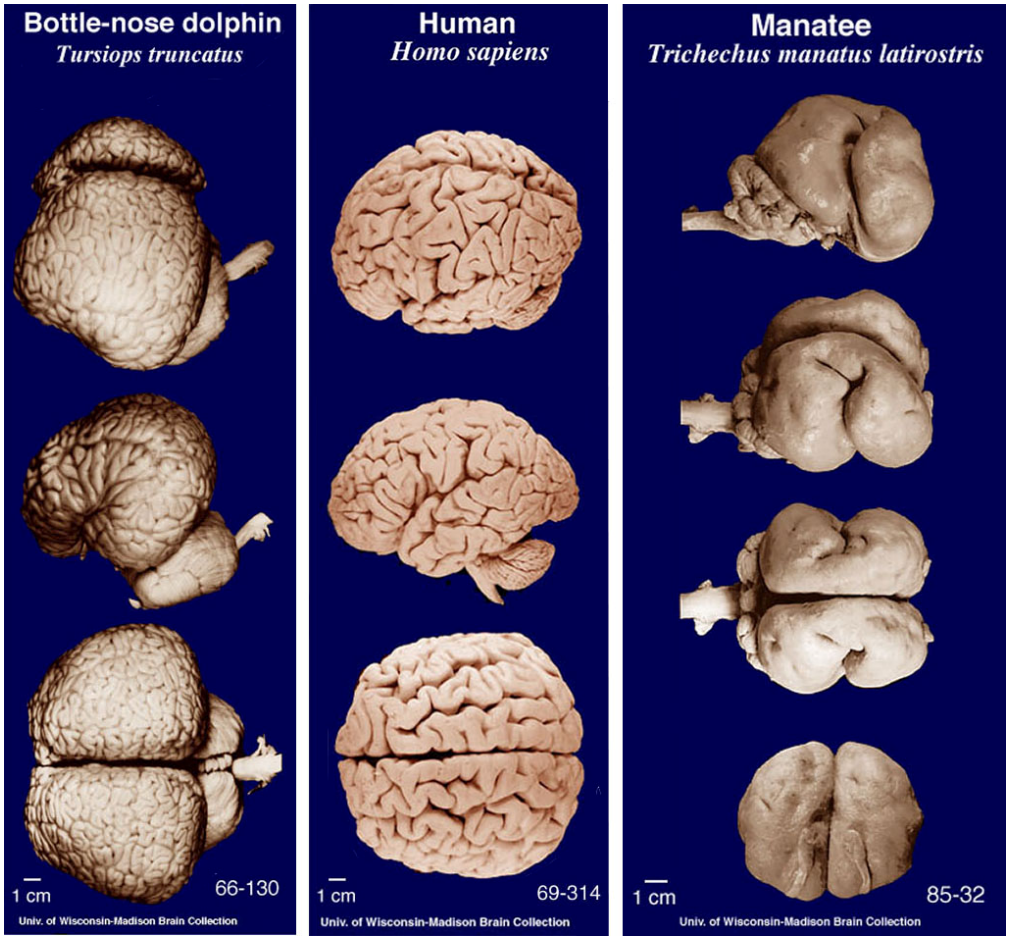

Figure 2.6 Dolphin, human and manatee brain images side-by-side

Dolphins rank higher in encephalization quotient (EQ), the ratio of the brain volume to the surface area of the body, than great apes and have been placed only second to humans (Marino, 1998). The EQ is significant because it gets higher as the subjects' social structures get more complex (Marino). But Marino suggests that the EQ measurement may be *underestimated* in dolphins because of the additional weight of blubber in the cetacean body. Some suggest that dolphins, therefore, may have at least the marine parallel to the human EQ.

With relatively large brains and a substantial cerebral cortex, it is widely accepted in the scientific community that dolphins have considerable cognitive abilities (e.g., Herman, 1986; Lilly, 1967; Marino, 1998; Marino et al., 2000). They communicate with one another using a complex system of whistles, body language, and touching that is not fully understood by dolphin scientists (Herzing & White, 1999; Lilly, 1967; Pryor & Norris, 1991). Dolphins also have learned to communicate with us, if only partially, through the use of a human-created artificial

language (Herman, 1984, 1986; Herman & Uyeyama, 1999; Hillix & Rumbaugh, 2004). In addition, scientists and dolphin trainers agree that dolphins have a rich emotional life, including a sense of humor (Herzing & White, 1999), and people who regularly work with them often speak of dolphins as having distinct "personalities" (e.g., Herzing & White, 1999; Howard, 1995).

Dolphins also exhibit a sense of self. Rigorous studies indicate that dolphins recognize their own reflections in a mirror—a very rare capability in the animal kingdom that was only confirmed in humans and great apes before a recent study showed that dolphins also share this capacity (Reiss & Marino, 2001, p. 5937). In experiments with captive dolphins at the New York aquarium, researchers first marked the dolphins with "sham" marks, and then exposed them to a mirror. After several repetitions, the scientists put temporary black ink on parts of the dolphins' bodies, which the animals could see only in a mirror. In each of the trials, the dolphins went to the mirror to examine the areas the scientists had marked.[12]

Reiss' and Marino's findings "provide definitive evidence that the two dolphins in this study used the mirror (and other reflective surfaces) to investigate the parts of their body that were marked" (Reiss & Marino, 2001, p. 5942). Previously, researchers had suggested that self-recognition was possible only in animals with a frontal lobe, such as humans and other primates (e.g., Byrne & Whiten, 1998). This study, however, suggests that mirror recognition is probably linked with more general characteristics, such as large brain size and cognitive ability (especially because dolphins' and primates' brains evolved along very different lines) (Marino, 1998). In any event, the research indicates that dolphins have an acute sense of themselves and others.

Self-awareness is also indicated by dolphins' use of *signature whistles*—the equivalent of a unique name—which they apparently use to call one another when separated over distance, among other things (Herzing & White, 1999; Reynolds et al., 2000). In addition, scientists have found that dolphins, like humans, act independently of instinct, biological drive or conditioning. Indicating what would be called "free will" in humans, dolphins make purposeful choices and conscious decisions in their lives, even when it comes to sexual activity and eating (Herzing & White, 1999; Pryor et al., 1990; Pryor & Norris, 1991; Würsig, 1996).

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[12] This *mark test* was devised by Gordon Gallup, Jr., who used the test to demonstrate self-recognition by chimpanzees (Gallup, 1970). While the test has been used with many other animals, including primates, elephants, and parrots, other nonprimates have not reacted to a mirror by using it to examine themselves (Reiss & Marino, 2001).

Dolphins also show that they have some concept of responsibility, both as relates to other dolphins and other species. Herzing and White (1999), who studied spotted dolphins in the waters around the Bahamas, found that dolphins both understand and utilize a concept of responsibility in their interactions with humans. Moreover, dolphins often demonstrate altruistic behavior, such as routinely "baby-sitting" for one another, and assisting dolphins who are hurt or distressed for no apparent gain to themselves (Herzing & White, 1999; Pryor & Norris, 1991; Reynolds et al., 2000).

Thus, dolphins apparently share a suite of attributes with humans—many of which humans believed until recently that we alone possessed, such as intelligence,[13] emotions, and self awareness. But dolphins also have inner and outer worlds that are completely foreign to us. They are marvelously suited for their watery environment with muscled, streamlined bodies, a powerful tail fluke to propel them through the water, and pectoral fins with which to steer. Their blowhole allows dolphins to breathe efficiently with only a small amount of their bodies out of the water and their lungs are made up of twice the capillaries of human lungs, which, along with other anatomical attributes, allows dolphins to dive deeper, surface more quickly and remain under water far longer than any human is capable of doing without aid (Harrison & Bryden, 1994). Most remarkably, dolphins navigate their world primarily through the use of senses we do not have. For dolphins, sound is the primary perception tool, but their use of sound is far more complex than a human's. Using a sophisticated system of echolocation, dolphins project sonic *clicks* that return echoes that portray a three-dimensional image of the world around them. As sound passes through living tissues, dolphins routinely "see through" each other and every other living organism (e.g., Harrison & Bryden). It is perhaps a combination of their familiarity and their exotic other-worldliness that has attracted humans and dolphins to one another throughout the ages.

Contemporary Dolphin–Human Interactions

As dolphins were once deified by the ancient Greeks, today they are iconized in everything from jewelry to corporate logos, and celebrated in popular culture and media. However, the quantity and quality of our encounters with dolphins have become very different from the days of ancient Greece. Take fishing as an example. The experience several thousand

[13] Dolphins also have been found to use tools (Kruetzen et al., 2005).

years ago with sailboats and hook-and-line fishing techniques was very different, both for dolphins and humans, from that of expansive factory fishing vessels today. Modern, large-scale fishing practices can have alarming effects on local species. For instance, purse seine nets allow fishers to catch thousands of pounds of tuna at one time in the Eastern Tropical Pacific (ETP; Stewart, 1998). Other species that happen to be in the way of those efforts—*bycatch* like sea turtles,[14] billfish, sharks, mahi-mahi and dolphins—also get caught up in the tuna nets and die (Buck, 1997; Stewart, 1998). The incidental killing of dolphins in the tuna fishery in the ETP was estimated to be well over 400,000 in 1972 (Stewart, 1998).[15]

Today, greater numbers of people inhabit coastal areas and societies all over the world continue to intensify their use of coastal and ocean space. Human efforts to address environmental challenges through science, education, or policy measures, for example, may have a positive impact on dolphin lives and habitat. However, as demonstrated by the fishing example, many human actions have a deleterious effect on dolphins today. These include indirect effects such as noise pollution and habitat degradation, which also threaten dolphin populations like no time in history before and further underscore the tremendous impact human activities have had on dolphins (e.g., Reynolds et al., 2000; Taylor, 2003).

Defining Encounters

Human interactions with dolphins range from the positive (such as small-scale cooperative fishing endeavors) to the adverse (for at least one species in the interaction) as demonstrated by the tuna fishing related dolphin deaths in the ETP. There are many other examples of direct dolphin–human interactions today, many of which are controversial. These include interactions with lone sociable dolphins; military use of dolphins; scientific research using dolphins; dolphin watching and feeding ventures; fishers who compete with dolphins for resources; rescue, rehabilitation, and (sometimes) release of stranded dolphins; public display of dolphins; dolphin assisted therapy; and swim-with-dolphins programs. All of these activities

[14] The killing of sea turtles and other bycatch is not limited to the purse-seine fleet. For example, by some accounts, shrimp fleets result in sea turtle takings at least 1000 times larger than the ETP tuna fleet's (http://www.earthisland.org/immp/archive_dolphin7.htm).

[15] The incidental killing of dolphins in the tuna fishery in the ETP has decreased from an estimated 423,600 in 1972 to around 52,500 in 1990 and only 2,000–4,000 per year by the late 1990s (Stewart, 1998). The decline in dolphin deaths is likely a result of evolving awareness and attitudes, changing national and international laws and policies, and the use of improved technology in the fishery (Stewart, 1998). Still, any dolphin deaths at the hands of humans—whether intentional or incidental—are unacceptable to many (Stewart, 1998).

offer rich opportunities for researchers to further understanding and insight about human–dolphin relations. However, given the breadth and depth of the various topics, I limit my own research in the following chapters to exploring human–dolphin encounters in the marketplace. These are defined as close interactions between humans and dolphins that result from at least one participant's intent to meet or experience the other—whether in a public display setting, an interaction program in captivity or a swim-with-dolphins tour in the wild.[16]

Dolphins on Display

In today's world, by far the easiest way for most people to encounter dolphins is to visit an aquarium that displays dolphins to paying visitors. Although largely taken for granted, given the ubiquity of marine parks like SeaWorld, the human practice of keeping dolphins in a captive environment is a recent phenomenon. The popular, now-routine, "dolphin shows" only first emerged during the mid-twentieth century.

Sporadic attempts to display dolphins to the public began in the 1860s (Reeves & Mead, 1999; Reynolds et al., 2000).[17] Interestingly, the history of marine parks and aquariums (dolphinariums) that display dolphins is rooted more firmly in the circus than the zoo (Davis, 1997; W. M. Johnson, 2002). Phineas Taylor Barnum, the man who introduced the circus sideshow (a lucrative variation of the menagerie) and father of *The Greatest Show on Earth,* was among the first to capture and display dolphins in the mid 1800s.[18] Having traveled up the St. Lawrence River to obtain two "white whales" (belugas), he transported the dolphins to New York by train and put them into a tank of fresh water, where they died within a few days (W. M. Johnson, 2002). After filing the tank with seawater the second time, Barnum brought another pair of belugas in to display among the many "curiosities" at his "museum," including flying fish, mud iguanas, human "freaks" (the Bearded Lady, Siamese twins, and the like), and "tamed red Indians" (W. M. Johnson, 2002).

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[16] Although dolphin assisted therapy programs might seem to fit the definition of encounter as I have outlined it here, I did not include such activities in my research. In my estimation, they deserve a different focus of attention than the current project calls for; still, there are fascinating investigations and interesting debates associated with this specialized sort of dolphin–human encounter (Birch, 1997; Nathanson, 1989, 1998; B. Smith, 1988, 2003).

[17] A few dolphins, likely harbor porpoises, were introduced into private collections in France as early as the 1400s (Reeves & Mead, 1999). Reeves and Meads chart a detailed history of marine mammal captivity and include data regarding how dolphins (and other marine mammals) were obtained, when they were first taken into captivity, when the first births in captivity occurred, the maximum time they have been in captivity and an extensive source listing.

[18] Starting in the 1860s, sporadic attempts were made to maintain belugas, porpoises, and dolphins in tubs or tanks in eastern North America and Europe for public display (Reeves & Mead, 1999; Reynolds et al., 2000).

It may be a subtle point to those unaware of the history of dolphinariums. Although many dolphinariums are part of the American Association of Zoos and Aquariums, their style and appeal is different from the typical zoo, where viewing animals on display is typically a passive exercise, and the animals are generally unto themselves (sometimes even hidden from view in more modern, "soft" enclosures). At dolphinariums today, dolphins regularly perform a collection of acrobatic tricks that often involve interaction with their human trainers.

Still, it was not until 1938, with the opening of Marine Studios (later renamed Marineland of Florida), that the public display industry as we know it today emerged in St. Augustine, Florida.

Figure 2.7 Marine Studios, "World's First Oceanarium"

Bottlenose dolphins caught in local waters were the star attractions (Reeves & Mead, 1999). During feeding times, the dolphins are said to have fallen into a routine of jumping up to catch their fish, creating something of a spontaneous spectacle that delighted visitors (W. M. Johnson, 2002). Then, a year later, it is rumored that a night employee began interacting with one

of the dolphins at Marine Studios (jumping and playing with balls, inner tubes, and other things) and, as the other dolphins eventually joined in the play, such were the beginnings of the typical dolphin show repertoire seen today (W. M. Johnson). By 1990, there had been more than 1500 bottlenose dolphins taken from the wild for captive display or research (Reeves & Mead; Reynolds et al., 2000). In 1995, the percentage of captive dolphins born in captivity in the United States and Canada was about 43% (Reynolds et al.). As of 2000, it was estimated that 60 facilities in 17 countries held around 650 dolphins in captivity (Reynolds et al.).

They Call Him Flipper, Flipper …

By the 1960s, although several dolphinariums had introduced people across the country to dolphins and their acrobatics, it was *Flipper*—first the film and then the successful television series[19] of the mid to late 1960s—that exposed people to dolphins on an enormous scale. Flipper was fast and strong, but also a kind, gentle, smart friend that everybody loved; he lived in another world, but was always smiling, loyal, and eager to play with his best friend, a human boy. The song lyrics to the show are not too different from the accounts of dolphins given by ancients like Pliny the Elder:

Figure 2.8 Flipper

They call him Flipper, Flipper, faster than lightning**,**
No one you see, is smarter than he,
And we know Flipper, lives in a world full of wonder,
Flying there, under, under the sea!

Everyone loves the king of the sea,
Ever so kind and gentle is he,
Tricks he will do when children appear,
And how they laugh when he's near!

Several different bottlenose dolphins played the part of Flipper during the making of the films and the television series (O'Barry & Coulbourn, 1999). Fictional character though he was, Flipper brought dolphins into a great number of living rooms during the 1960s. For the younger audience who may not have seen the reruns, a major motion film remake of *Flipper* was released in 1996, grossing over $20 million

[19] *Flipper* aired on NBC from 1964 until 1968. *Flipper* was the first television series syndicated around the world; it wasn't until the 1980s that another series found wider distribution (Dynasty) (Taylor, 2003).

(*Box Office Report*, 2005). The 1960s series was a boon for the nascent dolphin-display industry, as more people became interested in seeing a dolphin in "real life."

Flipper-inspired affection for dolphins may also have added some steam to the burgeoning environmental protection movement of the 1970s, especially as relates to the plight of whales around the world. That same fondness for dolphins contributed largely to the public outcry related to dying dolphins in the ETP purse-seine fisheries (Stewart, 1998). Then again, some suggest that the Flipper image could be ultimately harmful because the films and television shows "promote[d] inaccurate images of wild animals. Members of the public may walk away with a misguided and persistent image that marine mammals love humans and want interactions with people, and that they would never hurt a person" (Flanagan, 1996, p. 28).

Dolphin Minds and Human Imaginations

Around the same time frame that *Flipper* was entering homes on a massive scale, medical doctor and psychoanalyst John Lilly became interested in dolphins and changed the focus of his research career from the human brain–mind connection to dolphin minds, intelligence, and communication (Lilly, 1961; Lilly, 1967). Lilly's book, *The Mind of the Dolphin: A Nonhuman Intelligence,* announced the presence of other minds in the human world, further stirring the public's imagination that dolphins possess human-like intelligence (Lilly, 1967).[20]

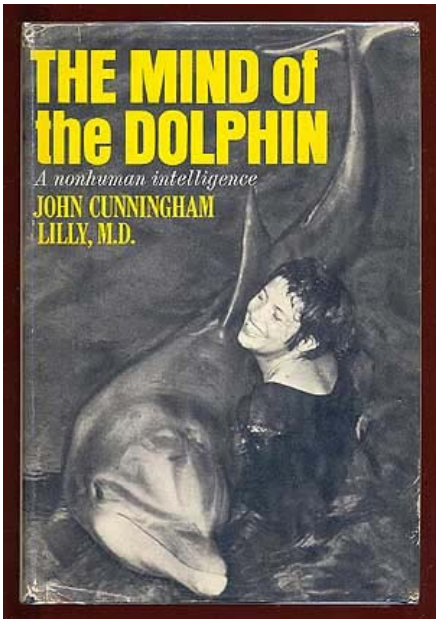

Figure 2.9 The Mind of the Dolphin book cover (1967)

Lilly's discoveries about the size and complexity of dolphin brains led to the 1973 film that was based in large part on his work, *Day of the Dolphin*, staring George C. Scott as the scientist who teaches the phonetics of the English language to captive bottlenose dolphins (Nichols & Relyea, 1973; Taylor, 2003). During the summer of 1975, it aired as a network television prime time movie (when there were only three major broadcast networks) and may have found its largest audience at that showing (and subsequent reruns) (Pop Matters, 2003). *Day of the Dolphin* had far more

[20] Later, beginning in the 1980s, a respected scientist named Louis Herman began conducting his own studies regarding language, intelligence and cognition with captive dolphins in Hawaii (Herman, 1984, 1986; Herman & Uyeyama, 1999).

adult themes than a typical *Flipper* show (including assassination plots, bugging devices, and paranoia); still, with its central concept of innocent dolphins being abducted and used by a shadowy government splinter sect, the popular film projected another image of dolphins as intelligent, sweet, and utterly devoted to their human friends (Nichols & Relyea).

Dolphins and the Marine Mammal Protection Act

The 1970s were generally a time of burgeoning public awareness and participation in policy matters concerning the environment. Recognizing the current investigations into the intelligence of whales and dolphins, and responding to the "wide support for … protection for marine mammals [as] expressed by representatives of conservation and environmental organizations, humane groups, independent scientists [and others]" (H. R. Rep. No. 92–707, 1972, p. 4145), the U.S. Congress enacted the Marine Mammal Protection Act of 1972 (MMPA; 13 USC 1361 et seq.). The legacy of human interaction with dolphins is partly why the legislation protecting marine mammals was enacted. Congress specifically commented that humans have "been involved with mammals of the sea since at least the beginning of recorded history … [and that] the dolphin was highly regarded in ancient Rome" (H. R. Rep. No. 92–707, p. 4147). Additionally, the MMPA was created to address habitat degradation, declining numbers of whales due to whaling, and growing numbers of dolphin deaths in the ETP tuna fishery[21] (Buck, 1997; H. R. Rep. No. 92-707).

The MMPA is the primary legal vehicle for regulating dolphins and their habitats in the United States. It goes beyond concern with conserving endangered species, but aims to protect *population stocks*, meaning that different groups of dolphins may be distinguished as needing greater protection than others, even if they belong to the same species. This was a new concept in 1972 (H. R. Rep. No. 92-707, 1972) and was not a part of any U.S. environmental law before the MMPA was enacted. Further still, although Congress meant to keep population stocks of marine mammals from diminishing below their *optimum sustainable population,* the MMPA also

[21] Even after the MMPA was enacted, however, dolphin deaths in the ETP tuna fishery remained a hot topic on environmental organizations' agendas. In 1984, Earth Island Institute mounted a well-organized campaign to bring public pressure to bear on the dolphin deaths and called for a consumer boycott of all tuna not *dolphin-safe* (Taylor, 2003). The response was moderate, but then in 1988 a young biologist (Sam LaBudde) videotaped images of dolphins caught and struggling in tuna nets while aboard a tuna fishing boat. The startling images were shown on television, at conferences, and around the world. With the dolphin-tuna issue before the public in a new, more tangible way, people responded with fervor and demanded even greater protection for dolphins, writing to their legislators and boycotting canned tuna fish in their local grocery stores that was not dolphin-safe (Stewart, 1998; Taylor, 2003).

provided for every individual dolphin's protection from human harm; the Act prohibits anyone from "taking" a dolphin in the wild (Marine Mammal Protection Act of 1972).

The MMPA essentially contains four main components: Marine mammal protection, a moratorium, exceptions to the moratorium, and penalties. Policy statements and goals declared in the MMPA include:

1. Certain species and population stocks of marine mammals are, or may be, in danger of extinction or depletion as a result of man's activities;
2. such species and population stocks should not be permitted to diminish beyond the point at which they cease to be a significant functioning element in the ecosystem of which they are a part, and, consistent with this major objective, they should not be permitted to diminish below their optimum sustainable population. Further measures should be immediately taken to replenish any species or population stock that has already diminished below that population; and
3. marine mammals have proven themselves to be resources of great international significance, esthetic and recreational as well as economic, and it is the sense of the Congress that they should be protected and encouraged to develop to the greatest extent feasible commensurate with sound policies of resource management and that the primary objective of their management should be to maintain the health and stability of the marine ecosystem (Marine Mammal Protection Act of 1972).

To achieve these goals, Congress established a moratorium on the taking and importation of dolphins and other marine mammals (86 Stat. at 1029). Exceptions to the moratorium were created through the allowance of permits that could be granted for scientific research purposes, or for public display.[22] The power to issue permits relating to dolphins was granted to the Secretary of Commerce, through the National Oceanic and Atmospheric Administration (NOAA), which is responsible for the management and protection of whales, dolphins, porpoises and seals under the MMPA. The MMPA carries both civil and criminal penalties for violations.[23]

The National Marine Fisheries Service (NMFS), under NOAA, is responsible for implementation of the MMPA as it applies to dolphins (and some other marine mammals) in the wild. Before the 1994 amendments to the MMPA, NMFS was also responsible for specifying the

[22] Other exemptions to the moratorium on taking marine mammals included commercial fishing operations and takings by Alaskan natives (86 Stat. at 1031). Congress has enacted several amendments to the MMPA since its original creation (in 1981, 1984, and 1988) (H.R. 97–228, reprinted at 1981 U.S.C.C.A.N. 1458; 98 Stat. at 440; 1994 U.S.C.C.A.N. 518). Among the most significant changes to the MMPA came with the 1984 amendments which required that all nations exporting to the United States have approved marine mammal protection programs, meaning that foreign governments had to prove that they have marine mammal protection programs comparable to the United States' (98 Stat. at 440).

[23] The maximum civil penalty is $10,000 and the maximum criminal penalty is $20,000 and one year in jail.

care requirements of captive marine mammals (66 F. R. 35209). NMFS no longer has jurisdiction over requirements for the standard of care for dolphins in captivity, but still must determine whether someone seeking a public display permit offers a program for education or observational purposes. Once dolphins are in captivity, the Department of Agriculture through the Animal and Plant Health Inspection Service (APHIS) has control of most matters under the exclusive jurisdiction of the Animal Welfare Act (AWA), although NMFS retains control over marine mammals captured from the wild, first-time imports of marine mammals to the United States, and the standards under which dolphins may be released from captivity.

All actions undertaken by government agencies with respect to the MMPA are transparent by design. The public is encouraged to fully participate in agency decision-making processes for permit applications and other regulations affecting the MMPA (86 Stat. at 1035). Policy-making is assisted by the Marine Mammal Commission, an independent body created to monitor the implementation of the MMPA and to recommend policies and undertake research as necessary (86 Stat. at 1030).

Key Terms Defined

Section 1372 (a)(1) of the MMPA declares that it is unlawful "for any person subject to the jurisdiction of the United States … to take any marine mammal on the high seas." *Taking* under the MMPA is defined as meaning "to harass, hunt, capture, or kill, or attempt to harass, hunt, capture or kill any marine mammal" (16 U.S.C. §1362(11)(A)). The term may seem straightforward, but a good deal of controversy has been caused by what, exactly, constitutes a taking in light of the MMPA and related agency regulations.

In the 1990s, the Ninth Circuit Court of Appeals provided an analysis of the term taking in *United States v. Hayashi*, 22 F.3d 859 (9th Cir. 1994). Defendants, fishermen who tried to scare porpoises away from eating tuna off their fishing lines by firing a couple of rifle shots into the water, were charged with a taking under the MMPA. The Court found that *to harass* was the only action that could apply to the case, but at the time of the occurrence the term harass was not defined in the MMPA or any other regulation. Thus the Court interpreted *harassment* under the MMPA to involve "a direct and significant intrusion" on normal marine mammal behavior.

In 1991, NMFS promulgated regulations relating to the take definition under the MMPA to include specific examples of harassment (50 CRF 216.3; 56 F.R. 11693). The 1991 definition of a taking therefore included "the negligent or intentional operation of an aircraft or vessel, or

the doing of any other negligent act which results in disturbing or molesting a marine mammal; and feeding or attempting to feed a marine mammal in the wild" (50 CRF 216.3).

In 1994, the definition of the term harassment was further clarified in the amendments to the MMPA. As it currently stands, the definition is separated into two levels. Level A harassment is defined as, "any act of pursuit, torment, or annoyance which has the potential to injure a marine mammal or marine mammal stock in the wild." Level B harassment is defined as,

> any act of pursuit, torment, or annoyance which has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns, including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering. (16 U.S.C. §1362 18(A))

The current, two-tiered definition of harassment is complex and somewhat ambiguous. As a result, NMFS has faced many difficulties in implementing and interpreting the amended definition. According to the recent testimony by a NMFS representative given to the U.S. Senate on Reauthorization of the MMPA:

> NOAA has experienced difficulties with interpretation, implementation, and enforcement of the current MMPA harassment definition. First, the definition is limited to acts involving "pursuit, torment, or annoyance." Second, the definition is overly broad and does not provide a clear enough threshold for what activities do or do not constitute harassment. Third, the definition does not provide an adequate mechanism to address activities intentionally directed at individual or groups of marine mammals that disturb the animals. (*Testimony of Dr. Rebecca Lent, Deputy Assistant Administrator for Fisheries*, 2003)

The question of harassment has been particularly difficult as it applies to the increasing number of wild swim-with-dolphins operations (see Spradlin, Drevenak, Terbush, & Nitta, 1999). Most wild swim-with-dolphins operators contend that they are not harassing the dolphins with whom their customers interact (see chapter 7 herein).[24] But NMFS "is concerned that [such] activities in the wild risk causing harassment to the dolphins since, by their nature, they pursue interactions with wild dolphins that can disrupt the animals' natural behavior" (Spradlin et al., 1999, p. 2).

[24] Except for specific listed purposes, like scientific research, the MMPA does not provide for a permit or other authorization process to view or interact with dolphins.

In order to discourage in-water human–dolphin encounters, NMFS worked with the National Watchable Wildlife Program to create guidelines for dolphin interactions: These include: (a) view wild animals from an appropriate distance (for dolphins, they designate a distance of at least 50 yards); (b) stay clear of areas used for resting or sheltering; (c) avoid surprising wildlife; and (d) never feed wild animals (Spradlin et al., 1999). All five NMFS regions also developed viewing guidelines to inform the public how to view with dolphins without harassing them (NMFS Regional Wildlife Viewing Guidelines for Marine Mammals are available online at http://www.nmfs.noaa.gov/pr/education/viewing.htm).

To support the guidelines, NMFS initiated a nationwide education and outreach program that includes the *Protect Dolphins* campaign to address continued concerns about feeding and harassment activities with wild dolphins, particularly in the southeast United States (67 F.R. 4379). In addition, NMFS' stated policy with regard to close human–dolphin interaction is plain:

> Interacting with wild marine mammals should not be attempted and viewing marine mammals must be conducted in a manner that does not harass the animals. NOAA Fisheries does not support, condone, approve, or authorize activities that involve closely approaching, interacting, or attempting to interact with whales, dolphins, porpoises, seals, or sea lions in the wild. This includes attempting to swim with, pet, touch, or elicit a reaction from the animals. (Office of Protected Resources, 2005)

Nevertheless, wild swim-with-dolphins operations have continued to increase in parts of the country. And although the taking of marine mammals is subject to prosecution under the MMPA, neither NMFS' policy statement nor the viewing guidelines are enforceable. Thus, in 2002 NMFS published an Advance Notice of Proposed Rulemaking (ANPR) in the Federal Register stating that it was considering the development of additional regulations that would in effect codify the viewing guidelines and essentially define wild swim-with activities as harassment under the MMPA (67 F.R. 4379). NMFS received over 500 comments to the ANPR from various people affected by the potential regulations, including experts in the marine mammal community, commercial wild swim-with tour operators, the captive dolphin display and interaction industry, animal advocates, citizens who wished to continue swimming with dolphins in the wild, and others. A range of viewpoints were expressed, but what was clear from the comments is that the ANPR is controversial, eliciting voices that range from hotly contesting any additional regulations to arguing that even stricter regulations were needed (Lewandowski, 2005;

Spradlin, personal communication, August 9, 2004). NMFS has not yet implemented the proposed regulations, and the policy dispute continues.

Going in for a Closer Look: Human–Dolphin Encounters Today

The widespread fascination with dolphins today seems apparent considering the increasing popularity of marine theme parks in the United States over the past few decades. For the dolphinarium business, it has meant big revenues. Few animals, wild or domestic, have the money-earning draw of marine mammals; a single dolphin can generate revenues of $1 million per year (Kestin, 2004b). The demand is also reflected in the cost of the animals. Atlantic bottlenose dolphins captured for display in the 1960s sold for just $300. In 2002, SeaWorld bought nine dolphins from Marineland of Florida, paying $130,000 each (Kestin, 2004b). Dolphins and whales have become so valuable that attractions take out life-insurance policies on animals and transport dolphins worldwide for the chance to breed more (Kestin, 2004a). About ten years ago, SeaWorld bought an orca ("killer whale") for $875,000. Today, the animals are worth more than $5 million (Kestin, 2004b). One marine mammal appraiser in Florida said "It's huge business. Everybody wants in" (Kestin, 2004b).

Today, more people visit aquariums every year than zoos,[25] despite the average admission fee at aquariums being more than twice that of the average zoo (*2003 Cultural Attraction Attendance Report*). The success of dolphinariums is astounding: in the United States alone, more than 50 million people are estimated to have visited captive dolphin facilities in 2003, where they spent more than one billion dollars (Kestin, 2004a).[26] And these days, dolphinariums promote far more than the (now) typical jumping, tail-walking, flipping dolphin show. Dolphin facilities seem to have hit on a profitable formula. Admission can cost up to $130, not counting heavily sought-after extras; for example, *feed a dolphin* for three dollars per fish; *hold a T-shirt and let a dolphin paint it* for $55; be a *dolphin trainer for a day* for $650; or send a disabled loved one to *dolphin-assisted therapy* swim sessions for upwards of $2,000 a week (e.g., Discovery Cove, 2005; Dolphin Research Center, 2005; Kestin, 2004a). The closer the

[25] According to Morey & Associates Cultural Attraction Attendance Reports, in 2002 the average annual attendance at aquariums was 815,399 while estimated average attendance at zoos was only 594,664 (Morey & Associates, 2003).

[26] This is based on one estimate done for a newspaper article series called "Marine Attractions: Below the Surface" that aimed to investigate and report on the captive dolphin industry, particularly in Florida. According to the reporter, "Just how big the industry has become is impossible to say because most marine attractions don't release attendance or revenue figures" (Kestin, 2004b).

encounter, the higher the ticket price, but many people are eager to pay for the chance to get up close and personal with a dolphin.

Swimming With Dolphins in Captivity

Many people are no longer satisfied with a passive experience where they only watch dolphin shows at marine parks. They are seeking out much more active encounters that allow them to move from the role of observer to that of participant. The federal government authorized four captive display facilities to conduct in-water dolphin interaction programs in the 1980s.[27] In 1990, with only those original four facilities offering in-water dolphin encounters in the United States, over 40,000 people participated in one of the programs, bringing in gross revenues that are thought to have exceeded $2.2 million annually (Frohoff & Packard, 1995). That number has increased dramatically in the last 15 years and, with the typical cost today of about $100–$125 per interactive session, the gross revenues surely have as well (Humane Society of the United States, 2005). Today, the United States has as many as 18 facilities offering dolphin encounter programs, and the number of swim-with-dolphins programs is increasing, particularly in the Caribbean and the South Pacific (Humane Society of the United States).

Although the federal government has specified rules regulating dolphin interaction programs in captivity, the form that dolphin encounters take vary somewhat according to the facility offering the programs, as do the techniques humans use to handle participating dolphins (Frohoff & Packard, 1995; Samuels & Spradlin, 1994). On average, sessions last a half hour and many programs offer to sell photos or videotapes of the experience to participants when they are finished (Humane Society of the United States, 2005). Encounters take place in all sorts of environments, ranging from sea pens in tropical waters (as with several facilities in Florida) to pool-like concrete tanks (usually found at traditional dolphinariums) to concrete tanks manufactured to simulate a natural, tropical environment. The epitome of the last type is found at SeaWorld's sister facility in Orlando, Florida that opened in 2000—Discovery Cove.

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[27] In the United States, the Department of Commerce's NMFS first authorized a captive dolphin to be used in a swim-with program in 1985; it later authorized these programs in three additional facilities in 1987–1988. The authorized facilities included Dolphin Research Center, Dolphins Plus, Theater of the Sea in the Florida Keys, and Dolphin Quest in Hawaii (Samuels & Spradlin, 1994). NMFS lost its regulatory authority over captive swim-with programs in 1994. Since then, captive swim-with programs have grown in numbers around the U.S. and abroad. The Department of Agriculture's APHIS now has sole jurisdiction over them as the agency that administers and enforces that the Animal Welfare Act (which sets the standards for the requirements of captive marine mammals).

Anheuser-Busch spent around $100 million building Discovery Cove (L. Miller, 2004), quite an investment into a facility primarily devoted to human–dolphin encounter programs. It is exquisitely fashioned, with lush tropical landscaping, magnificent coral reefs, blue lagoons, and rushing waterfalls. The reefs, lagoons, and waterfalls are stunningly manufactured for appeal to the human customers. The dolphins at Discovery Cove appear to be swimming in a "natural" environment, but they exist in concrete pools that, from the dolphins' perspectives, are probably equivalent to those housing the dolphins across the street at SeaWorld Orlando.

Figure 2.10 Discovery Cove, SeaWorld's Sister Facility in Orlando, Florida

For customers that can afford the price, which starts at $229 per person plus tax, Discovery Cove promises an "once-in-a-lifetime opportunity for you and your family to make a connection with these truly remarkable creatures" and invites you to "share a smile with your new friend [during the Dolphin Swim,] the centerpiece of your visit and a once-in-a-lifetime thrill" (Discovery Cove, 2005). The dolphin encounter is described this way:

> The Dolphin Swim gives you a chance to talk, touch, play and swim with our gentle and exquisite bottlenose dolphins … [in] our quaint Dolphin Lagoon where you'll wade into our shallow turquoise waters to start your exclusive dolphin experience. Here, you will meet and play with a dolphin for 30 minutes, getting to know each other through hugs,

> kisses, rubdowns and, ultimately, a one-on-one swim together through the lagoon. (Discovery Cove, 2005)

Discovery Cove is among the most lucrative and well-funded of all dolphin interaction programs in the United States, but other programs promise equally delightful experiences. For example, at Dolphins Plus in Key Largo, Florida, patrons are offered an intimate experience with dolphins, getting "up close and personal" in an "unforgettable experience" (Dolphins Plus, 2003). At Gulf World, in Panama City Beach, Florida, customers are promised an "amazing experience of a lifetime" (Gulf World Marine Park, 2004). Many suggest that there are educational, recreational, and therapeutic benefits to participating in dolphin interaction programs, and advocates of such programs declare that the people who participate in captive swim programs often say the experience "changed their lives" (Reynolds et al., 2000, p. 163).

Swimming With Dolphins in the Wild

Cetacean-related activities in the wild have increased dramatically over the past few decades as well, becoming a billion dollar industry with more than nine million people participating in whale-watching trips and dolphin cruises internationally each year (Hoyt, 2001, 2003). [28] Just as people are participating in much more active encounters with dolphins in captivity, there is an unmistakable trend of people seeking out close encounters with free-ranging dolphins in the wild. As one author put it, "instead of being satisfied with looking at nature, people want to interact with nature" (Simonds, 1991, p. 665).

In-water encounters with free-ranging dolphins[29] occur today around the world (Samuels, Bejder, & Heinrich, 2000). In some cases, the dolphins targeted for these encounter programs have a history of having been fed by humans, especially in the southeast United States and the Gulf Coast regions of Florida (Bryant, 1994; Colburn, 1999; Flanagan, 1996; Ford, 1997; Samuels & Bejder, 1998; Spradlin et al., 1999). Feeding dolphins in the wild became a hot issue in the United States when commercial *feed-the-dolphins* cruises emerged as an offshoot of dolphin watching cruises in the 1980s. This new form of tourism became fashionable after

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[28] In Florida alone, more than 100 dolphin-watching companies operated in 1999–2000 (this is an increase from only four dolphin-watching cruises in 1983 and 25 companies operating in 1993) (Herrington & Forys, 2002).

[29] All dolphins are wild animals, in the sense that most scholars distinguish "wild" from "domesticated" animals. Captive dolphins, or if you prefer, "dolphins in human care," are as wild as their family members in the open seas (although their experiences of being "dolphin" may vary considerably). Thus, to be clear I will follow the lead of Dr. Toni Frohoff (Frohoff & Peterson, 2003; Frohoff & Packard, 1995) and others who choose to refer to dolphins who live freely in their natural habitat as "free-ranging" dolphins.

dolphin-watching cruise operators began providing enthusiastic patrons with fish to give to the dolphins; feeding allowed for a better look at the dolphins, and encouraged them to remain near the boat for longer periods of time (Bryant; Colburn). In 1991, the definition of the term "take" under the MMPA was amended to include feeding or attempting to feed marine mammals in the wild (Bryant). Still, the feeding activity conditioned dolphins in many areas to continue approaching passenger boats, making them accessible for dolphin–human encounter tour operations (see chapter 7).

In other cases of human–dolphin interactions in the wild, dolphins interact with humans in their home waters without having been conditioned to expect food from humans.[30] In fact, dolphins are sometimes the initiators of human–dolphin encounters. For example, in the Bahamas, curious dolphins were known to have sought out interaction with people working on wreck salvage operations in the 1970s (Herzing, 1991). Later, filming of those dolphins led to organized swim-with-dolphin tours. These particular dolphins also have been subjects of underwater behavioral research since 1985 (Herzing, 1991; Herzing, Frohoff, & Cesar, 1995). Dolphin researcher Denise Herzing reported that "in this case the dolphins made first contact … [and had] repeated exposure to divers, researchers, filmmakers, and ecotourists in the water." Herzing and White (1999) described interactive encounters between dolphins and researchers as having promoted "rapport and trust." Such rapport likely facilitates close-up, in-water interaction with the dolphins in the Bahamas today.

In the United States, there are two primary locations where commercial dolphin-swim programs occur in the wild: in the southeast (primarily in Florida) where programs usually involve bottlenose dolphins (*Tursiops truncates*), and throughout the Hawaiian islands, where spinner dolphins (*Stenella longirostris*) are typically involved (Samuels et al., 2000; Spradlin et al., 1999). As with dolphin interaction programs in captivity, human–dolphin encounter

[30] In a report to the Marine Mammal Commission about swimming with wild cetaceans, dolphins and whales that interact with humans were organized around four categories that are generally recognized in the scientific literature: (a) dolphins that are typically solitary and seek human company were termed "lone, sociable;" (b) dolphins with a history of having been fed by humans were labeled "food provisioned;" (c) dolphins and whales that allowed or sought out human swimmers for sustained interactions on a regular basis were defined as "habituated;" and (d) cetaceans that did fit any of these categories were called "not habituated" (Samuels et al., 2000). This is not to say the dolphins "not habituated" to humans do not interact with them; actually, in the foregoing report, the authors discuss "several locations worldwide where tour operators provide opportunities for swimmers to interact with unhabituated dolphins and whales …[and in some cases] cetaceans remain unhabituated despite regular and long-term exposure to human activity" (Samuels et al., 2000). The distinction between "habituated" and "not habituated" is therefore ineffectual for the present purposes.

programs in the wild are growing in popularity (Samuels et al.). Ten percent of people interviewed in a nationwide survey indicated that they had "been swimming with wild dolphins in their natural habitat."[31] And of those who had never interacted with dolphins in the wild, most said they would like to do so.[32] Other research suggests that those people would not be let down, indicating that dolphin encounters can trigger "peak experiences" (DeMares, 2000) and elevate feelings of well-being for the humans involved (Webb, 2001).

According to one dolphin encounter program based in Hawaii, "those who swim with the Dolphins [in the wild] are graced with deeply moving experiences and heightened states of consciousness to pure bliss" (Windows to the Soul, 2004). A Florida company suggests that dolphin encounters in the wild are a "dream" that "we all carry … deep in our subconscious mind;" they are an "emotional, therapeutic and healing experience" (Waterplanet, 2003). Consumer testimonials seem to corroborate the promotional material, often reporting heartfelt delight after swimming with dolphins in their natural habitat, as well as spiritual or emotional benefits. For example, one customer called the encounter program "an AWESOME experience" and wrote that

> our dolphin swim/snorkeling was really the adventure of a lifetime. Lots of people say that and so it becomes diluted or cliché but I mean it in this case. There's just no way to describe the feeling of being in the water with those beautiful animals swimming around you on all sides! It is the purest kind of joy. (Wild Side Specialty Tours, 2005)

Another customer expressed it this way: "I was in absolute awe when I saw all the … dolphins!!! I still can't believe that I was so blessed to have the opportunity to swim with these magical creatures! I dreamed of this all my life" (Wild Side Specialty Tours).

A dolphin interaction company out of the Caribbean reports that

> many people have experienced that contact with these sentient beings has therapeutic effects on our physiology and our spiritual/emotional state. When they interact with humans in their native environment, dolphins seem to revel in obvious joy. Swimmers often report a feeling of deep relaxation, even bliss. (Adventure Health Travel, 2005)

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[31] In 2002–2003, working with the American Zoo and Aquarium Association's Animal Welfare committee, I conducted a nationwide telephone survey in order to better understand public attitudes about animal welfare and wildlife conservation.

[32] Of the 1311 people that answered this specific question (those that answered no, they had not be swimming with dolphins in the wild), 58% answered "yes" when asked whether they "would like to swim with dolphins."

Furthermore, swimmers often talk about their encounters as magical or mystical; in Jan Butts' words,

> I came with the expectation of the adventure of swimming with the wild dolphins; I left with the sweetness of joy of experiencing the mystical magic of surround sound dolphin dance of life. There are no words that can express the beauty and joy one experiences in the presence of the angels of the sea. (Windows to the Soul, 2004)

Although captive facilities advertise their interaction programs as "amazing" or "unforgettable," boat-based dolphin encounter program promotions go a step further. Companies often imply that something is missing or wrong with captive encounters; they are not the *real* thing. For example, one operator out of Panama City Beach, Florida describes his program as educational and authentic:

> The purpose of our educational wild dolphin encounter program is to stimulate awareness about the delicate balance of the marine environment. We do not sell a thrilling experience using trained animals; we show you the real thing by giving you the opportunity to encounter wild dolphins in their territory on their own terms. (Waterplanet, 2003)

The inference is that something genuine happens when customers participate in a wild program; it is not artificial or orchestrated by coercing the dolphins into certain behaviors.

Dolphin researchers Toni Frohoff and Jane Packard (1995) compared both captive and free-ranging dolphin behavior during encounter programs and found that free-ranging dolphins, because they always initiated and terminated their interactions with human swimmers, controlled whether, where, and when encounters began and ended. On the other hand, Frohoff and others have found that captive dolphins showed very little control during swim-with programs as all interactions were directed by the trainer(s) (Frohoff, 1999; Frohoff & Frohoff, 1995; Frohoff & Packard, 1995). That is one distinct and significant difference between dolphin–human encounter programs in the wild versus in captivity: free-ranging dolphins may choose to interact (or not) with human "guests" to their home environment as frequently as they wish, but captive dolphins have little choice of retreating from people when they do not want to interact.

This distinction between encounter programs has quite a lot to do with the number and extent of injuries to human swimmers. Aggressive behavior directed towards human swimmers is not unusual among captive dolphins, and many injuries have resulted from captive swim-with

programs (Frohoff & Packard, 1995). But aggressive behavior by free-ranging dolphins is very unusual,[33] and nearly always the result of human antagonism (W. Doak, personal communication, February 22, 2005; Frohoff, 1999; Frohoff & Packard, 1995; Santos, 1997). Regardless of the context, incidents of injury show that human–dolphin interactions are not always the romantic, magical encounters we read about in commercial operators' promotional material or consumer testimonials posted on websites designed to entice more customers to sign on for the adventure.

Harassment and NMFS' *Protect Dolphins* Campaign

Unfortunately for NMFS, just when the question of feeding-as-harassment was settled, dolphin cruise companies in many areas closed down their feed-the-dolphins cruise operations just to turn around and immediately begin inviting customers onboard refashioned swim-with-the-dolphins programs (Gorman, personal communication, May 9, 2004; Spradlin, personal communication, August 9, 2004). Concern about dolphin harassment therefore persisted, with continued uncertainty about whether human–dolphin encounter programs in the wild amounted to harassment under the Act. The question remains as to whether commercial programs that encourage people to get "up-close and personal" with dolphins in the wild is harassment under the MMPA, but NMFS has forthrightly opposed the activities in published policy statements that discourage people from getting any closer than 50 yards to dolphins, whether in the water or on board a boat (see chapter 7).

Although it does not have the clear enforcement authority on this issue that it has for preventing dolphin-feeding in the wild, NMFS considers most activities that involve swimming, touching, or attempting to interact with dolphins harassment under the MMPA (Hogarth, 2002; Spradlin, personal communication, August 9, 2004). Consequently, the agency has discouraged close human interaction with free-ranging dolphins by developing marine mammal viewing guidelines and a nationwide education and outreach campaign to make the public aware of the

[33] In 1996, two dolphins who were routinely fed by humans injured swimmers and waders in South Florida (Brooks, 1996; Frohoff & Packard, 1995). Some lone solitary dolphins have injured human swimmers (Doak, 1988; Frohoff & Packard, 1995; Lockyer, 1990). And in Brazil, one solitary male dolphin known as Tiao injured a male swimmer who later died in the hospital (Santos, 1997; Santos, 2003). But this was no random act of cruelty by the dolphin: Swimmers had tied objects to the dolphin's flukes, attempted to force objects down his blowhole, and dragged him out of the water when—thrashing his body in an attempt to break free—Tiao hit one of the men in the stomach who later died of internal bleeding (Frohoff & Packard, 1995; Santos, 1997; Santos, 2003).

guidelines and to encourage compliance. The program was expanded in 1997 to include the *Protect Dolphins* campaign that continues today (Hogarth).

As part of the *Protect Dolphins* campaign, official brochures, public service announcements, posters, and signs warn the public that dolphins are "not water toys or pets" but wild, potentially dangerous, animals and that "the Flipper myth of a friendly wild dolphin has given us the wrong idea" because "truly wild dolphins will bite …[and] can get pushy" (National Marine Fisheries Service [NMFS], 1997). Moreover, dolphins are described as potentially "aggressive and threatening," so much so that people have been pulled under the water, bitten, and injured so badly that they had to go to the hospital (see chapter 7).

The *Protect Dolphins* campaign was presumably founded on the assumption that the public must be reeducated about wild dolphins; they must unlearn that dolphins are tame and friendly, and realize that dolphins are really wild, unpredictable animals. NMFS hopes to change attitudes so that individual behavior will also change (Spradlin, personal communication, August 9, 2004). Thus, the well educated citizen would not only think of dolphins in a different way, but adhere to the NMFS viewing guidelines that require people to stay at least 50 yards away from dolphins in the wild. Furthermore, NMFS has considered whether the current viewing guidelines should be incorporated as an enforceable rule into NMFS regulations—a move that would essentially criminalize human–wild dolphin interactions in U.S. waters (NMFS, 2002). Not unexpectedly, commercial interests in the U.S. built around dolphin encounter programs are opposed to such regulations and the matter has caused considerable controversy (see chapter 7).

In addition to the suggestion that dolphins are unpredictable and could be dangerous, opponents of encounter programs contend that increased boat traffic and other anthropogenic affects can wreck havoc on dolphins and their habitats (Spradlin, personal communication, August 9, 2004). This is especially true for dolphins that become habituated to humans, spending more and more time at the surface interacting with them and therefore becoming more vulnerable to boat-related injuries or inappropriate human advances.

Proponents of dolphin encounter programs in the wild suggest that the way dolphins are caricatured as dangerous or unpredictable by the NMFS campaign is overblown and unrealistic (Richard, personal communication, July 9, 2004). Their position is quite the opposite; dolphins are just as they are popularly imagined and perhaps much more. In-water, close up experiences with dolphins may offer "a brief flash of communion, of unified thought and feeling, and we

escape the bounds of our regular life" (Taylor, 2003, p. 6). "The experience of that first penetrating look into the eye of a dolphin" one writer remarked, "creates an explosive expansion inside the human mind. One feels that a portal has just opened up in space and time. A pathway that leads to another being, one who understands" (Taylor, 2003, p. 6). Not only are dolphin–human encounters in the wild therapeutic and healing for humans, proponents say they may be good for the dolphins as well. Aside from the apparent interest in the encounters on the dolphins' part, "this type of wildlife interaction has potential benefits to conservation from the long-term effect of changing attitudes towards wild animals and natural habitats" (Duffus & Dearden, 1990, p. 213).

Chameleon Dolphin

What I find interesting in the geohistory of the NMFS representations of wild dolphins is that it runs stubbornly against the grain of prevailing cultural attitudes. Ancient lore, modern stories, popular media, scientific evidence, and an outflow of commercial imagery of humans and dolphins interacting with one another buttress these attitudes. Accordingly, dolphins are granted a privileged status among animals and welcomed into the company of humans with great delight and admiration. Oddly enough, it is this special standing that ultimately led, at least in part, to the creation of the MMPA and the amendments, regulations, and programs that followed.

To be sure, humans and dolphins are encountering one another more often today than ever before. Contemporary encounter spaces are far more varied today as well, as are the meanings people attach to dolphins and appropriate relationships with dolphins. Depending upon the encounter space, the dolphin may be a meal ticket; a playful, lovable Flipper character; a rival in the hunt for fish; a mystical, magical creature; an affable acrobat on a watery stage; a wild, potentially dangerous animal that should be left alone; or a sentient, communicative being that is equally curious about humans. These various representations both promote and reflect a dynamic, cultural view that is in constant flux. My aim in the following chapters is to engage with the various dialogues in different dolphin–human encounter spaces to better understand the social and ethical dimensions of such encounters in the market.

CHAPTER 3

THEORIZING A MORE-THAN-HUMAN WORLD

All geographical inquiry is informed by ideas about how the world works. More than *just* philosophical, theories are entirely practical; they can promote dialogue and exploration—challenging what is "commonsense" or taken for granted—and, in the best cases, help us to describe, explain and evaluate the world we live in (see Castree, 2003c; Gregory, 2001; Lynn, 2002a). What is more, when thinking about our relationships with the nonhuman world, ontological[34] positions are particularly significant because they determine who (or what) is to qualify for ethical considerability, the practical consequences of which can literally mean life (for those welcomed into the moral community) or death (for those excluded).

My approach to understanding human–animal interactions is pluralistic and dynamic, honoring both theory and practice with a set of overlapping ideas intended to guide thinking about our relations with animals. Influenced by a constellation of ideas situated in an interpretative tradition, my approach is informed primarily by philosophical hermeneutics, practical ethics and various components of contemporary (postpositivist) geographic thought. Although I hesitate to give any more concrete brand to my theoretical approach, I have named Part I of this chapter Posthuman Pluralism only to identify the shape of my own style, concerns, and vision.[35] I agree with philosopher Richard Bernstein that

> labels in philosophy and cultural discourse have the character that Derrida ascribes to Plato's pharmakon: they can poison and kill, and they can remedy and cure. We need them to help identify a style, a temperament, a set of common concerns and emphases, or a vision that has determinate shape. But we must also be wary of the ways in which they can blind us or can reify what is fluid and changing. (Bernstein, 1986, p. 343)

[34] As Castree (2001, p. 4) used the word, I mean "ontology" in an informal sense here to refer to "axiomatic statements about the physical stuff of the world;" that is, what we think of as "real" and significant in the world.

[35] I might just as well have called it Geocentric Pluralism, Pluralistic Interpretism, Pragmatic Geocentrism, or some other hopefully novel "ism."

In Part I, I begin the chapter with a discussion of the epistemology that guides my qualitative inquiry that follows in later chapters. I then discuss particular instances of geographic thought that I find insightful and useful in the current project. I follow with the importance of ethics in geography and the ethical theory that contributes to my thinking about human–dolphin encounter spaces. Part II consists of a historically-situated discussion of Western thought about humans and other animals, and a closer examination of anthropocentrism. It is through this pluralistic and practical approach that I hope to encourage a process of dialogue and exploration when reflecting on phenomena like human–dolphin interactions in a more-than-human world (see Lynn, 2004; Peterson, 2001).

Part I: Posthuman Pluralism

An Interpretive Tradition: Humanism and Hermeneutics

In an interpretivist tradition inclusive of hermeneutics and allied humanistic thought like phenomenology,[36] the social sciences are fundamentally different from what many term the "hard sciences" (e.g., Schwandt, 2000). This tradition wholly rejects positivism's claim that social phenomena can be understood though scientific methods designed to uncover objective reality with facts and general laws independent of time, space, individual agency and social circumstances.[37] Where positivists assume that scientific inquiry is detached from the objective observer, hermeneuticists contend that understanding requires engagement of oneself—biases and all (Schwandt).[38] In this view, it is not that social activity *has* some meaning that is

[36] Phenomenology is a continental European philosophy that is founded on the importance of reflecting on the ways that the world is made available for intellectual inquiry (Johnston, Gregory, Pratt, & Watts, 2000, p. 579). Edmund Husserl, the founder of modern phenomenology, argued that science was one way of knowing the world, but not the only or the best way (Peet, 1998). The problem with a science that focuses on the mathematical understanding of nature is that it has no role for the observer; that is, it reduces humans to nothing more than receptors of information. Husserl acknowledged that the only way someone could know the world is through that person's own mind because things do not have meanings in and of themselves (Cloke, Philo, & Sadler, 1991). As such, the human mind and its inevitable subjectivity can be a barrier to understanding (through mistaken understanding or wrong interpretations) or it can be a medium to understanding the world (Cloke et al.). Husserl acknowledged that reality exists, but that it cannot be fully known because it is distorted by the human mind. Husserl argued for a science of phenomenology; an unmasking of human presuppositions in order to subject consciousness to intense scrutiny and peel away layers of perceptual distortion until arriving at the"'essence" of the reality (Cloke et al., 1991, p. 72).

[37] Interpretivism and hermeneutics (often characterized as the *Geisteswissenschaftlichte* or *Verstehen* tradition in the human sciences) resulted from reactions of neo-Kantian German historians and sociologists in the late 19th and 20th centuries to positivistic modes of thinking. The dispute was based on the claim by interpretivists that human sciences were fundamentally different in nature and purpose from the natural sciences (Schwandt, 2000).

[38] Although some forms of interpretivism claim that the observer in any social activity is generally uninvolved (phenomenology and linguistics, to name two), hermeneutics challenges this classic (Cartesian) view of the observer (Schwandt, 2000).

determinable by the observer; meaning is negotiated mutually in the act of interpretation (Bernstein, 1991; Schwandt, 2000).

Further, in this interpretive tradition, the ontological point of departure is a recognition of human consciousness, and an effort to understand how individuals interpret their world (see Peet, 1998). Humanist geographer Yi-Fu Tuan recognized that it is this consciousness that transforms mere space into *place*:

> Space is abstract. It lacks content; it is broad, open, and empty, inviting the imagination to fill it with substance and illusion; it is possibility and beckoning future. Place, by contrast, is the past and the present, stability and achievement. (Tuan, 1975, pp. 164–165)

Tuan recognized that

> place is created by human beings for human purposes. Every row of trees or of houses existed as an idea, which was then made into tangible reality. A building, a park, or a street corner does not, however, remain a place simply because it is tangible reality and was originally designed as a place. To remain a place it has to be lived in … [and] [t]o live in a place is to experience it, to be aware of it in the bones as well as with the head. Place, at all scales from the armchair to the nation, is a construct of experience; it is sustained not only by timber, concrete, and highways, but also by the quality of human awareness." (Tuan, 1975, p. 165)

As such, interpretive thought begins with perception. And if that is so, it might be argued that there are as many "truths" as there are people with perceptions (Hubbard, Kitchin, Bartley, & Fuller, 2002). But that does not mean that we should not try to understand those perceptions, or that all perspectives are morally equivalent.

The task then, methodologically, is an empathetic understanding of how another person views the world. But is empathetic understanding of another's world possible? In order to see the world through another's eyes, so to speak, first the *other* must be acknowledged. Interpretation, therefore, requires an appreciation of difference. On the other hand, how can one ever step into the shoes of another person? In the interest of practicality, empathy must give way to sympathy in any attempt to understand another's perspective, because we can never perfectly appreciate the complexity of another's life or escape our own perceptions and biases.

Hermeneutics—Seeking understanding. Philosophical hermeneutics resonates with geography in its emphasis on the situatedness of all things. To understand any social activity, a hermeneuticist contends that we must grasp the particular situation in which the actions make (or

acquire) meaning (Bernstein, 1991; Outhwaite, 1975; Schwandt, 2000). This view calls upon the familiar notion of the *hermeneutic circle* as a method or procedure unique to the social sciences: If we are to understand the part (a specific act or communication), the inquirer must grasp the whole (the complex of intentions, beliefs, and desires of the text, institutional context, form of life, etc.) (e.g., Geertz, 1979; Malpas, 2003; Schwandt, 2000). Ethnographer Clifford Geertz describes the hermeneutic circle as

> a continuous dialectical tacking between the most local of local detail and the most global of global structure in such a way as to bring both into view simultaneously …. Hopping back and forth between the whole conceived through the parts that actualize it and the parts conceived through the whole which motivates them, we seek to turn them, by a sort of intellectual perpetual motion, into explications of one another. (Geertz, 1979, p. 239)

Essentially, what distinguishes social action from physical phenomena is that the former is inherently meaningful (e.g., Schwandt, 2000). Hermeneuticists strive to *understand* that meaning (e.g., Bernstein, 1991; Lynn, 1999; Schwandt; Wachterhauser, 1994). Understanding is more than describing; it encompasses the description, experience, explanation, and evaluation of human or natural phenomena. So for hermeneuticists, the world can only be understood when intentions, concepts, meanings, interpretations, and communications are taken into consideration (Lynn, 1999; Schwandt). Additionally, understanding for the hermeneuticist is participative, conversational, and dialogic. It even calls on the investigator to be open to risk by testing his or her own preconceptions and prejudices about the world (Bernstein, 1991; Lynn, 1999; Schwandt).

Hans-Georg Gadamer (1975, 1977, 1981, 1996), inspired by the work of Heidegger, is credited with having advanced philosophical hermeneutics.[39] In his view, all understanding

[39] Traditionally, hermeneutics is taken to have its origins in Feudal Europe and the problems of biblical exegesis (biblical commentary) (Malpas, 2003). It came to have a broader connotation, however, in the eighteenth and early nineteenth when writers such as Chladenius and Meier, Ast and Schleiermacher, developed hermeneutics into a more encompassing theory of textual interpretation in general (Malpas, 2003). Contemporary philosophical hermeneutics, however, departs sharply from the preceding hermeneutical tradition. Gadamer's work, in conjunction with that of Heidegger, represents a radical reworking of the idea of hermeneutics. In essence, Gadamer developed a philosophical hermeneutics that provides an account of the proper ground for understanding, while nevertheless rejecting the attempt to found understanding on any particular method or set of rules. This is not a rejection of the importance of methodological concerns, but rather recognition of the priority of understanding as a dialogic, practical, situated activity (Bernstein, 1991; Lynn, 1999; Malpas, 2003; Wachterhauser, 1994). Other types of hermeneutics include philological hermeneutics (a method for interpreting written texts), validation hermeneutics (which distinguishes between valid and invalid interpretations of texts) and critical hermeneutics (which suggests that through ideological distortion and oppression, meaning and understanding can be warped to reappear as false

proceeds from *prior understandings* (or what Gadamer termed prejudices) that are embedded in a living tradition of concepts and practices. Without denying an author's intention, the meaning of texts are not taken as autonomous, but as situated within particular historical and geographic circumstances. So for Gadamer, meaning arose from the dialectic between text, prior understandings, and social circumstances. Furthermore, these understandings and traditions are not set or static; they are fluid and change over time and space. The task of philosophical hermeneutics is to encourage dialogue, not to reach an accurate interpretation, but to reach a more enriched and perhaps better understanding of what Gadamer calls the *fusion of horizons* (Lynn, 1999, p. 7).

As geographer Bill Lynn recognizes,

> contrary to anti-hermeneutic claims, the goal of achieving a fusion of horizons is not founded on a naïve approach to discourse, wherein ideology or unequal power relations are ignored. Nor does the fusion of horizons presuppose an undistorted context for dialogue, one necessitating a Rawlsian "veil of ignorance" or a Habermasian "ideal speech situation" to eliminate all barriers to rational (i.e., clear-headed and uncoerced) conversation. (Lynn, 1999, pp. 9–10)

Instead, philosophical hermeneutics recognizes that all understandings are prejudiced in that we are all biased to some extent, for better or worse. But it is through the fusion of horizons that we can confirm, ameliorate or transcend these prejudices (Lynn, 1999, p. 10; C. Smith, 1991). In Gadamer's words, the concept of *horizon*

> suggests itself because it expresses the superior breadth of vision that the person who is trying to understand must have. To acquire a horizon means that one learns to look beyond what is close at hand—not in order to look away from it but to see it better, within a larger whole and in truer proportion. (Gadamer, 1975, p. 305)

Essentially, philosophical hermeneutics is characterized by three themes—language, history and context (Lynn, 1999; Wachterhauser, 1986). Echoing the perspectives of philosophical linguists, hermeneuticists value the (human) ability to communicate through the use of language. Language is more than an utterance of speech—it is a medium through which we constitute our knowledge of ourselves and our world (Taylor, 1989).

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consciousness; this brand of hermeneutics is most often associated with Jurgen Habermas; Lynn, 1999). For a succinct yet thorough review of the development of contemporary hermeneutics, (see Lynn, 1999, pp. 7–9).

In addition, like language, history is regarded as an ontological condition of human experience. As such, knowledge is considered an evolving and historically contingent process, one that is informed by our background interests and presuppositions about the world (Wachterhauser, 1986). And all knowledge is situated within particular social contexts. In sum, as Lynn expressed, "hermeneutics is attentive to the meanings, conveyed through language and history, articulated and enacted in contexts, which inform the actions of human agents" (Lynn, 1999, p. 11).

Navigating between objectivism and relativism. One of the primary implications of hermeneutics is that it frees scholarly inquiry from the theoretical pitfalls of so much contemporary geographic thought—objectivism and its binary opposite, relativism (see Bernstein, 1991). Hermeneutics' emphasis on understanding differs from all objectivist approaches in geography and the social sciences—not just approaches that stress the accumulation of observations (empiricisms) and explanations based on universal laws (positivism)—but also those that rely on structural causes for human relations (structuralisms) (Floistad, 1973; Lynn, 1999; Mueller-Vollmer, 1989). Empiricism, positivism, and structuralism in their strictest forms are objectivist forms of inquiry because they locate the standards for truth, as well as the explanations for human belief and behavior, without due regard for human subjectivity (see Bernstein, 1991; Lynn, 1999). Hermeneutics does not deny the importance of biological or social structures, but it does require an appreciation of agency and culture to explain human activity (Lynn, 1999).

Those who reject the objectivist conviction that there is a matrix or framework to which we can ultimately appeal in determining the nature of reality, truth, knowledge, goodness, or place often articulate the opposite position—a skepticism largely endemic to postmodern thought. Postmodern geography rejects the positivist form of explanation, holding instead "that theory must be adapted to the temporal and geographical specifics of place" and tolerates "ambiguity and inconsistency … rather than insisting upon uniformity and certainty" (Warf, 1993). According to Barney Warf (p. 168), "the task of a socially critical social science … is to unveil the biases of existing discourses and engage in the construction of new ones in which these biases, and their political implications, are clear."

I appreciate postmodernism's project to accept the space-time boundedness of theory, to uncouple difference from power, and to recognize the importance of different perspectives—

gender, race, sexuality, and ethnicity, to name a few. However, I hesitate to follow into the realm of endless subjectivity that results when postmodernists insist that every "story" or "language game" should be valued equally. This is a result Bernstein calls relativism:

> The relativist not only denies the positive claims of the objectivist but also goes further. In its strongest form, relativism is the basic conviction that when we turn to the examination of those concepts … whether it is the concept of rationality, truth, reality, right, the good, or norms—we are forced to recognize that in the final analysis all such concepts must be understood as relative to a specific conceptual scheme …. For the relativist, there is no [way] to rationally adjudicate or univocally evaluate competing claims of alternative paradigms. (Bernstein, 1991, p. 8)

Consequently, I am in accord with Lynn who said:

> I reject objectivism not for its laudable commitment to clarity of thought, but because of certain overriding failings. Objectivism fails to comprehend the specifics of moral situations, or address the process of interpretation and meaningful action that makes morality possible. Similarly, I reject relativism because it fails to falsify the superior coherence of some moral beliefs, off-handedly dismisses the moral insights and commitments of agents, and ignores the lived and often dangerous reality of moral conflict." (Lynn, 2002b, p. 19)

In the contrast between objectivism and relativism, there is no room for compromise: "Either there are self-evident truths, upon which all … knowledge depends for their rigour and veracity, or any species of scientific and ethical thought and practice is equivalent to all other species" (Lynn, 1999, p. 13).

Hermeneutics suggests a middle ground. Self-evident truths do not exist in and of themselves, as objectivism contends; rather, they are generated historically and socially as situated forms of knowledge (Bernstein, 1991; Lynn, 1999; Wachterhauser, 1994). This also differs from relativism by acknowledging that situated forms of knowledge *do* exist; they exist within a framework of intelligibility resulting from our situatedness in the natural and social worlds (Bernstein, 1991; Lynn, 1999). In Brice Wachterhauser's (1994, p. 6) estimation, "Gadamer's most suggestive and important contribution [is] … in his insistence that the contextualized nature of … truth-claims is not a threat to their truth-value." So, although hermeneutics will never claim absolutely certain representations of the natural or human worlds, it does allow us to distinguish better from worse understandings of ethical and scientific matters

(Lynn, 1999, p. 14). Gadamer and Taylor made this clear when they talked about "practical" as opposed to "theoretical" reasoning. In Charles Taylor's words,

> practical reasoning … is reasoning in transitions. It aims to establish, not that some position is correct absolutely, but rather that some position is superior to some other. It is concerned, covertly or openly, implicitly or explicitly, with comparative propositions. (Taylor, 1989, p. 72)

Interpretism and animals. Because the interpretive tradition emphasizes human experience, and claims that human activity can only be understood by examining a person's intentions, concepts, meanings, interpretations, and communication, does that preclude its use when considering animals? In my estimation, it does not have to.

That is not to say that the interpretive tradition in geography is not largely characterized by anthropocentric thinking. For example, Yi Fu Tuan said that "humanistic geography reflects upon geographical phenomena with the ultimate purpose of achieving a better understanding of man and his condition" and is "an expansive view of what the human person is and can do" (Tuan, 1976, p. 266). Furthermore, Tuan suggested that although "all animals … occupy and use space," only people "hold territory as a concept, envisage its shape in the mind's eye, including those parts they cannot currently perceive" (Tuan, 1976, pp. 268–269); that is, only humans are capable of a sense of *place*. So, as Tuan sees it, "if man's uniqueness lies in his special capacity for thought and reflection, then it follows that the primary task of humanistic geography is the study of [humans'] articulated geographical ideas" (Tuan, 1976, p. 268). In other words, Tuan has been clear that humanist geographers are not interested in "creatures less burdened with emotions and symbolic thought" (Tuan, 1976, p. 268); for him, "humanistic geography … specifically tries to understand how geographical activities and phenomena reveal the quality of *human* awareness." The anthropocentrism inherent in this perspective seems to render it moot as far as the nonhuman animal experience.

Nevertheless, even given this anthropocentric perspective, geographers interested in human–animal interactions have turned to Tuan's work as a starting point for rethinking the way that animals might be considered by human geographers (see e.g., Philo, 1998). Tuan's objective in his book *Dominance and Affection* (1984) was to recover hidden dimensions to the workings of power in human reality, and as such he glanced beyond the obvious exercise of economic and political power (by those with resources over those without) to the more subtle social and

cultural processes through which an interweaving of dominance and affection fixed "lesser" beings in the almost playful grasp of "superior" ones. This is why the focus of the text turned to the unequal power relations that run between certain human beings—notably older male ones with a measure of social status—and a range of other beings in the world, including women, children, slaves, "dwarfs," and "fools," but also including animals in zoos and even plants in gardens (Tuan, 1984).

In addition, Tuan's approach softened somewhat from his earlier declaration of animals as merely "creatures less burdened with emotion and symbolic thought" (Tuan, 1976) when he began to see them more as a social group ensnared in a struggle with humans (Tuan, 1984). Tuan's later work recognized animals with concepts that were more commonly employed by human geographers studying minority or outsider human groups (Philo, 1998, p. 51; Tuan, 1984). Directing attention to how animals are conceptualized by humans on scales oscillating between reverence and revulsion, compassion and control, utilitarianism and disinterest, Tuan (1984) considered how different communities think, feel, and discourse about animals and how experiences with animals "will obviously shape their socio-spatial practices towards these beings on an everyday basis, with important consequences for the extent to which the different animal species present are either included in or excluded from common sites of human activity" (Tuan, 1984, pp. 51–52).

However, the interpretive tradition (as it is used by humanist geographers) remains human-centered, and therefore does not lend itself well to questions of animal experience—an important element in any complete understanding of human–animal relations. I believe an interpretative project can and should expand to include both human and animal experience. Although it has been silent (or sometime hostile) to including nonhuman animals in its circle of concern until now, it is helpful to remember that theories always emerge out of particular times and spaces (Said, 1983). With increasing attention to difference and concern for "the animal question" (e.g., Wolch & Emel, 1995), posthuman theories are long overdue. Edward Said drew attention to the situatedness of ideas with the phrase "traveling theory," suggesting that as they travel from location to location, or from person to person, theories can be reinvigorated and made to speak to whole new political situations (Said, 2000). Thus, I propose a posthumanist/interpretive approach to understanding humans, animals and their interactions with one another.

I have suggested (as have many anthropologists before me) the difficulty that we face stepping into the shoes of another person. Complete empathy is not possible between humans, and it is not possible between humans and other animals—we cannot literally "think like a bat" (see Nagel, 1974). Still, just as we can sympathize with another person, we can sympathize with nonhuman beings by taking an informed and sensitive approach (with the help of behavioral science and other such tools) to the particular species involved. Furthermore, we should recognize that, like human thought, nonhuman animal experience is contextual and each individual or group is situated in a potentially different context (see Whatmore, 2002; Whatmore & Thorne, 2000).

In my estimation, "there is simply no reason in principle to think that our very real differences [between humans and animals] preclude all possibility of contact and understanding with minds whose perspective is different than our own" (Wachterhauser, 1994, p. 6). But if we are to examine and understand animal perspectives and behaviors, it will require an appreciation of many (if not most) nonhuman animals as eminently conscious partners in social interaction (Arluke & Sanders, 1996). I stand with sociologists Arluke and Sanders when they assert that

> understanding animals does not require us to conceive of "mind" as an "object" "possessed" by nonhuman animals or people. We strongly believe that mind is a social accomplishment …. We acknowledge the obvious linguistic differences between humans and animals, while asking how animal mindedness might be approached from a nonpositivist perspective that sees animals as more than behavioristic machines. Although animals cannot speak to us in our own terms, we must not throw up our hands and conclude that crossing species barriers and understanding animals' experience is impossible. (Arluke & Sanders, 1996, p. 49)

Instead, Arluke and Sanders call for sympathetic understanding of animal others, recognizing that some investigators of the animal–human relationship have advocated the use of "interpretive, phenomenologically sensitive, qualitative approaches to acquire such an understanding of animals" and they find that such a position is valid, ethical, and valuable for research (Arluke & Sanders, 1996, p. 52).

Pluralistic Geographic Thought

My theoretical perspective with regard to human–animal relations is informed by a plurality of insights from various modes of contemporary geographic thought. Use of the term plurality is deliberate—it implies a framework or constellation of ideas that fruitfully coexist and

interact *without* conflict or assimilation. My concern with objectivism and relativism does not, for example, require that I turn my back on important theoretical insights from traditions such as Marxism, the "new" cultural geography and the nature–society debates. Next I will explore these insights, along with Actor–Network Theory and the discussions of ethics and social justice in geography today.

The "New" Cultural Geography

The themes celebrated by new cultural geographers and poststructuralists and postmodernists include, *inter alia,* the importance of power, consciousness, differences and discourse (e.g., Mitchell, 2000).[40] Although I appreciate the importance of these themes, I hesitate to accept the position that they are truly *new* concerns for a particular subset of geographers. As discussed above, many of these themes are present in humanistic geography (e.g., Peet, 1998; Tuan, 1975, 1976). In addition, many of these themes have long been debated by Marxist geographers. For example, David Harvey (2001) was attentive to human experience and social activity when he recognized that consciousness is translated into reality through labor (even if individuals are primarily parts of the whole—a whole that is greater than the sum of its parts—and the key to understanding is revealed by social context). In addition, Harvey shares with Foucault the conviction that our representations of the world are never value free—representations are always authored for some purpose and achieve much of their power by hiding their origins; as such, he values discourse as a way of looking at the world (D. Harvey, 1990).[41] Indeed, Harvey has been aligned with Foucault's keen attentiveness to power relations for many years (D. Harvey, 1985, 1989, 1990, 2001). Just as postmodernism accepts that every act of interpretation is politically laden and every worldview serves some political interest and not another, so too has Harvey, for many years before the advent of "new" cultural geography or

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[40] Amidst a growing concern with difference and spatiality, for those engaged in developing a new cultural geography wanted to create a more politicized concept of culture

> such as ideologies of race, the role of language and discourse in producing cultural spaces, the development and maintenance of subcultures, issues of gender, sexuality, and identity, and the way in which landscapes and places are more than just congeries of material artifacts or empty containers awaiting social action. (Mitchell, 2000, p. 57)

[41] A discourse is essentially a representation and a vehicle for carrying meaning. Language and signs are always authored, and the author has inscribed meaning for some purpose or goal and intended for a particular audience. Thus, meanings have intentions, are always political, and are frequently linked to a power component. Discourse analysis helps us to see the social origins and consequences of those authored meanings and in doing so helps us to 'denaturalize' the world.

postmodernity, understood that every theory is not only an explanation, but also a legitimating factor for a particular interest (D. Harvey, 2001).

On the other hand, Marxism has not traditionally paid as much attention to human consciousness and agency as other lines of thought (that predate postmodernism) such as humanism (Peet, 1998).[42] But Harvey seems sympathetic to a more attentive view towards difference when he calls "the most liberative and therefore most appealing aspect of postmodernism thought—its concern with 'otherness'" (D. Harvey, 1989, p. 47). Still, he is skeptical of the complete immersion in the study of differences to the exclusion of other important political goals. For Harvey, "to accept the fragmentation, the pluralism, and the authenticity of other voices and other worlds poses the acute problem of communication and the means of exercising power through command thereof" (D. Harvey, 1989, p. 49).

For Harvey, the desire for capital accumulation is at the heart of the historical-geographical transformation of the West (D. Harvey, 2001, chap. 7). Indeed, "capitalism is always about growth, no matter what the … consequences …; it is always about technological and lifestyle changes ('progress' is inevitable); and it is always conflictual (as class and other forms of struggle abound)" (D. Harvey, 2001, pp. 121–122). As such, "capitalism generates a lot of insecurity: it is always unstable and crisis prone" (D. Harvey, 2001, pp. 121–122).

In *The Condition of Postmodernity*, Harvey suggested that recent changes in capitalism explained the changes that so many have associated with the "new" cultural or postmodernist turn (D. Harvey, 1989). Harvey suggested that there is a long history within modernist thinking that is fragmented, partial, and incoherent. Modernity, in fact, was a far more ruthless break with any preceding historical condition than anything we have seen in the late twentieth century, and ever since its beginning it has been characterized by "a never-ending process of internal ruptures

[42] That is not to say that Marxism did not revolutionize social analysis and, in many ways, breathe life back into geography in the late 1960s. I have great regard from Marxism's place in geographic thought. Marxism is an analysis of the past, a program of action for the future, a philosophy and an economic theory. Marxism provides one coherent sense of social organizations and relations. Marx gave us historicized social analyses and was the first to illuminate the dynamic struggles of class. The quarrels I have with Marxism are shared by many others. Economic determinism—the idea that economy drives all manner of society in all contexts—is its Achilles heel to be sure. Even recognizing critical social issues such as power, struggle, and constraint, humans still have choice, perception and consciousness, and to deny them this robs people of their ability to do otherwise. In this way, I subscribe to Anthony Giddens' structuration approach. Giddens suggests that human agency and social structure are in a relationship with each other, and it is the repetition of the acts of individual agents that reproduces the structure. This means that there is a social structure—traditions, institutions, moral codes, and established ways of doing things; but it also means that these can be changed when people start to ignore them, replace them, or reproduce them differently (Gauntlett, 2002; Giddens, 1994).

and fragmentation within itself" (D. Harvey, 1989, p. 12). Thus, Harvey suggests that what people call *post*modernism is just the latest window dressing for a remade sort of capitalism—a shift from old-style capital accumulation to a new style to flexible accumulation (the pursuit of niche markets, decentralization coupled with spatial dispersal of production, withdrawal of the nation-state from interventionist policies coupled with deregulation and privatization) (D. Harvey, 1989). Thus, the massive changes that have occurred in the past few decades—and the recent appreciation for differences including gender, ethnicity, sexuality, etc.—are a result of the very same modernist-capitalism that, Harvey claims, produced the condition for the rise of the postmodern ways of thinking and operating (D. Harvey, 1989).

Although I agree with Harvey that the "new" celebration of difference is really not so new after all, Harvey's focus remains primarily fixed on the exploitation inherent in class relations to the exclusion of other important social categories of oppression (see Dear, 1991; Gregory, 1994). In fact, Harvey has been roundly criticized for his perceived inability to tolerate difference, his insensitivity to gender issues particularly, and his ethnocentric perspective (e.g., Dear; Gregory, 1994). Postmodern geographer Michael Dear contends that Harvey is actually "incapable of tolerating differences," and believes that when Harvey raises the question of "otherness," of listening to and learning from other voices, he does so only to mute and marginalize those other voices (Dear, as cited in Gregory, 1994, p. 325).

If Harvey does not fully appreciate the significance of the poststructuralist project and the struggle to uncouple difference from power, he has missed significant and substantive contributions that poststructuralist geographers have made to the field. Derek Gregory contends that if, as Harvey believes, a critical human geography is needed to consider postmodernity as a historical–geographical condition, then

> it will have to recognize that different people in different places are implicated in time–space colonization and compression in different ways …. This means that a critical human geography must not only chart the differential locations and the time–space manifolds that are created through these processes …but also draw out the multiple, compound, and contradictory subject–positions that they make available. [A]nd for geography to *make* a difference—politically and intellectually—it must be attentive *to* difference." (Gregory, 1994, p. 144)

One example of poststructuralist thought that is attentive to difference is postcolonialism. Postcolonialism is meant to denaturalize the European mindset that has become the norm in

advanced capitalist society (Gregory, 1994). At last, intellectuals seem to be coming to terms with Eurocentrism, as now several scholars—voices that were silenced for a very long time—are speaking from the margin *to* the center (the West) (Gregory, 1994, 1995). These poststructuralists call for a move beyond nationalism and a need for *cultural* decolonialization. Thus, postcolonialism is concerned with marginalization both inside the West and in the non-West, and seeks to destabilize the dualisms that arose out of the Enlightenment era. Postcolonialism seeks to recognize people who have been made *objects* and allow them to become *subjects;* postcolonialism also seeks to harness these ideas into a political project, and in doing so, to do nothing less than change the world—a project that Harvey must respect even if he does not share the depth of concern for "others" that poststructuralists (and postmodernists) claim he ought to.

Contemporary Nature–Society Investigations

My aim to understand human–animal relations might suggest alignment with contemporary nature–society investigations in geography. However, two distinct approaches to understanding the society–nature interface often result in objectivism, in the first case, and relativism in the other.

Objectivism and relativism in the nature–society debates. The first approach in nature-society investigations in geography provides an account of nature[43] as something fixed, tangible, and real in and of itself (e.g., Castree, 2001). It is how nature is traditionally defined, and the concept lends itself to a "people and environment" approach that focuses on the human alteration of natural resources, environments, and organisms (Castree, 2001).[44] The concept of

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[43] Noel Castree (2003a, p. 283) calls nature a "weasel-word." It is, as Neil Smith articulated, "material and spiritual, it is given and made, pure and undefiled … order and disorder, sublime and secular, dominated and victorious …totality and a series of part, woman and object, organism and machine" (N. Smith, 1984, pp. 1–2). This polysemism is what likely led Raymond Williams to proclaim that "nature is perhaps the most complex word in the language" (1988, p. 221). For a detailed discussion of this multifarious concept, see Kate Soper's (1995) book *What Is Nature?*

[44] Castree suggests the distinction between nature and society

> not only organizes the imaginations of ordinary people but …has for decades organized the academic division of labor in schools and universities. Hence, those things which are deemed nonsocial have long been the subject of "natural science" research and teaching, while putatively nonnatural entities are the preserve of the "social sciences" (Castree & MacMillan, 2001, p. 208)

Since its foundation in the nineteenth century as a subject located in the middle ground between the two academic divisions, geography has been touted as the "bridging science" with which to study human–nature interactions (Castree & MacMillan, 2001; Mackinder, 1887). Nevertheless, twentieth century geography mirrored the wider

nature as external to society or culture tends to break nature down into categories and definitions, all of which presume that the facts of nature speak for themselves, and that the truth about nature can be discovered through scientific methods (Castree, 2001, 2003a; Johnston et al., 2000). This *natural realist* view of nature is relatively straightforward (and the dominant popular view of nature), and can help to expand knowledge about the environment or explain the ways society influences (or is influenced by) nature.

However, there are profound disadvantages to seeing nature as an external or universal domain that can be objectively studied (Castree, 2003b, 2003c; Proctor, 2001). Ultimately, it can result in objectivism of all things nonhuman. As Lynn (1998a, p. 282) recognizes, "this species of objectivism wrongly assumes that geography is a value-free or value-neutral inquiry and denies that all human understanding is at least value-laden, if not rife with moral implications." In addition, by ignoring the social dimensions of nature, we can not see (in both thought and practice) the linkages that exist between the natural and the social.

Broadly speaking, the second approach geographers have taken to understanding nature is the *social* or *constructionist* approach, which sees nature as inescapably social (e.g., Castree & Braun, 2001).[45] For social constructionists, nature is defined, delimited, and literally reconstructed by society to serve particular social interests (Castree, 2003a; Demeritt, 2002; Fitzsimmons, 1989). In this view, the social and natural are so bound up in one another that it becomes impossible to talk of nature as something apart from or outside of human society (Johnston et al., 2000). For social constructionists, there is no objective, nondiscursive way of comprehending nature in the raw, because different individuals and different groups use different discourses to make sense of the same nature. [46] And many times, those discourses serve to

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academic dichotomy—as it does today—in assigning "physical geographers" the task of studying the natural environment, while "human geographers" are meant to study the spaces and places of (human) society (see Castree & MacMillan, 2001).

[45] The emergence of the idea that nature is not really *natural* at all, originated with the first critical geographers like David Harvey (1974) who was concerned with global "overpopulation" and resource scarcity during the mid-1970s. Neil Smith put it simply when he said, "nature is nothing if it is not social" (N. Smith, 1984, p. 30). More recently, the social nature approach has expanded in both volume and diversity and is now considered a "distinct and influential approach to understanding nature and environment" (Castree, 2001, p. 10).

[46] One social construction perspective is illustrated by Cronon's evaluation of "wilderness." Cronon (1996a) has shown that wilderness is not a thing, so much as a socially constructed idea. In the seventeenth century, wilderness represented Satan's home to be redeemed by cultivation and civilized improvement (so much so that by the late nineteenth century American forests were rapidly declining with "civilized" improvements!). But later, poets and romantics like Henry David Thoreau painted an image of a very different "wilderness": God's own temple, a wonderful, unspoiled refuge from a fallen civilization (Demeritt, 2002).

legitimize and naturalize significant power differences (e.g., Cronon, 1996, 1996b; Emel, 1998; Plumwood, 1993). In fact, many nature discourses become so deeply entrenched in both lay and expert ways of thinking that they themselves appear *natural* (the natural superiority of white, European men over non-Western people, for example) (Castree, 2001; Plumwood, 2002).

Social constructionists have criticized natural realists for their insistent focus on external nature and have shown the intellectual incoherence of conceiving of nature as nonsocial. On the other hand, natural realists make a worthwhile criticism that social constructionists unduly deny all truth-claims of natural science. From my perspective, there is no need to deny the material existence of the natural world in order to appreciate the ways that our concepts of nature influence it (and vice versa). Thus, a definition of nature that includes a respect for the existence of a material nature external to society is essential in my view; after all, the natural world has been around far longer than we humans have. However, that perspective must be balanced by an admission that value-free, "objective" science is a fantasy and that all forms of knowledge are linked to power.[47] In this respect, I embrace the calls from social constructionists to remain mindful of the discourses and power linkages involved in concepts of nature (e.g., Castree & Braun, 2001; N. Smith, 1984; N. Smith & O'Keefe, 1989).

Reflective Thinking About Constructionism

My greatest quarrel with (hyper) social constructionist arguments is that they fall into the nihilistic relativism that renders them unable to judge whether one "construction" of nature (especially those that serve to oppress other humans and nonhumans) is just as valid as any other. Early in my graduate career, before I had more fully developed my understanding of social constructionism, I experimented with the constructionist way of thinking in a paper about whales and whaling. To describe the politically charged dispute concerning modern-day whaling, I articulated the situation this way: Nations like Japan and Norway that want to continue their whaling practices have "constructed" whales as economic resources, while those that want to permanently end whaling and "Save the Whales!" have "constructed" whales as sentient, sapient beings worthy of a right to life. That is where my paper ended—with explanation, but without evaluation or recommendation. Emotionally and intellectually, I believed that whaling was

[47] If nature is "nothing if it's not social" (N. Smith, 1984), it is also unavoidably political. That is, any knowledge of or action (inaction) regarding nature is unavoidably value-laden, political and morally charged—"it speaks volumes not only about who is doing the knowing and acting, but what kind of a world they are trying to forge" and those principles societies use to determine what is "right" and "proper" (Castree, 2001, p. 18).

wrong. But, in an effort to remain theoretically coherent, I held to a social constructionist framework and sacrificed my intuition to the constructionists' position that I was just one more member of the camp that merely constructed whales as special.

However, the influence of hermeneutics, practical ethics, and the work of contemporary animal geographers corrected my acceptance of the inevitable relativism resulting from constructionism. We may have different ideas about what whales are or are not, and what we would like to *use* them for. But whales exist in the world's oceans, regardless of human ideas about them. Moreover, compelling evidence suggests that whales *are* sentient, sapient, social animal subjects—regardless of whether we acknowledge as much. As animal beings with intrinsic moral value, I would now suggest that their right to life outweighs any economic or cultural benefit claimed by (human) pro-whalers. In my analysis, this is the better (more nuanced, engaged and ethically superior) position, given the current whaling situation. By honoring an ethical, critical and interrelational[48] perspective, the social constructionist argument is rendered incomplete, if not offensive.[49]

Realists and Constructions Both Conceive of Nature and Society in Dualistic Terms

Finally, *both* sides in this nature–society debate about "what is nature" have a common deficiency—"an inability to imagine human–natural relations in a nondichotomous way" (Castree & MacMillan, 2001). Social constructionists may seem to blur the divide between nature and society that largely organizes both scholarly and lay thinking, but they actually reinstall the dichotomy at another level. Castree and MacMillan (2001, p. 210) explain it thus:

> Bringing nature within the domain of the social simply shifts the causal and ontological arrows from one "side" of the social–natural dichotomy to the other. The dichotomy itself arguably remains intact. This is true even in the most complex of social constructionist positions. Consider, for example, the Marxist position … [where] Neil Smith argue[d] that society and nature exist in a dynamic, two-way relationship (or "dialectic") in which society remakes nature, but nature, in turn, remakes society. This argument … is arguably

[48] By interrelational, I mean an ontology that recognizes the complexity and interconnections of emergent phenomena, but is simultaneously capable of recognizing the distinct existence of individual things (beings, species, ecosystems, society, etc.). What we choose to call "individual" is of course dependent on our conceptions and the scale of our analysis. But this does not mean it cannot take into account important characteristics of the phenomena itself.

[49] In the whaling case, I find the social constructionist argument personally offensive in the same way I find historical accounts of "savage" people being less-than-human and therefore undeserving of moral consideration to be offensive (see Said, 1978; Spiegel, 1996).

> just a sophisticated way of making the divide more permeable—swapping the awkward "either/or" choice for a "both/and" compromise.

As such, *nature–society* is conceived in dualistic terms for both realists and constructionists. The danger is that, in both cases, such dualisms can be used to legitimate oppressive relations as "natural" (Cronon, 1996a; Demeritt, 2002).[50]

Equally problematic is the rather enigmatic absence of animals in the nature–society debates; they are generally invisible in any discussion of nature. For example, when Michael Woods (2000) considered debates around hunting, an activity that certainly involves both the (human) hunter and the (animal) hunted, his focus was decidedly human. Both pro- and anti-hunting lobbies claimed to represent the animals in a political sense, but the animals themselves were absent from the political debate. This is true, to a greater or lesser extent, in most contemporary nature–society literature (Bulbeck, 1999; Castree, 2001; Cronon, 1996a; Demeritt, 2002; Gregory, 2001). Generally, all things in the natural world are lumped together in one homogeneous pot called nature. As animal geographer Kay Anderson suggests, "what is interesting … is the imaginative act that assimilated those thinking, sentient, intentional, and animate creatures called 'animals' into the black box category of 'nature'" (Anderson, 1995, p. 28). The failure to deal with individual thinking, feeling beings, and the inability to imagine the individual human–natural relations in a more interrelational way is where nature–society scholars—whether realists or constructionists—are therefore also incomplete.

Actor Network Theory

The guiding ethos of Actor-Network Theory (ANT), and much of the animal geographies literature more generally, is its dissatisfaction with the dualistic terms in which the question of nature has been posed by the nature–society scholars, as well as the anthropocentricism inherent in both realist and social construction of nature arguments (Castree, 2003c; Johnston et al., 2000, p. 539). Latour calls ANT an "infralanguage" rather than a theory in the traditional sense (Latour & Crawford, 1993, p. 250). In that way, it is very much like the pluralistic constellation of

[50] At the same time, while it is important to recognize the tendency to treat the terms as dualistic, "nature–society" really does not need to be seen as such a nefarious dichotomy. If "'nature–culture" is simply conceived of as a distinction, rather than a dualism, we can appreciate that while humans *are* natural, they are also distinct from the rest of nature in the degree of their sapience, their kinds of cultural and material artifacts, and the power and devastation of their environmental impacts. This makes us not part of nature—and not separate from nature—but distinct from the *rest* of nature. It is to recognize our multiple situatedness in the world—as creatures of nature but different from the rest of nature, and creatures of culture but ultimately dependent on nature.

geographical and ethical ideas I envision as my own. Substantively, I draw from ANT its appreciation for the complexity and interconnectedness of all things (human and nonhuman), and the importance of a relational framework for describing interactions between actors.

For geographers who advocate ANT, there are several problems with most scholarly work on nature (both from the constructionists and the natural realists) (Castree & MacMillan, 2001). First, they are concerned with the dualistic treatment of society and nature—what they term "binarism" (Fuller, 1994; Roberts, 1995; Whatmore, 2002). ANT calls for an ontology that recognizes the "hybrids" that make up the world, rejecting modern geographical binarism in favor of relational thought that emphasizes associations rather than separations (e.g., Whatmore, 1999). In a world where pig livers are implanted inside humans and plastic may soon grow on trees, "such hybrids are ubiquitous rather than rare" (Roberts, p. 673).

ANT insists that all things (including humans) are only definable *in relation to* other things (Castree & MacMillan, 2001). As such, "network" is the metaphor ANT draws upon for considering socionatural interrelations. Although other theorists stress the importance of relations (e.g., D. Harvey, 1996; D. M. Smith, 1994), ANT differs in that it does not attribute immutable capacities to specific relationships (Castree, 2003c). ANT offers an alternative position—one that resists the rigid characterizations of what Noel Castree calls "material essentialists" (Castree, 2003c).

ANT's networking ontology, like the rhizomatics of Deleuze and Guattari (Goodchild, 1996), places emphasis on the relationships among actors "distributing their morphological particularity and mutability through all manner of energetic exchanges within and between them" (Whatmore, 2002, p. 160). The networks that connect all social and natural entities—involving humans, animals, machines, and other materials that vary in form and stability—are presumed to be multiple and "relentlessly heterogeneous" (Haraway, 1991. 1992; Latour & Crawford, 1993; Murdoch, 1997, p. 745). These networks allow for a much more in-depth description of the world than the society–nature dichotomy does. Donna Haraway's (1991) cyborgs demonstrate why discrete categorizations are problematic: "Advanced industrial societies are increasingly filled with … 'inappropriate/d others'—those who are part-human, part-organic, part-machinic entities that resist being represented within the conventional 'scientific' taxonomy" (Castree, 2003c).

This view has extraordinary consequences for how we think about humans and our relations with animals. ANT proponents envisage a means of getting past anthropocentrism (as well as its mirror opposite, ecocentrism) for a symmetrical "greening" of human geography—a more-than-human geography—in which all of the actors in nature are re-cognized as hybrid (Haraway, 1992; Whatmore, 2002; Whatmore & Thorne, 2000). They argue that the social and the natural are co-constitutive within myriad networks and thus, a symmetrical perspective is the only appropriate perspective (e.g., Whatmore, 2002). Furthermore, ANT argues that "every actor is also a network" (Bingham, 1996), that actors are both social *and* natural, and that "action"—as Callon's (1986) illustrious study of scallops in St. Brieuc Bay indicated—does not necessarily require language or even intentionality (Castree & Braun, 2001).

Essentially, nonhumans (*all* things not human, including bread, rivers, gorillas, spiders, blueprints, single-cell organisms, etc.) are leveled "up" to the status typically reserved for humans, and humans are leveled "down" to the status of nonhuman (Laurier & Philo, 1999).[51] So agency becomes not something any one thing or being *has*, but "agency is a relational effect generated by … interacting components whose activity is constituted in the networks of which they form a part" (Whatmore, 1999, p. 28). Because the fate of any one actor in a particular network is so intimately bound up with that of others, ANT requires a hybrid politics that considers the fate of humans, machines, organisms, plants, animals, and so on simultaneously and as ontologically equivalent (Castree & MacMillan, 2001). For ANT advocates then, all things are "ethically" connected, such that distinctions between different forms of life in any manner is rejected as arbitrary discrimination (Castree, 2003c; Whatmore, 2002). In this view, there are no meaningful (ethical) distinctions between, say, dolphins and single-cell algae.

I embrace ANT's project to de-center human beings as the only morally relevant actors in the world. I also appreciate ANT's encouragement to recognize that the world is made up of complex, messy, multiple relations; methodologically, I think it has much to offer if the goal is to map or *describe* a process. However, I have very little confidence in ANT's ability to practically evaluate a process or phenomenon. First, there is "the problem of installing a great *indifference* between the countless things of the world … which arises when they end up being portrayed as potentially *all the same*" (Laurier & Philo, 1999, p. 1016). Dolphins are very different from algae—that is biologically evident, scientifically accepted, and socially understood. A theoretical

[51] This is why ANT sometimes prefers the term "actant" to "actor" (Castree & MacMillan, 2001).

"leveling" of these two "actors" might make sense in an effort to map the diverse network of a particular process located in an open water habitat, for example, but as a practical matter, it will not help us to understand or evaluate ethical questions on the ground. For example, imagine a situation where a harmful algal bloom causes a toxic red tide that results in widespread dolphin deaths. Imagine also that a fish and wildlife agency has the means to stop the red tide, thereby saving the dolphins (and other members of the biological community), but killing the algae. The algae cannot protect itself against the agency's tactics. The dolphins do not have the technology to kill the red tide—only the people do. So which choice *should* the agency make (if any)? Help the dolphins by killing the red tide, or honor the moral standing of the algae and let the dolphins die? And how are we to decide? This is an admittedly simplistic example, but the point is valid nonetheless: Ethics are a practical matter.[52] ANT does not provide the framework or tools with which to work through ethical issues on the ground. For all the talk about ethics (e.g., Whatmore, 2002), ANT "remain[s] strangely agnostic about the actor-networks it seeks to describe and explain" (Castree & MacMillan, 2001, p. 222). Though it is certainly worthwhile to reveal the myriad nonhuman things as important actors involved in complex networks,

> it will count for little if those actants are merely described in their subjugation to others. That is, geographical advocates of a strong ANT agenda risk ignoring the possibility that some actants "marshal" the power of many others and, in so doing, limit the latter's agency and circumscribe their existence. (Castree & MacMillan, 2001, p. 222)

Ethics in Context

Moral norms are deeply embedded in the history of geography.

> Geography is not a value-free or value-neutral inquiry. [A]ll human understanding is at least value-laden, if not rife with moral implications. The moral experience—a conscientious reflection on the ends and means of life, an emotional disposition to nurture, a desire to know what is right or good as opposed to expedient or profitable, a sense of injustice over a state of affairs—is ubiquitous to human life …. Geographers are like other people in this regard. Whether we know it or not, we bring moral

[52] Under these simplistic circumstances, a geocentric perspective allows us to weigh multiple values between different species that share a natural environment (Lynn, 2005a). Using biocentric arguments, one might defend individual dolphins over algae, given that dolphins are sapient creatures (see Lynn, 2005a, p. 9). Still, we should also value algae as elements of an ecosystem—an ecocentric perspective. Using a geocentric principle, both individuals and ecosystems are valued. But they are also subject to careful balancing. Given the context and circumstances, dolphins and algae should be treated differently in thought and action as is fitting to their distinct characteristics (Lynn, 2005a).

> presuppositions to our work, and whether we like it or not, our work has moral ramifications. (Lynn, 1998a, p. 282)

The contemporary (and more explicit) engagement of geography with ethics and social justice dates from the late 1960s (D. M. Smith, 1994, p. 4; but see Lynn, 1999). Many contemporary geographers are concerned about ethical questions associated with justice and human interaction with their environment in a world of rapid urbanization, economic globalization, and socioecological processes. Several scholars have made significant contributions to the study of moral geographies, and each of the following geographers has influenced my own ethical sensibilities to some degree.

To begin, David M. Smith (1994, p. xiii) has long been "concerned with normative thinking: with how we conceive of what is right or wrong, better or worse, in human affairs lived out in geographical space." I commend the decided focus of Smith's book *Geography and Social Justice* (1994), which is to "place social justice at the heart of human geography" (D. M. Smith, 1994, p. 1). And I agree with Smith that justice is more than a static end-state (of, say, communism), but should be considered in rather more dynamic and broad-based terms—as a criterion for consciously guided individual and collective endeavors (D. M. Smith, 1994). D. M. Smith (1994) uses an applied ethics approach to evaluate moral questions grounded in specific case studies. But Smith's notion of equality—that just and unjust acts "should be judged according to their tendency toward equalizations" (D. M. Smith, 1994, p. 116)—opens the way for potential universal claims about justice. Smith's approach, therefore, is at odds with my preference for a more situated understanding.[53] He argues that it is not only possible, but necessary to articulate universal principles of social justice that leave little room for alternative methodologies (D. M. Smith, 1994, chap. 10). In addition, Smith does not concern himself with

[53]David Smith's approach to ethics is grounded in an understanding of normative issues informed by ethical theories (D. M. Smith, 1994, 2000, 2001). In terms of prescriptive theories of ethics, (as discussed above) Smith's focus is social justice, particularly as it illuminates the responsibilities of global citizens for the health and well-being of disadvantaged others (D. M. Smith, 1994). For D. M. Smith (1994), any theory of justice must consider some key elements: ethics and morality, rights, exclusion, space, time and inequality and differences (D. M. Smith, 1994, chap. 2). But at its base, Smith's is committed to a universal principal of ethics and social justice—that which maximizes *equality* (D. M. Smith, 1994, p. 117). Consequently, Smith argues that "justice as equalization should apply wherever and whenever inequality is an issue, whether geographically, among socio-economic groups, by ethnicity, race or gender. And the greater the inequity, the more urgent the application of the principle" (D. M. Smith, 1994, p. 124).

the importance of nonhuman communities or beings. As such, like much of the social justice literature in geography, his project is wholly anthropocentric.

Unlike Smith, Harvey contends (rightly, I think) that the universal application of any one concept of justice creates injustice (as it is a discursive practice of the powerful over others), but he also refuses to embrace the postmodern annihilation of societal principles (D. Harvey, 1996, p. 342). Instead, Harvey suggests a relational concept of justice that requires any discursive representation of justice to be critically scrutinized in relation to the larger material conditions in which they are found.[54] Such an examination is worthwhile because concepts of justice are developed and discussed through a process of negotiations between actors with potentially uneven levels of power in the larger political economy, and each is seeking to impose the concept of justice that best serves its own material best interests (D. Harvey, 1996; Kodras, 2002, pp. 194–195). Although Harvey's approach is thoroughly anthropocentric,[55] his thinking can be fruitfully applied to the movement/containment of animal bodies in the political economy. I return to this framework in a later chapter to describe and explain dolphin protection policies and how they relate to the dolphin display industry in the United States.

In contrast to Smith's and Harvey's anthropocentric notions of justice, Low and Gleeson (1998) examine the moral response that the world should make to (what they term) the ecological crisis, explicitly recognizing the role (and justice involving) humans and the environment. They acknowledge that "today the relationship between humans and the rest of the natural world is … being redefined" as they appreciate the call to "think morally about a relationship we had [until recently] assumed was purely instrumental" (Low & Gleeson, 1998, p. 1). Low and Gleeson define the struggle for justice as one shaped by a politics of the environment that has two relational aspects: (a) the justice of the distribution of environments

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[54] In *Justice, Nature and the Geography of Difference*, David Harvey (1996) strives to provide a conceptual apparatus with which to question the justness of spatial and ecological differences in the world, and to question how the sense of justice, in turn, is historically and geographically constituted (D. Harvey, 1996, p. 6). In doing so, Harvey suggests that a process-oriented, relational and dialectic approach be taken to develop an understanding of the mutually constitutive nature of social, nature/society and spatial inequality and difference.

[55] I have commented that Smith and Harvey are both anthropocentric, but it is not because their theories relate to human well-being. For, as Lynn appreciates, "the language of values is most certainly human created, and like all language, it is therefore anthropogenic" (Lynn, 1999, p. 82). So when it comes to thinking specifically about human social justice concerns, we might legitimately focus our inquiries on the human world and its values. Practical ethics allows for that focus. To the extent that we do this, we are being *anthropofocused*, but neither the human creation of language, nor a focus on human affairs, requires that we recognize the existences of moral values in humans alone as Harvey, Smith and other geographers do—this focus on humans to the exclusion of others is what makes their thinking anthropocentric (Lynn, 1999, pp. 82–83).

among peoples and (b) the justice of the relationship between humans and the rest of the (nonhuman) world (Low & Gleeson, 1998).

With an approach that situates thinking about justice in the "real world," the authors focus on environmental threats to specific places and local contexts but ultimately consider how a process of transformation at the global level might work. Unlike Smith, Gleeson and Low argue throughout their book that (nonhuman) nature is morally considerable (although institutional means to further practical moral action with respect to the nonhuman world is still, they say, in its infancy). For them, "dialectic entails the development of enlarged thought about the real world and our place in it," and an integral part of that world is nonhuman (Low & Gleeson, 1998, p. 197). They call for an *ecological* justice that accepts that "all life forms are mutually dependent" and entitles "every natural entity … to enjoy the fullness of its own form of life" (Low & Gleeson, 1998, p. 199).

In addition, Low and Gleeson address the question of conflict, acknowledging that mutually dependent life forms with varying interests and projects will inevitably conflict, and that is often the case when it comes to humans and nonhumans. As such, the authors attempt to develop distinct guidelines to act as a means of guiding judgment in a dialectic fashion; these include: (a) that life has moral precedence over nonlife; (b) that individualized life-forms have moral precedence over life-forms that only exist as populations; and (c) that individualized life forms with human consciousness have moral precedence over other life forms (Low & Gleeson, 1998). In these guidelines, Low and Gleeson also take a rather universal approach to ethics, failing to appreciate that every conflict is unique. In other words, in my estimation Low and Gleeson do not respect the importance of context in their analyses. However, Low and Gleeson make a tremendous contribution to the study of ethics and justice in geography by bringing nonhumans into the circle of moral consideration. In this, they move beyond the narrowly anthropocentric position in their conceptualization of justice.

Practical Ethics

Lynn (1999) articulates how ethics and geography share overlapping traditions of intellectual practice including an emphasis on situated knowledge, contextual interpretation, and society/nature relations. Lynn has developed a theory of geographical ethics—what he has called variously geoethics, situated ethics, or practical ethics (Lynn, 1998a, 1999, 2002c)—that emphasizes a plurality of ethical concepts situationally appropriate for a moral understanding of

the world. His perspective is inclusive, forthrightly challenging anthropocentric positions as he seeks a moral understanding that explicitly values "the well-being of animals, humans and the rest of nature on our inextricably earth-bound and interconnected world" (Lynn, 1999, p. 2).

Lynn (1999) explores the conceptual horizons of geography and ethics and rejects applied approaches (like Smith's) to geographical ethics, offering his situated ethical approach as an alternative. Lynn distinguishes the two approaches with a story about a graduate student who wanted to choose the *right* theory with which to analyze her fieldwork—she knew that different theories might produce different answers about right and wrong:

> Yet the very attempt to settle on a single, superlative theory reveals a widespread disposition in ethical thinking—one of making an *unsituated and a priori* choice between one or another theory, then applying that theory to deduce the correct approach to a moral problem. (Lynn, 1999, p. 59)[56]

As sensitive to context as Smith's applied ethics approach may be, by comparison it is essentially unsituated because he relies consistently on an *a priori* choice of one universal theory—justice as equalization—in his approach to questions of social justice. Context is a critical component of practical ethics. For Lynn, context consists of site and situation: "All human and natural phenomena are contextual, meaning that they occur at sites embedded in situations, and it is this contextuality that produces much of the diversity and complexity of the human and natural worlds" (Lynn, 1999, p. 75).

Another concept central to practical ethics is value. Values are beliefs and behaviors related to what we think are desirable to pursue—goals worthy of ourselves as individuals and as a community (Lynn, 1999, p. 81). Where ethics asks how we ought to live, values ask what is important to us. Lynn suggests that "all moral deliberation involves judgments about value—claims about what is good, right, just, or desirable" (Lynn, 1999, p. 82). Axiology, the study of moral values, therefore preconditions what we believe is a right relationship with the world, and

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[56] The geoethics approach begins from the proposition that morally problematic situations assume some comprehension of what constitutes morality generally, which in turn will affect the ethical issues potentially at stake. Thus, if the moral framework is changed then the moral problem itself may also be altered (Lynn, 2002b). So, Lynn suggests, geographical contexts are a constitutive element of ethical issues; it follows, then, that moral understanding *must* be situated (Lynn, 2002b). Indeed, for Lynn,

> a moral problem cannot be fully appreciated when taken out of the context that makes it intelligible. Lynn's approach is, therefore, intentionally *contextual*, and uses geography's insight into site and situation to deepen our moral understanding. Differences in context (agency, time, and place) are not ignored, and ethical truths are replaced by situated practical wisdom. (Lynn, 2002b, pp. 7–31)

for Lynn that world includes not just human justice, but also well-being for animals and the natural world (Lynn, 1999, p. 82). Malcolm Cutchin (2002), in his examination of health geography and telemedicine, developed a similar approach, one he calls a "geographical pragmatist ethics" that "suggests moral rules as principles that need to be creatively (flexibly) and intelligently applied in ever-changing circumstances" (p. 661).

Practical ethics is also based on principles of casuistry—an application of general principles or guidelines for living (Lynn, 1999). This does not mean top-down, deductive reasoning from a unitary or indubitable moral principle; instead, a contextual and fluid mode of reasoning is used. As Lynn explains it:

> by reasoning from the bottom-up—from the circumstances of the case to the selection of the moral principles—casuistry generates the most appropriate moral understanding from the case itself. This involves a recognition that a) moral conundrums differ according to context, so that ethical reasoning should use those principles most appropriate to the site and situation, and b) moral conundrums are complex, so that more than one ethical concept or principle may well be necessary to reach moral understanding. Casuistry, then, requires … sensitivity to the circumstances that distinguish one moral problem from another, and skill in the contextual matching of principles to circumstances. (Lynn, 1999, p. 84)

General principles (to guide thinking) that might be applied to moral reasoning, depending upon the context, include: (a) *geocentrism*—recognize the moral value of animals, humans, and the rest of nature; (b) *equal consideration*—give equal consideration to the well-being of all creatures affected by our actions; (c) *hard cases*—when faced with hard cases pitting animals against humans, solve the problem, look for alternatives, or choose a geographic compromise that defends the well-being of animals; and (d) *moral carrying capacity*—humans should live within a carrying capacity that reserves the integrity of the entire geographic community (Lynn, 1999).

Lynn also offers several general maxims (guidelines for action) that can also be applied to moral questions involving human–animal interactions. They include (a) precaution, (b) integrity, (c) harm–benefit ratios, (d) mutual benefits, and (e) end points (Lynn, 2005b). When there is lack of certainty about an issue, *precautions* should be taken to minimize risks to humans, animals, and their environments, and the burden of justifications for actions that seem to cause harm lay with the advocates of an action (Lynn, 2005b). *Integrity* means that we should endeavor to respect the psychological, physical and social integrity of every party involved in

human–animal interactions (Lynn, 2005b). When useful, calculating *harm–benefit* ratios can also help illuminate whether the benefits to one might outweigh the foreseeable harm to the other and, whenever possible, we should adopt actions that provide *mutual benefit* to people, animals, and nature (Lynn, 2005b). Finally, all actions should anticipate humane and sustainable *end points*; that is, if any activity based on previous policy or management decisions becomes harmful, it should stop, and the situation should be reassessed to produce a better course of action (Lynn, 2005b).

Posthuman Pluralism Defined

Altogether then, my theoretical approach to understanding human–dolphin encounter spaces is grounded in an interpretive tradition—particularly philosophical hermeneutics—and incorporates a plurality of geographic thought to be applied with a practical ethics approach. I maintain that:

1. There is no value-free inquiry. All human understanding is rife with moral implications.
2. There is a natural world that exists independent of us. Our perception of the world, which is historically situated and fluid, mediates our understanding of it.
3. When seeking understanding about the world and our relations in it, we must take a flexible, dialogical, and situated approach.
4. Understanding requires interpretation of the individual experience through attention to meaning, articulated and enacted in contexts, which inform the action of conscious agents—both human and nonhuman.
5. When it comes to conflict over what is "true," or what is "right," there are no absolutes. But we can decipher better (and worse) ways of living in the world.

Part II: Anthropocentrism and the Human–Animal Divide

My primary intention in this section is to turn attention to the questions of anthropocentrism and the human–animal divide. It is meant to advance a conversation about humans and our thinking concerning animals. By *conversation*, I mean

> a true "conversation"—which is not to be confused with idle chatter or a violent babble of competing voices—[one that] is an extended and open dialogue, which presupposes a background of intersubjective agreements and a tacit sense of relevance. (Bernstein, 1991)

Influenced by hermeneutics, I recognize that just because thought is contextual by nature and each person or group has their own potentially different context and point of view, it does not mean that we—as careful investigators—cannot get outside our own point of view and evaluate another's viewpoint fairly, in a way (however incomplete) that does not simply repeat and confirm our own standpoint (Wachterhauser, 1994). Put another way, recognizing that we all come from our own history and contextuality does not imply that we are "hermetically sealed in that point of view. [And] there is simply no reason in principle to think that our very real differences preclude all possibility of contact and understanding with minds whose perspective is different than our own" (Wachterhauser, 1994, p. 6).

Us and "Them"

Most of us in contemporary Western culture perceive ourselves as belonging to the realm of *culture*, while all other nonhuman beings are a part of *nature*—two totally different spheres of life and being (Noske, 1997a, p. 40; Soper, 1995). Likewise, a sharp distinction between humans and animals is so profoundly ingrained in Western thinking that the conceptual separation between them is largely taken for granted. As philosopher Mary Midgley points out,

> we often behave as if there were a wide and bridgeless chasm, with humans on one side and all of the rest of the animals on the other. Even our terminology reflects this attitude: we speak of "humans" in one breath, and in the next, lump all other animals into one grab-bag of a category entitled "nonhuman animals." (Midgley, 1983, p. 20)

Dualistic thinking about humans and other animals is more than a simple, even if unconscious, separation of human (*us*) from animal (*them*). Human–animal dualisms[57] go hand-in-hand with anthropocentrism (human-centeredness) and frequently become a means of asserting power by defining a particular meaning of "human" and providing criteria for classifying animals and some humans as holding lesser moral value. In these cases, "others" are excluded from the (human) moral community (Lynn, 2002a), thereby justifying a rigid hierarchy of value: Human is privileged *over* animal (and other humans regarded as "animal-like") much the same way that society has privileged itself over nature, the masculine over the feminine, the

[57] By the term 'dualism' I mean systematic ideas that conceive of each part of a divide as radically different and separate from the other. Each category of the dualism necessarily implies the existence of its opposite and depends on this opposite for its meaning. Human–animal dualism, for example, presumes a radical difference between human and nonhuman animals.

rational over the emotional, and the West over the non-West[58] (e.g., Elder, Wolch, & Emel, 1998b; Gregory, 1994, 2001; Noske, 1997a, 1997b; Plumwood, 1993; Spiegel, 1996). As Lynn (2004) put it,

> This prejudice is rooted in the belief that only humans have moral standing and significance, which is to say that it is the well-being of people that counts, and nothing else. Were the lines of anthropocentric privilege drawn strictly, we could simple refer to speciesism—the uncritical privileging of humans over all other animals. This is not the case. Anthropocentrism creates a *scalar natura* that invokes race, class, gender, and ethnicity as additional criteria of discrimination. The conceptual and practical resonance between anthropocentrism and other systems of oppression, e.g., racism and sexism (to name but two), are too blatant to ignore. (p. 259)

Indeed, dualistic thinking underpinned the European domestication project, as dualisms granted justification for colonial oppression of non-Western and indigenous peoples, as well as ideologies of human "improvement" that led to "civilizing" efforts, eugenics, and assimilationist policies (Anderson, 1997; Anderson, Domosh, Pile, & Thrift, 2003).

Anthropocentricism, and the dualisms it engenders, normalizes itself by making such thinking seem natural; in this, it also naturalizes the moral exclusion of animals and humans who are animalized (Lynn, 1999). Human or animal, those who find themselves on the bottom of a dualistic, vertical ranking are often subjugated and oppressed in a hidden system of exploitation that, until brought to the foreground, is taken as normal, natural, or even preordained by a higher power (Plumwood, 2002). Anthropocentrism and dualistic thinking consequently serve to promote human distance from and control over nonhuman animals as the other, while minimizing animal claims to space and to elements of agency, reason, and ethical consideration (e.g., Anderson, 1995; Lynn, 1998a; Plumwood, 2002; Wolch & Emel, 1998).

Some Non-Western Concepts of Nature

This anthropocentric perspective was not always pervasive. Human concepts of animals vary culturally throughout time and space. In ancient animistic cultures, people considered themselves not as *other than* but as *part of* a greater whole of nature (Noske, 1997b). In non-Western, hunter-gatherer societies today, many people still tend to have an organic worldview.

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[58] Whether nonhuman animal or *other* person deemed "animal-like" and therefore less-than "human," those on the bottom of the hierarchical dualistic ranking (because they are deemed inferior), are justifiably subjugated and oppressed. This system of exploitation is analogous to that explored in postcolonial analyses which recognized and

For Australian Aborigines, animals have a direct spiritual, moral and social significance (Noske, 1997b; Stanner, 1972). Anthropologist W. E. H. Stanner reported that the Aboriginal concept of the *Dreamtime* refers to a kind of epoch in which mythical animal ancestors live. The Dreamtime tells people how they and other creatures derived from the same being that was neither human nor animal (Stanner). Other non-Western people, such as Inuits, also tell stories about their origins and how humans and animals are all part of the same "life force" (Noske, 1997b). According to Inuit beliefs, humans and animals alike actually originated from the joining of a woman and an animal (Noske, 1997b).

The Bushman people of Africa "show an intimacy with all nature … [and] a sense not only of intimate knowing but also of *being known* by trees, clouds, and animals" (Noske, 1997b, p. 186).[59] The Nuer, African pastoralists, also demonstrate a close relationship with the cattle that they depend on, which they normally do not raise for slaughter (Noske, 1997b). Still, the Nuer are reportedly fond of eating meat, so when an animal dies of a natural cause, they declare that "the eyes and heart are sad, but the teeth and the stomach are glad. A man's stomach prays to God, independently of his mind, for such gifts" (Noske, 1997b, p. 186). Another group of people in northern Africa, the Kel Ewey Tuareg, believe that the camel and goats they herd for a living share the same sort of social life that they do—they have friends like people do, they enjoy their friends like people do, and each animal has a distinct personality (Noske, 1997b).

These examples represent a partial and incomplete picture of non-Western thinking toward animals. Certainly there are many more, which are immensely varied, and there is ambiguity and contradiction within non-Western cultural views (Noske, 1997a, 1997b). Anthropologist Barbara Noske suggests that the general picture of non-Western cultures may lead "to the overall conclusion that animals are less objectified and still have more subject status than in the West" and consequently "the idea of human supremacy and … speciesism also seems less pronounced" (Noske, 1997b, p. 189). However, in an effort not to romanticize non-Western cultures she is careful to take account of contrary examples: "Totemism, on the other hand, is a particularistic form of speciesism resulting in extreme differentiation in the treatment of particular animals: ranging from loving care to cruelty" (Noske, 1997b, p. 189).

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denaturalized the West/East dualism, reflecting on how the act of Othering has led to the domineering treatment of non-Western people (Gregory, 1995, 2001; Noske, 1997a; Spiegel, 1996).

[59] But there are also opposite accounts of Bushman ignoring the suffering of animals, regarding their death and suffering with great detachment (Noske, 1997b).

Western Thought and the Human–Animal Divide

A hierarchical model of animals has been a part of Western thought since Aristotle suggested that nature was ordered on a vertical scale (e.g., Arluke & Sanders, 1996; but see Noske, 1997a).[60] Aristotle's version of the Great Chain of Being,[61] however, was not as rigid as many that followed. He regarded every living being as having a soul (*psyche*), but there were different forms and faculties of the soul: Plants were animated only by a nutritive soul (which had the faculties of nutrition and reproduction) shared by all living entities. Animals (other than humans) also possessed a sensitive form of soul that allowed for the capacity for pleasure, pain, and desire, but the sensitivity varied according to whether the creature was a "lower" or "higher" form of animal. The very "lowest" forms of animal life had only the sense of touch (essential for survival); the "higher" forms had additional powers of local movement, imagination, and other senses that contributed or detracted from the "well-being" or "happiness" of the animal. Humans had all of these senses, and in addition, were distinguished by their possession of an intellectual form of soul—granting humans the capacity for speculative and practical reason (Rodman, 1974, p. 20). In Aristotle's view, the great chain of

Figure 3.1 The Great Chain of Being From Didacus Valades, *Rhetorica Christiana* (1597)

[60] This idea of animals as the Other (and the lesser) is fairly recent in the history of human ideas (Gregory, 2001; Noske, 1997a, 1997b). And it was not as if the animistic cultures that predated ancient Greece suddenly vanished and were replaced with a purely anthropocentric model. Even with Socrates—who placed man (meaning a certain kind of Greek man) on the top as against other humans and the rest of nature—Greek philosophy was generally characterized by an organic worldview wherein some forms of anthropocentrism existed alongside the general belief in a continuity of all living things (Noske, 1997a). But, according to at least one scholar, it was with the Christian tradition that a sharp dividing line between human and nonhuman beings was introduced as the Church worked to "curb the so-called animal aspects of human nature" (Noske, 1997a, p. 46).

[61] The Great Chain of Being is a powerful metaphor for what is typically considered a divinely-inspired universal hierarchy ranking all forms of "higher" and "lower" life (see Figure 3.1).

being organized itself by gradual differentiation, with complex similarities existing among living beings and with many "intermediate creatures" such that "it is impossible to determine the exact line of demarcation, nor on which side thereof an intermediate form should lie" (Rodman, quoting Aristotle). [62]

A more decisive dividing line between humans and animals came with the dominance of the Judeo-Christian tradition. From the Middle Ages to the eighteenth century, God was generally accepted as having fixed the place of all beings in nature, with humans having complete dominance over all animals (e.g., Noske, 1997a; Wise, 1996, 2002). According to Genesis, God gave humans dominion "over the fish of the sea, and over the fowl of the air, and every living thing that moveth upon the earth" (Genesis 1:28). In addition, Steven Wise (2002, p. 18), a scholar in animal rights law, explains that "both the Old and New Testaments, the apostle Paul, St. Augustine, and St. Thomas Aquinas stitched into the fabric of Judeo-Christian doctrine the idea that nonhuman animals had been created for the benefit of humans."

When religion was largely replaced by the modern worldview of secular scientific explanation, the hierarchical ranking of humans over all other nonhuman animals remained intact (see Midgley, 1983; Noske, 1997a; Plumwood, 1993). And despite the railings of Bacon, Descartes, and other moderns against the antiscientific spirit of Scholastic philosophy, the jump in thinking about the nonhuman world from late medieval Christian thought to the modern mechanic-scientific worldview was more of a hop sideways than a leap forward (see Rodman, 1974). Although he (and many others) considered himself the "architect of a new order" that rebelled against the church, Descartes did not completely abandon his own Jesuit classical education (Rodman, p. 21). Seizing upon one of the basic principals of Scholastic philosophy,[63] Descartes embraced the idea that intraspecies differences are always and necessarily ones of degree, but interspecies differences are differences of nature (Rodman). Add to that his immensely important metaphor, beast–machine, or animal–clock, and Descartes radically sharpened the dualistic aspect of classical and Christian thought with regard to humans and all

[62] The account of Aristotle's version of the Great Chain of Being discussed here—a version that stressed continuities and parallels instead of sharp lines of demarcation between animals and humans—is based on his writings in natural philosophy (Rodman, 1974). However, Aristotle painted a different picture in *Ethics and Politics* when, generally following Socrates and Plato, he restricted the senses of "happiness" and "well-being" to humans alone and contended that "all animals must have been made by nature for the sale of men" (Rodman, 1974).

other animals (Midgley, 1983; Rodman). Centuries later (despite Darwin), even scientific classification schemes today often add to the common misconception that evolution is a linear progression of life into the ultimate form with humans "arising" from apes (see Arluke & Sanders, 1996; Midgley, 1983).[64]

Since Descartes' time, humans have been performing increasingly impressive technological and scientific acts. Various institutions of historical progress developed alongside such feats and focused an increasing amount of attention on the curve of human "achievement," thus elevating humans and widening the gap between humans and the rest of the nonhuman world (see Midgley, 1996; Plumwood, 1993). Amidst this "progress" was the rise of capitalism, which turned every skill, and every "thing," into a transferable commodity with market value for which people had to compete, and (along with the Industrial Revolution) encouraged the movement of more and more people into towns to become wage workers. Consequently, increasing numbers of people no longer shared space with animals and began to experience nature as fragmented, altered, and something "outside" of their daily experience (see Midgley, 1983; Plumwood, 2002). The new mechanical worldview, together with positivist experimental science and capitalism, devalued nature to a state where it could be useful economically and technically. At the same time, the Church continued to enforce a view that rendered the natural world ideologically impotent (Noske, 1997a).

By the time the New World was "discovered" and colonization was underway, Europeans had "subdued" most of the land where they had lived for centuries, creating, in the process, a much "managed" countryside with "English gardens" and rolling hills where large forests had once dominated the landscape (Edlin, 1958; Midgley, 1983; Nash, 1967). For the white Puritan colonists who measured progress and civilization in terms of, among other things, how distanced they were from nature, the thickly forested North American wilderness likely came as something of a shock (Midgley, 1983). According to historian Roderick Nash, "Countless diaries … of the frontier period" suggest as much, with representations of "the wilderness as an 'enemy' which had to be 'conquered', 'subdued', and 'vanquished' by a 'pioneer army'" (Nash, p. 27). In short,

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[63] The period of Christian thought extending from the beginning of the ninth century to the end of the fifteenth has come to be known as Scholasticism, a name taken from the school of philosophy of the University of Paris (Miranda, 2005).

[64] Of course, Darwin never suggested that humankind descended from the apes, only that the two shared a common ancestor. Still, Darwin's theory of evolution became known as 'the monkey theory' (Noske, 1997a).

the European project of "civilizing the New World meant enlightening darkness, ordering chaos, and changing evil into good" (Nash, p. 24).

This progression of historic and geographic influences helped to create what is referred to as the *divide* between humans and nonhuman nature. Along the way, animals became distanced and unfamiliar[65] beasts or, when useful, appropriated by humans to be engaged as exploitable *things*. We domesticated some animals for food, labor, and companionship, while we largely exterminated others we found inconvenient or threatening (Lynn, 2004). Thus, it is not difficult to understand how people have come to disassociate themselves from the nonhuman sphere and why, in the process, animals were roundly and decidedly excluded from the realm of moral considerability (Midgley, 1983; Noske, 1997a; Plumwood, 2002).

Justifying Anthropocentrism

Challenging the human–animal divide and suggesting that animals are entitled to a place in our moral community often instigates several objections from anthropocentrists. Ontological oppositions (humans are unique, for example, or we possess superior traits that set us apart from animals) are rooted in epistemological claims relating to theology, species loyalty, and animal agency (see Lynn, 1999). Having previously mentioned the theological objection (God made man in his image, gave him dominion over the animals, and endowed only humans with a soul)[66], I will turn to the later two claims that justify anthropocentrism and are more frequently encountered in the academy today.

Species loyalty. Some anthropocentrists believe that humans have (or should have) a species loyalty that overrides their responsibility to other animals (Lynn, 1998a). Robert Speth, a professor of pharmacology and neuroscience, voiced the objection when he argued that chimpanzees and bonobos should not have the same moral considerability as humans because "humanity is our species and … our first and primary obligation is to ourselves" (as cited in Wise, 2002, p. 18).

Although many species loyalists may have genuine concern for animal issues, their worry is that we will lose sight of important human issues if our attention is diverted to animals. When Barbara Noske, a feminist and human–animal relations scholar, was researching her book

[65] The exception would be the zoo, where "exotic" and "wild" animals could be contained and ordered by and for humans (see Anderson, 1995).

[66] Dominion can also be interpreted as stewardship rather than exploitation.

Beyond Boundaries (1997a), she found that talking about the moral considerability of animals elicited a "reaction of horror!" (Noske, 1997a, p. 171). It was an especially taboo subject among feminists who worried that such thinking was bound to work *against* women (Noske, 1997a). There is no reason to think that moral consideration for nonhuman animals will diminish our commitment to human issues of social justice—one does not preclude the other. As Lynn suggested, "the practice of moral concern across a range of beings and issues may [indeed] strengthen our ethical insights and commitments" (Lynn, 1998a, p. 150). Moreover, Lynn warns that moral boundary marking based on species membership could prove potentially malicious, replicating (in the worst ways) the identity-based arguments used to legitimate prejudice and injustice against other humans (Lynn, 1998a). In fact, many scholars have explored the continuities that exist between exploitation of the human and animal worlds (e.g., Benton, 1993; Emel, 1998; Lynn, 1999; Spiegel, 1996).

Agency and subjectivity: Mind the gap. Often, those uncomfortable with a challenge to the anthropocentric status quo will appeal to the agency objection, contending that humans have unique cognitive characteristics that make them agents of their own lives, but that animals lack those traits—"reason," intelligence, self awareness, and language, for example (see Lynn, 1999, p. 149). In more extreme cases (whether conscious or not), some refuse to acknowledge animal subjectivity in any form, consequently reducing all animals to mindless objects, void of intentionality or the potential as narrative, communicative subjects.[67]

Animal–machine. Enlightenment thought generally celebrated reason as the human virtue missing in all other animals (Midgley, 1983; Plumwood, 2002).[68] For Descartes, who embodied an extreme rationalist view, human consciousness was completely identified with reason, so much so that animals could not be conscious at all.[69] He called them automata,

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[67] The terms agency and subjectivity often overlap one another, and animal geographers often do not distinguish between them. In this case, I mean agency to imply consciousness, awareness, and capability to engage in autonomous choice (even if influenced by structures, be they biological, cultural, or otherwise). Subjectivity refers to an embodied "subject of life" that knows pleasure and suffering. I will also use the terms "sentience," which implies subjectivity, and "sapience" which implies agency and cognitive awareness.

[68] But some very important Enlightenment thinkers (notably Montaigne, Tom Paine, Voltaire, Bentham, and Mill) rejected this idea and contended that humane consideration should be extended to animals.

[69] Rationalism remains prevalent as a central point of departure between humans and all other animals today and in the justifications for the human–animal divide. As Plumwood observed: "Rationalism and human/[animal] dualism are linked through a narrative which maps the supremacy of reason onto human supremacy via the identification of humanity with active mind and reason and of nonhumans with passive, tradeable bodies" and "it is a cult of reason

believing that animals were no more than aimless, soulless machines (Cottingham, Stoothoff, Murdoch, & Kenny, 1991). Descartes reasoned that sensations caused by the body were different from those produced by the mind (Descartes, 1637). Because pain was experienced only by humans—who, unlike animals, were conscious and capable of understanding their bodily sensations—animals did not know pain,[70] or any feelings for that matter (Cottingham et al., 1991; Midgley, 1983; Noske, 1997a). Consequently, modern experimental science, in its dedication to improve the material state of human beings, was founded on a Cartesian philosophy that legitimized live vivisection of animals (see Rodman, 1974). Fontaine, a contemporary of Descartes, disapproved of such thinking, describing the consequences as follows:

> There was hardly a solitaire who didn't talk of automata … They administered beatings to dogs with perfect indifference, and made fun of those who pitied them as if they felt pain. They said the animals were clocks; that the cries they emitted when struck, were only the noise of a little spring which had been touched, but that the whole body was without feeling. They nailed poor animals up on boards by their four paws to vivisect them and see the circulation of the blood which was a great subject of conversation. (as cited in Rodman, 1974, p. 23)

Voltaire called vivisectors "barbarians," and challenged them with the question: "You discover in it all the same organs of feeling that are in yourself. Answer me, mechanist, has nature arranged all the means of feeling in this animal so that it may not feel?" (Voltaire, as quoted in Woolf, 1924).

Lesser minds. Most anthropocentrists today do not deny that animals experience physical sensation; people generally understand that animals feel pain and hunger and pleasure in

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that elevates to extreme supremacy a particular narrow form of reason and correspondingly devalues the contrasted and reduced sphere of [animals]" (Plumwood, 2002, p. 4).

[70] Other rationalists did not necessarily deny that animals felt pain, but certainly rejected the idea that animals mattered or were entitled to moral standing. Many anthropocentrists, whether they are conscious of it or not, are inclined to endorse Spinoza's view of the matter:

> It is plain that the law against the slaughtering of animals is founded rather on vain superstition and womanish pity than on sound reason … I do not deny that beasts feel; what I deny is, that we may not consult our own advantage and use them as we please, treating them in the way which best suits us; for their nature is not like ours, and their emotions are naturally different from human emotions. (Spinoza, 1673)

the same ways that we do.[71] But to recognize life, sensation, and impulse does not claim anything about elements of the mind—characteristics that are still frequently reserved for humans alone. These unique human characteristics are what make our species so completely different from other animals, anthropocentrists argue. At its base, this explanation is a partially expressed agency objection that assumes because nonhuman animals do not have minds like ours, they remain largely unaware of what is happening around them. And because animals lack subjectivity in their limited awareness, what difference does it make how we treat them? Most of the ancient Stoics accepted this viewpoint, believing that animals were purely governed by instinct and able to grasp only what they sensed in their immediate environment (Wise, 2002).

Animal rights attorney Steve Wise agrees that, in fact, many nonhuman animals probably do live just in a world of senses (Wise, 2002). But he also reminds us that every human, as an infant, probably lives in that perceptual world as well (though scientists disagree for how long). And thousands of humans never develop beyond that world, just as thousands return to the state as a result of injury or old age (see Wise, 2002). It follows then, that if we are to deny moral considerability to creatures who live solely in a world restricted to the present experiences of their senses, we should deny it to humans who also live solely in that world. But that suggestion would surely meet with outrage from anthropocentrists, many of whom might argue (for good reason) that those very infant, injured, or elderly humans deserve moral considerability most of all. The same argument could be made with respect to language and the ability to reciprocate rights and duties (see Lynn, 1999).

On the flip side, what if some nonhuman animals (dolphins, for example) prove to be intelligent, self-aware, communicative beings just like humans? A substantial scientific literature suggests as much (see chapter 2). If we grant moral inclusion based on such characteristics, then should others found to share these traits (thus having similar interests to ours) also be entitled to moral considerability? Anthropocentrists who rely on the agency objection might bypass the question altogether, remaining fixed in a state of skepticism about animals having "human" traits[72] (despite generally accepted scientific findings). As animal rights scholar Gary Francione

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[71] For some animal rights supporters, the ability to feel pain is the only necessary element for moral significance, taking seriously what Jeremy Benthan said more than 200 years ago: "The question is not, can they reason, nor can they talk, but can they suffer?" (see e.g., Francione, 2005).

[72] Some examples include tool use, symbolic language, and mirror self-recognition, as well as politics, culture, altruism, and complex emotional lives (De Waal, 1982; Goodall, 1986; Kruetzen et al., 2005; Masson & McCarthy, 1995; Norris, 2002; Reiss & Marino, 2001; Savage-Rumbaugh & Lewin, 1994).

(2005) observed, it is astounding that 150 years after Darwin—who maintained that "there is no fundamental difference between man and the higher mammals in their mental faculties"[73]—we are still so amazed (if not skeptical) that other animals also have characteristics previously thought to belong only to humans. Furthermore, Francione contends that

> the proposition that humans have mental characteristics wholly absent in non-humans is inconsistent with the theory of evolution. Darwin maintained that there are no uniquely human characteristics, and that there were only quantitative and not qualitative differences between human and non-human minds. He argued that non-humans can think and reason, and possess many of the same emotional attributes as humans. (Francione, 2005, p. 51)

Critics of the agency objection return our attention to the similar-minds question and argue that if we extend moral considerability to ourselves because we are intelligent, sapient beings, then it is inconsistent to deny such considerability to other animals who are self-aware subjects living complex psychological and emotional lives (Lynn, 1999).

The language barrier. Similarly, as previously suggested, it would be contradictory to use language as a criterion to justify moral exclusion because many humans are incapable of language. Still, the "language barrier," as Midgley (1983) has termed it, remains a strong justification for the agency objection. For linguistic philosophers like Ludwig Wittgenstein, language is what makes the world intelligible (P. Johnson, 1993; Wittgenstein, 1963). It is only through language that humans can conceptualize and represent the world to ourselves, Wittgenstein suggests, and it is our language that shapes our reality—not the other way around (P. Johnson; Wittgenstein, 1963). Furthermore, only by using a shared, public language can we conceptualize and understand the world around us. It is not so much that the world does not exist without language,[74] but Wittgenstein insists that our ability to represent and form beliefs about the world is only possible through the use of language (P. Johnson; Wittgenstein, 1963).

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[73] And as for the "lower animals" Darwin maintained that

> we have seen that the senses and intuitions, the various emotions and faculties, such as love, memory, attention, curiosity, imitation, reason, etc., of which man boasts, may be found in an incipient, or even sometimes in a well-developed condition in the lower animals. (Darwin, 1871)

[74] In Wittgenstein's early work, he took a more black-and-white stand on the matter, essentially arguing that everything not fully verbal tends to vanish; for example, he said "everything which can be put into words can be put clearly," and "what we cannot speak about we must pass over in silence" (Midgley, 1983; Wittgenstein, 1961). Later, he softened his approach somewhat, emphasizing the extreme complexity of border-line questions (P. Johnson, 1993; Midgley, 1983).

Wittgenstein's position suggests the extreme idea that neither infants (or other humans without language) nor animals feel pain or experience other sensations because, without language, they have not learned the concepts associated with those sensations (see Wittgenstein, 1961). Nor could anyone without language have any sort of mental life, because Wittgenstein maintains that in order to have a mental life we must have the outward criteria gained *only* through language (see Wittgenstein, 1961, 1963; emphasis added). Thus, intelligence and consciousness are limited to human beings. Max Black would agree. He contends that humans are the only animals to use symbols, and we are only ones that "can truly *understand* and *misunderstand*" (Black, 1968, p. 10). And Stuart Hampshire contends that

> it would be senseless to attribute to an animal a memory that distinguished the order of events in the past, and it would be senseless to attribute to it an expectation of an order of events in the future. It does not have the concepts of order, or any concepts at all. (Hampshire, 1959, p. 99)

Linguistic philosophers like Black and Hampshire apparently dismiss out of hand the considerable scholarship by psychologists, animal behaviorists, and cognitive ethologists regarding the different kinds of communication and understanding various animals regularly display—including the use of human-created languages by some apes, dolphins, and parrots (see e.g., Hillix & Rumbaugh, 2004). They would likely ignore findings related to quality and content of ape communication (through human-created language) that plainly encompassed the past, present, and future, as well as insights and thoughts about others (Hillix & Rumbaugh; Savage-Rumbaugh & Lewin, 1994; Wise, 2002).

Midgley (1983) suggests that theirs is a point of definition—they are not willing to accept as "concept" or "understanding" anything that does not involve speech. It is a fair point: How we define language is bound to determine whether we find it only in humans, or if some nonhumans also have demonstrated a capacity to understand and communicate using human language. Acknowledging that there may be no way to agree on one superlative definition of the term language, psychologists Hillix and Rumbaugh (2004, p. 21) have thoughtfully defined it this way:

> Language is an agreed-upon system of signals that represent things, feelings, ideas, intentions, and actions on the environment or on other organisms. The signals must symbolize something beyond themselves and fulfill a useful (pragmatic) function by

> coordinating the activities of organisms. The meanings of the signals comprising a language are shared, at least in part, by the individuals in the group using the language.

According to this definition, compelling evidence suggests that Black and Hampshire are wrong; at least some nonhuman animals have indeed learned to use human language.

Animal bodies, human(ish) minds? One day, in Decatur, Georgia, the following exchange took place:

> **Panbanisha**: Milk, sugar.
> **Liz**: No, Panbanisha, I'd get in a lot of trouble if I gave you milk with sugar.
> **Panbanisha**: Give milk, sugar.
> **Liz**: No, Panbanisha, I'd get in a lot of trouble.
> **Panbanisha**: Want milk, sugar.
> **Liz**: No, Panbanisha, I'd get in so much trouble. Here's some milk.
> **Panbanisha**: Milk, sugar. Secret. (Hillix & Rumbaugh, 2004, p. 9).

Panbanisha is a bonobo and Liz is one of Panbanisha's human caregivers. Panbanisha was expressing herself by pointing to symbols on a lexigram board, where each symbol represents one word. Liz was talking back in English (Hillix & Rumbaugh, 2004). If Wittgenstein were provided this transcript, would he dismiss one of the partners in this dialogue as not capable of language and thus, without the capacity to communicate, to hope, or to understand the concept of deception?

Alex, an African gray parrot, also verbalizes words from the English language to indicate what he wants from his human caregivers. He commonly utters "want corn," and "want grapes" (Hillix & Rumbaugh, 2004). Perhaps more striking are his abilities to read English letters and combinations of letters (when shown a plastic letter S and asked what sound the letter makes, Alex responds with "ssssss"; when shown a plastic letter S next to a plastic letter H and asked what sound the letters make, he responds "sshhhhh") (Wise, 2002). Alex also answers questions about the materials of which objects are made (metal, paper, wool, or rock), all in spoken English (Hillix & Rumbaugh, 2004). In one experiment, Alex was given a tray with several items (e.g., a yellow rawhide pentagon and a gray wooden pentagon, a blue wooden square and a blue paper

square), Alex was asked "What's same?" or "What's different?"[75] The correct response would be the label of the appropriate category (not the specific color, shape, or material that represented the correct answer). Far from an empty-headed imitator of sounds, Alex showed that he understood verbal questions, the concepts of sameness and difference, was able to attend to multiple aspects of two different objects and produce, verbally, the English label that fit the particular category (Hillix & Rumbaugh).

Recent dolphin language studies with Ake and Phoenix in Hawaii have focused on comprehension of acoustic and gestural language, rather than production of that language (a research protocol subject to fewer criticisms than were aimed at earlier dolphin language research efforts) (Hillix & Rumbaugh, 2004). The acoustic language was created and presented via computer through underwater speakers and consisted of various whistles in different waveforms representing different words. Also, hand gestures representing various words were used in a different form of gestural language. In both types of languages, action symbols in two-word sentences came last (for example, [hoop tail-touch] meant "go to the hoop and touch it with your tail"). In addition, the meaning of sentences could be reversed by reversing the positions of two object signs from, for example, [ball surfboard fetch] to [surfboard ball fetch] (Hillix & Rumbaugh).

During the experiments, Ake and Phoenix showed that they were very sensitive to syntax rules. And although the ability of dolphins to obey signed commands is now somewhat taken for granted (a trip to SeaWorld will confirm as much), researchers tested language comprehension in this case by eliciting responses to completely novel sentences. Doing this, Herman and Uyeyama (1999) believe that they have demonstrated that dolphins have an understanding of closed class words (prepositions, conjunctions, demonstratives, and locatives), and argument structure (Herman, 1984, 1986; Herman & Uyeyama, 1999; Hillix & Rumbaugh, 2004). Dolphin language researchers have also demonstrated evidence that dolphins know their own body parts, are aware of their past actions (by correctly responding to requests for them to [repeat] their last task), comprehend the referential function of human pointing (unlike chimpanzees), and recognize the referential use of their symbols (e.g., Hillix & Rumbaugh).

[75] Alex had already provided ample evidence that he understood the class concept, meaning that he could verbally label colors, shapes, and materials of objects when asked "what color?" or "what shape?"

Each of these examples offers a brief look at contemporary studies involving nonhuman animal communication using human language. My intention is not to provide a comprehensive overview of the field, or to give the final word on animal "language," but to present a few key studies that demonstrate the depth of current interest in and understanding from research involving human language and nonhuman beings. The last example relates to Kanzi, a bonobo (like Panbanisha, above) living in an ape language research center in Georgia. Kanzi is thought to have helped researchers realize that the capacities of animals—particularly apes—were far greater than they had previously thought, even after having successfully taught chimpanzees, orangutans, and gorillas American sign language (Hillix & Rumbaugh, 2004; Wise, 2002).

Kanzi uses lexigrams to communicate with his human caregivers. From a very early age, Kanzi demonstrated an understanding of a one-to-one relationship between a symbol and an object or action (Savage-Rumbaugh & Lewin, 1994). By reviewing six months of recorded communication with lexigrams on a keyboard, researchers analyzed the structure of Kanzi's utterances and found that many were comprised of more than one element and about half of them were spontaneous (meaning that they were not produced in response to or in partial imitation of a human caregiver; Savage-Rumbaugh & Lewin, p. 160). Additionally, Kanzi demonstrated his ability to learn syntactic rules from his verbal environment and, more importantly, to invent language-structure rules on his own; in essence, the research demonstrated that "an ape … develope[d] a productive grammar uncontaminated by imitations" (Savage-Rumbaugh & Lewin, p.164).

In other research meant to test language comprehension, Kanzi and another participant, Alia, were asked (in separate environments) to respond to a series of completely novel (and unusual) sentences.[76] Both Kanzi and Alia

> were sensitive to word order as well as to the semantic and syntactic cues that signaled when to ignore word order and when to attend to it …. The similarity between the two subjects is all the more remarkable in that, while able to comprehend sentences, neither subject was as yet a fluent speaker. (Savage-Rumbaugh & Lewin, 1994, p. 174)

[76] In order to exclude the possibility that Kanzi and Alia might have been making rote, memorized responses to spoken commands, novel sentences were used in this particular experiment; that is, the participants had never heard the sentences before, so in order to respond correctly, they would have to understand the sentences by analyzing their meanings. The person reading the sentence was behind a one-way mirror and could not be seen by Kanzi or Alia, and a second researcher in the room with the participants was prevented from hearing the question by wearing headphones (to prevent him or her from cuing Kanzi or Alia into making the correct response; Savage-Rumbaugh & Lewin, 1994).

At the time, Alia was a two and a half year old human child. She scored a little behind Kanzi on the number of questions she answered correctly (Savage-Rumbaugh & Lewin).

Some researchers suggest comprehension is even more difficult to explain and achieve than production of language. Bonobo researcher Sue Savage-Rumbaugh explained it this way:

> Comprehension demands an active intellectual process of listening to another party while trying to figure out, from short bursts of sounds, the other's meaning and intent—both of which are always imperfectly conveyed. Production, by contrast, is simple … [But] when we listen to someone else, we not only have to determine what that other person is saying, but also what he or she means by what is said, without the insider's knowledge that the speaker has". (Savage-Rumbaugh & Lewin, 1994, p. 174)

During the language comprehension research, when Kanzi was asked "can you give the doggie a shot?" he rifled though the many objects that were placed near him, picked up a toy doggie, found a syringe, uncapped it, stuck the needle in the doggie and pushed the plunger (Hillix & Rumbaugh, 2004; Savage-Rumbaugh & Lewin, 1994). Did Kanzi *understand* the question? Does Kanzi have "language"? Linguists may disagree, but in my estimation the answers are glaringly straightforward.

Beyond words. If it is clear that some nonhuman animals have been able to learn, understand, and communicate through human-created language, it is just as apparent that very few animals have been the subject of such language studies. But the importance of language is misplaced. [77] Like Midgley (1983), I think "it is clear that linguistic philosophers have often overstated the case for the dependence of intelligence on language." Even if *most* nonhumans are not capable of language,[78] they are tremendously capable of communicative expression and comprehension among themselves (often in ways that are highly significant in their own species' environmental context but not ours, so we fail to appreciate the complexity and importance of

[77] While a great deal of thoughtful scholarship about animal minds has been produced recently (only a very small part of which has been discussed here), the "similar minds" approach to moral considerability is just one perspective. Some scholars, like Gary Francione, a scholar of law and philosophy, find it troubling in its implications for moral theory (Francione, 2005). "Although it appears to be progressive, to indicate that we really are evolving in our moral relationship with other species," Francione remarked, "the similar-mind approach actually reinforces the very paradigm that has resulted in our excluding non-humans from the moral community" (Francione, 2005, p. 51). In Francione's view, although we may have been empirically wrong in the past, and at least some nonhumans do possess traits once thought unique to humans, the point is missed: there is no characteristic other than sentience—the ability to feel pain—that is necessary for moral significance.

[78] This is notwithstanding the extraordinary knowledge gained through recent great ape, dolphin, and parrot research (see e.g., Griffin, 2001; Herman, 1986; Hillix & Rumbaugh, 2004; Savage-Rumbaugh & Lewin, 1994).

such communication) and with us (as anyone who lives with a companion animal can attest; e.g., Lynn, 1999; Masson & McCarthy, 1995; Wise, 2002). Continued research in animal behavior and related fields reveals the varied and extraordinary ways that different animals communicate. For example, honeybees communicate the location of distant food sources by a "waggle dance" on the hive (e.g., Michelsen, 2003). Vervet monkeys have different calls for different types of predators: A loud barking call is given for leopards, a short, double syllable cough for eagles, and a "chutter" sound is made for snakes (e.g., Seyfarth, Cheney, & Marler, 1980). Elephants have at least 34 distinct vocalizations and rely heavily on tactile communication (e.g., Langbauer, 2000). And dolphins have a complex system of clicks, whistles and body language they use constantly in their communications with one another (e.g., Lilly, 1967; Reynolds et al., 2000). If we pay attention to animal behavior and acknowledge animal subjectivity, as Lynn (1999) suggests, we will recognize their inner lives, and can better understand the myriad animal interests that require our respect.

Anthropomorphism

Research with nonhuman, sentient species invokes tensions about the role of anthropomorphism. For some scholars of human–animal interactions, anthropomorphism is valid, ethical, and an interpretive filter that can be productively engaging.[79] To others, anthropomorphism should be avoided at all costs, as it reflects a failure to attain adequate standards of objectivity. Animal scholar Paul Shepard (1996) views anthropomorphism as "the personification of animals … [that is] profoundly related to mythic narration and performance." According to Vizenor, a literary scholar, "the anthropomorphist ascribes and traces human emotion and motivations to animals and nature; these modes of narration cause misconceptions in both science and literature" (1995, p. 249). Sheppard warns that scientists believe anthropomorphism "reduces humanity to animality and rationality to instinct, or elevates brutes to human status"; it is a viewpoint he regards as "shortsighted" (P. Shepard, p. 88). For Noske, it is worse than shortsighted, and she explains that "underlying the failure to acknowledge human–animal continuity is … the fear among biologists of being accused of anthropomorphism, of

[79] There are many more instances of animal geographers embracing anthropomorphism than trying to avoid the practice (Philo & Wilbert, 2000a; Whatmore & Thorne, 1998; Wolch & Emel, 1998); that is one of the things that makes animal geographies so progressive. For example, Gullo et al. considered the cougar's perspective when they investigated the problem of habitat encroachment in upstate New York: "So much for people and their ideas about animals. What about animals and their notions of people?" (Gullo, Lassiter, & Wolch, 1998).

attributing exclusively human characteristics to animals" (Noske, 1997a, p. 88). It is a horrendous error in judgment according to those that ascribe to a value-fee and objective form of scientific inquiry.

But exactly what is meant by anthropomorphism is a matter of some confusion. Plumwood (2002) suggests that there are various senses of anthropomorphism, including general and specific cases. In one definition, it means attributing to nonhumans characteristics that humans have; in another definition it means attributing to nonhumans characteristics that *only* humans have (Plumwood, 2002, emphasis added). A broader definition claims anthropomorphism anytime animals are represented in intentional or communicative terms. This sort of weak anthropomorphism, makes it very hard (if not impossible) for representations of nonhumans to avoid being labeled anthropomorphic (Plumwood, 2002).

The weak anthropomorphism argument suggests that, because we are human, we must filter all of our observations of nonhuman behavior through our thoroughly human conceptual apparatus; because any interpretation of a nonhuman animal—indeed, all interpretations—will necessarily be shrouded in human concepts, resulting in some measure of anthropomorphism (Plumwood, 2002). Given that definition of anthropomorphism, it is clear that when we consider animal experiences, we cannot avoid it. What is less obvious is how this is necessarily harmful or invalidating, or that there are no practices to ameliorate or counter any negative consequence. Plumwood contends that "the question is not whether or not some degree of humanization of perspective is present … for it always will be at the background level, but how damaging it is, what is its meaning, and what practices could be used to counter it if and where it needs to be countered?" (Plumwood, 2002, p. 58).

Anthropomorphic or not, Plumwood (1993) argues that there is no good (or logical) reason why we should *not* speak of the nonhuman sphere in intentional and "mentalistic" terms. We do it constantly in everyday parlance, and would hardly be able to avoid it (Plumwood, 1993). But is it irrational, hopelessly romantic, and unscientific to talk of anything nonhuman in this way—as having agency, communication, sapience, emotions, and so on? That is what many scientists who warn against anthropomorphism suggest. But such a charge should be interrogated. It is, perhaps, an exercise of resistance by a hegemonic discourse intent on retaining the order of society it established in the first place. Plumwood contends that

> a time-tested strategy for projects of mastery is the normalization and enforcement of impoverishing, pacifying and deadening vocabularies for what is to be reduced and ruthlessly consumed. This seems to be the main contemporary function of the concept of anthropomorphism, especially to the extent that it aims to delegitimate intentional description of non-human others. (Plumwood, 2002, p. 56).

So, is anthropomorphism always appropriate, meaning animal geographers should embrace anthropomorphism willy-nilly in their explorations of human–animal interactions? No; of course not. Careful attention should be paid to the content and context of the study—as is true of any hermeneutic inquiry—but the potential issues when considering animals are really no different (in form) from the issues that arise in any research setting where human representation is involved. As Plumwood explains,

> The problem we run into here is the problem familiar from the case of representing human cultural difference, of translation and indeterminacy. There are many well-known traps and difficulties in such representation. There can be real problems in representing other species' communicative powers or subjectivities in terms of human speech, but they do not rule out such representation in an automatic way. (2002, pp. 58–59)

Anthropomorphism can also be misplaced, and even become harmful[80] when it leads to a complete obliteration to difference between humans and animals. Denial of difference is a key part of the structures of subordination and colonization to which animals are subject (Plumwood, 1993). In these cases, the charge of anthropomorphism may legitimately draw our attention to "a loss of sensitivity to and respect for animal difference in humanizing representation" (Plumwood, 2002, p. 59). To illustrate, when out of control or idiotic co-workers are represented

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[80] James Serpell (2003) explored anthropomorphism in terms of the benefits or harms that may come to animals who are kept as pets (Serpell, 2003). To be clear, Serpell defines anthropomorphism as the "attribution of human mental states (thoughts, feelings, motivations, and beliefs) to nonhuman animals." Like Tuan some time before him (Tuan, 1984), Serpell suggested that in many cases anthropomorphism is *bad* for companion animals because they have been bred to fit the characteristics of what humans believe are desirable (Tuan, 1984). Thus, he equates the consequences of anthropomorphism as less benign when viewed from this perspective; selective breeding responsible for some severe animal welfare problems in pets (e.g., hip problems in golden retrievers; goldfish with bulging eyes; pug and Persian kittens' faces smashed that make it hard for the animals to breath etc.)

> The anthropomorphic tendency to attribute human feelings and motivations to nonhuman animals has given rise to a unique set of interspecies relationships that have no precedent elsewhere in the animal kingdom. [R]elationships are … based primarily on the transfer or exchange of social rather than economic or utilitarian provisions between people and animals. For the humans involved, anthropomorphism has provided the opportunity to use animals as alternative sources of social support and the means to benefit emotionally and physically from this. For the animals, it has created a novel ecological niche, a set of unusual evolutionary selection pressures, and a variety of corresponding adaptations—some of which are detrimental to the animals' welfare. (Serpell, 2003)

in print and television advertisements as chimpanzees dressed in human business attire (one such television commercial for careerbuilder.com aired during the 2006 Super Bowl),[81] they are ridiculed as degenerate forms of humans while, at the same time, the animals' own differences and excellences are denied or neglected. That said, we must be careful not to collapse human into animal or vise versa—the human–animal divide must be diminished, but the recognition of an animal continuum is equally important to maintain respect for animality, else we revert back to yet another form of anthropocentrism (Noske, 1997a).

A Human–Animal Continuum

The anthropocentric person who insists that only humans are agents of their lives is so mired in the human–animal divide that they fail to recognize that it is hardly a divide at all—we all share space on a web-like continuum of likeness and diversity. As Plumwood suggests, "overcoming the dualistic dynamic requires recognition of both continuity and difference; this means acknowledging the other as neither alien to and discontinuous from self nor assimilated to or an extension of self" (2002, p. 6). Thus, doing away with the human–animal divide means giving up the anthropocentric perspective for a more fluid, inclusive perspective that emphasizes coexistence and continuum instead of dichotomy and exclusion.

I am not alone in my efforts to destabilize the human–animal divide. Many animal geographers are explicitly concerned with undoing such dualistic thinking in order to denaturalize the human–animal divide. Generally critical of human-centered thinking and the academic tradition of subordinating animals and nature to people, science and culture, they typically grant subjectivity and moral inclusion to animals (e.g., Elder et al., 1998b; Lynn, 1998a; Philo & Wilbert, 2000a; Wolch & Emel, 1995). Animal geographers also call for recognition of the intimate, sensual, and unpredictable bonds that humans and nonhuman animals share in relation to one another. Appreciating such heterogeneous social encounters is at the heart of a more dialogical thinking, and encourages us to think relationally, in terms of associations rather than separations (Castree & MacMillan, 2001; Whatmore, 2002).[82] In this

[81] A replay of the television commercial can be found at http://www.devlib.org/podcast/careerbuilder.mov.

[82] As I discussed in Part I, I appreciate the call by proponents of ANT to think relationally (or, as I have suggested, interrelationally). However, I do not think we should replace the conceptual human–animal "divide" with the notion of hybridity as Whatmore (2002) and others suggest. It is important to respect the differences and distinctions between animals (human and nonhuman). Thus, I prefer the notion of *transgression* (see Lynn, 1998a) to that of *hybridity*, as it better stresses continuities and differences between animals, and does not imply a combination or blend of a once distinct species.

way, I join the animal geographers whose aims are to do away with the human–animal divide in favor of a more flexible and inclusive continuum (Anderson, 1995; Elder et al., 1998a; Noske, 1997a; Wolch, 1998).

To be clear, rejecting the conceptual divide in favor of a continuum does not mean that the distinction between humans and the rest of nature can, or should, be eliminated. In the same vein, I do not accept the alternative of *hybridity* as Whatmore (2002) and other ANT proponents suggest. In my view, hybridity implies a combination or blend of once-distinct species; a continuum, on the other hand, stresses both continuities and differences between animals. Humans *are* different from other animals. And just as humans are not dolphins, dolphins are not lemurs, lemurs are not salamanders, and salamanders are not birds. Each of these organisms shares traits with the others (to some degree), and each has its own set of distinct characteristics.

Language, for example, is an important and significant trait that humans possess. Language undoubtedly enhances our life experience. As Midgley (1983) recognized, "the use of language can immensely extend and enrich [our senses]. This is indeed one of its central jobs, and the resulting difference is among the most vital and valued of human specialties" (Midgley, 1983, p. 57).[83] At the same time, lack of language does not automatically deprive other animals of communication, expectation, consciousness, or complex inner lives altogether, any more than it deprives them of pain or desire. Furthermore, what makes us human does not set us wholly *apart* from all the others; but it does give us the obligation to consider the consequences of our actions for other beings, human and nonhuman alike. For better or worse, humans have come to dominate the nonhuman world. With our society's asymmetric relationship comes an inimitable responsibility towards animals and the rest of nature. As Derek Gregory (1994) said:

> By enlarging and examining our geographical imaginations, we might come to realize not only that our lives are "radically entwined with the lives of distant strangers," but also

[83] Voltaire asked:

> Is it because I speak to you, that you judge that I have feeling, memory, ideas? Well, I do not speak to you; you see me going home looking disconsolate, seeking a paper anxiously, opening the desk where I remember having shut it, finding it, reading it joyfully. You judge that I have experienced the feeling of distress and that of pleasure, that I have memory and understanding. Bring the same judgment to bear on this dog which has lost its master, which has sought him on every road with sorrowful cries, which enters the house agitated, uneasy, which goes down the stairs, up the stairs, from room to room, which at last finds in his study the master it loves, and which shows him its joy by its cries of delight, by its leaps, by its caresses. (Volataire, as quoted in Woolf, 1924)

> that we bear a continuing and unavoidable responsibility for their needs in times of distress. (p. 205)

From Divide to Continuum

I have taken Part II of this chapter to discuss anthropocentrism in order to demonstrate the remarkable consequences that our ontological choices have (and have had) on animal (and animalized human) others. A human–animal continuum suggests an alternative that welcomes the diversity of nonhuman life into a moral community shared with humans. It is consistent with the *cosmopolis*, an "interpretive frame for understanding the ethics of being human in a predominantly nonhuman world, and challenging the privileged placement of any one group or species in ethical-political thought and practice" (Lynn, 2002a; E. Shepard & Lynn, 2004, p. 53). Hence, the cosmopolis is a framework for exploring justice and well-being for all members of the mixed human and nonhuman community. In my view, all human–animal encounters exist within the cosmopolis. This is the framework within which I will investigate human–dolphin encounter spaces, guided by a theoretical perspective I have loosely defined in Part I as posthuman pluralism. Thus, to the five basic principles previously identified with posthuman pluralism, I add a sixth: All human and nonhuman animals are morally relevant and therefore entitled to ethical considerability.

CHAPTER 4

METHODS

Theoretical perspectives are intimately tied to methodological choices in research (e.g., L. Harvey, 1990; Sayer, 1992; Winchester, 2000). My theoretical approach is grounded in an interpretive tradition that honors both individual experiences and the contexts or structures that mediate those experiences.[84] Qualitative inquiry allows for a balance between examination of structures and processes on the one hand and individual experience on the other (Denzin & Lincoln, 2000a; Sayer; Winchester). [85] Consistent with what I call posthuman pluralism in chapter 3, I implemented a research strategy made up of a naturalistic inquiry design, qualitative data compiled during multiple case studies, and content analysis. The overarching objective of the research is to explore how human–dolphin encounters can inform and shape our ideas about anthropocentrism, the human–animal continuum and the place of individuals—human and animal—in social, ethical, and political thought and practice. This chapter begins with a general overview of my research design, including the use of multiple case studies and several qualitative methods. Next, I discuss data collection and analysis for each of the three case studies undertaken. Finally, I consider several ethical matters—some conventional and others unexpected—that arose as I conducted the research project.

Research Design

My qualitative research strategy is made up of a naturalistic design balanced with orientational inquiry (see Patton, 2002). Three specific research questions provided overall

[84] Structures—whether economic, political, biological or otherwise—both constrain and enable individual behaviors, but people also have the capacity to break rather than reproduce the mold. In practice, the links between individual choices and the structural influences on those choices may be difficult to disentangle. But qualitative inquiry allows for examination of both structures and individuals (e.g., Winchester, 2000).

[85] For a wider discussion that justifies qualitative methodologies, see Bernstein's *Beyond Objectivism and Relativism* (Bernstein, 1991). And an extensive discussion of research design and methods can be found in Denzin and Lincoln's *Handbook of Qualitative Researc*h and Hay's *Qualitative Research Methods in Human Geography* (Denzin & Lincoln, 2000b; Hay, 2000).

direction for the research design. First, what are individuals' experiences of dolphin–human encounter spaces situated in a captive dolphin facility? Second, how do individuals experience human–dolphin encounter spaces situated in the open ocean? And finally, how do societal structures construct, maintain, legitimize, and resist dolphin–human encounters? These questions called for research in the field and an investigation of the "real world as it unfolds" (Patton, 2002). In direct contrast with experimental approaches, researcher Michael Patton describes such qualitative designs as *naturalistic* because the research takes place in real-world settings without researcher manipulation of the phenomenon (Patton, 2002, p. 39). Additionally, naturalistic inquiry is a *discovery-oriented* approach that generally places few prior constraints on what the outcomes of the research will be (Guba, 1978; Patton, 2002). As such, naturalistic inquiry replaces the narrow, carefully controlled, fixed-treatment emphasis of an experimental design with a dynamic, process orientation that is flexible enough to allow amendment and redirection during the data collection and evaluation stages of the research (Patton, 2002).[86]

One of the strengths of qualitative methods is the flexibility it allows when approaching a setting without predetermined hypotheses (Patton, 2002). "The naturalistic and inductive nature of the inquiry makes it both impossible and inappropriate to specify operational variables, state testable hypotheses, or finalize" other design or analysis schemes before actually engaging in the research (Patton, 2002, p. 44). Maintaining such design flexibility means that the design itself becomes more solidified as the fieldwork unfolds (Patton, 2002, p. 44). For example, I arrived at one research site with the intention of interviewing and observing dolphin encounter participants (paying customers) but, after only a couple of days at the site, I recognized the importance of understanding how dolphin encounter employees—specifically, the dolphin trainers—experience the encounters as well. Because I was flexible enough to adapt my design then and there, I was able to add a critical dimension that I had not anticipated before entering the field.

Still, even though naturalistic inquiry is meant to remain sufficiently flexible to allow exploration of whatever the phenomenon under the study offers, most qualitative designs are not completely emergent and open ended (Patton, 2002; Wolcott, 1994). As ethnographer Harry

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[86] Patton cautions that the distinction between naturalistic and experimental designs is not as simple as being in the field versus being in the laboratory. He recognizes that the degree to which a design is naturalistic "falls along a continuum with completely open fieldwork on one end and completely controlled laboratory control on the other end, but with varying degrees of researcher control and manipulation between these end points" (Patton, 2002, p. 42). In addition, conducting interviews, taking notes, and generally being present as a researcher is likely to alter conditions in the field to some extent, so a *pure* naturalistic design is impossible (Patton, 2002).

Wolcott recognized, "even the most fervent advocates of emergent approaches need to have … a sense of what they seek" (Wolcott, p. 23). In the present case, I balanced a naturalistic design with the theoretical perspectives outlined in chapter 3. Thus, with what Patton (2002) defines as *orientational inquiry,* my research questions provided an initial focus, plans for observations, and initial interview questions to guide the inquiry. Likewise, that my perspective presumes the moral relevance of all human and nonhuman animals certainly oriented my fieldwork and the interpretation of my findings (see Patton, 2002; Wolcott). The extent to which any study is orientational versus naturalistic is a matter of degree, not a question of either-or (Patton, 2002). Although guided by a theoretical framework, I strove to remain neutral during my field observations, flexible about design and data collection, and open-minded during my analysis.

Case Studies

Robert Yin describes the case study as an inquiry that "investigates a contemporary phenomenon within its real-life context" and "relies on multiple sources of evidence" (Yin, 2003, pp. 13–14). Both a process of inquiry and the product of that inquiry, Robert Stake suggests that a case is simply a choice of what is to be studied—an "object of study [that] is a specific, unique, bounded system" (Stake, 2000). I conducted three case studies that correspond with the three research questions outlined above, each conceptually bounded and limited in space and time. Case studies can be used for a variety of purposes including exploration, description, or explanation (Yin, 1981a, 1981b, 2003). Through the first two descriptive case studies, I describe human–dolphin interactions in captivity and in the wild. The third case study then describes and explicates some ethical, social, and policy dimensions of such encounters in a specific market.

What is common to all of the case studies is that they may be characterized as what Stake (2000) terms *instrumental* case studies; that is, each case is examined primarily to provide insight into an issue.[87] This is not to say that the cases chosen are necessarily typical of other cases. Unlike quantitative methods, qualitative case samples are not expected to represent some population of cases and they do not seek statistically generalizable results (Bradshaw & Stratford, 2000; Patton, 1990; Stake, 2000). When confronted with a question of whether a qualitative case should be representative of other cases, I concur with methodologist Andrew Sayer, who maintains that

[87] This he contrasts with *intrinsic* case studies that are undertaken, first and last, in order to better understand a particular case (Stake, 2000).

> we must avoid the absurd dogma that no study of individuals, in the broad sense, is of interest except as a representation of some larger entity. Proponents of [quantitative] methods sometimes argue that [qualitative] research fails to produce "objective" results because its results are not representative …. But providing there is no pretence that the whole population is "represented," there is no reason why [a qualitative] study should be less "objective" (i.e., uncorroborated) about its particular subject matter than [a quantitative] study. (Sayer, 1992, pp. 248–249)

The different strategies and purposes that distinguish statistical probability sampling from qualitative purposeful sampling offer another stark contrast between quantitative and qualitative methods (Patton, 2002). Patton defines information-rich cases as "those from which one can learn a great deal about issues of central importance to the purpose of the research, thus the term *purposeful* sampling" (Patton, 2002, p. 46). Where probability sampling is meant to produce generalizable data, "the logic and power of purposeful sampling derive from the emphasis on in-depth understanding" (Patton, 2002, p. 46). The intent for purposeful sampling, then, is to choose cases that are information-rich and will illuminate the questions under investigation (Patton, 2002; see also Stake, 2000). Thus, anticipating a process that Yin (2003) terms *analytic generalization* (p. 32), cases were purposefully chosen in order to inform us more fully about human–dolphin encounter spaces.

I used a mix of purposeful sampling strategies to choose the case studies and fieldwork locations. To investigate human–dolphin encounter spaces in the wild, I chose an intensive eight-day, seven-night at-sea wild dolphin encounter trip aboard a vessel that traveled from Florida to the waters around the Bahamas to interact with free-ranging dolphins. For the second case study, I chose one of several facilities in the Florida Keys to investigate encounters in captivity. Dolphins Plus was one of the original facilities to offer swim-with-the-dolphins programs beginning in the 1980s. In both cases, in a process of what Patton (2002) calls *intensity sampling*, the cases were chosen as "information-rich cases that manifest the [phenomena] intensely, but not extremely" (Patton, 2002, p. 242). In other words, using the logic of intensity sampling, the cases chosen were not necessarily typical of all dolphin encounter spaces, nor were they particularly unusual.

To understand how societal structures construct, maintain, legitimize, and resist dolphin–human encounters, I selected a sample that Patton (2002) would define as a *politically important case*. As discussed in chapter 2, the Gulf of Mexico near Panama City Beach, Florida is a place where dolphins have been fed by humans for about thirty years. After a heated battle between

commercial dolphin-feeding interests in Panama City Beach and the National Marine Fisheries Service (NMFS), feeding dolphins in the wild became (unambiguously) illegal under the Marine Mammal Protection Act (MMPA). Soon after, however, several dolphin-feeding tours were transformed into programs that promoted in-water dolphin interaction instead. These, and other commercial swim-with programs, have emerged in the past several years in Panama City Beach. Consequently, an even more heated dispute ignited between local commercial interests and government officials who discourage wild dolphin encounter programs. The policy dispute over human–dolphin interactions in Panama City Beach presented an information-rich, politically important case with which to investigate how societal structures like the market and the government's dolphin protection policies influence dolphin–human encounters.

While in the field, for each of the cases I also used *criterion sampling* when selecting the units of analysis (individuals with an interest in the subject matter, in these cases). Patton (2002) describes this sampling procedure simply as selections that meet some specific criterion. For the first and second case studies, I focused on encounter customers, boat crew members, dolphin trainers, and the dolphins themselves. In the third case, my criteria were limited to those stakeholders with an interest in the policy dispute. In each case, I also drew from *opportunistic* or *emergent sampling* strategies, consistent with a naturalistic approach, where I followed new leads during fieldwork and took advantage of unexpected opportunities as they arose in the field (see Patton, 2002).

Qualitative Data and Analyses

Patton (2002) describes qualitative data as falling into one of three categories: interviews, observations, and documents. All of these types of data were collected during fieldwork in each of the three case study sites. Interviews consisted of open-ended questions and encouraged in-depth responses about people's experiences, perceptions, opinions, feelings, and knowledge.[88] Observations of activities, behaviors, actions, conversations, interpersonal interactions, organizational processes and other observable human experience were collected, as were

[88] Semi-structured interviews, using open-ended questions, provided a framework within which people could respond in a way that Patton (2002, p. 21) suggests "represents accurately and thoroughly their points of view about the world." Open-ended responses allow us to more fully understand the world as seen by those who are interviewed. "The purpose [of semi-structured interviews] is to enable the researcher to understand and capture the points of view of other people without predetermining those points of view through prior selection of questionnaire categories" (Patton, 2002, p. 21).

observations of dolphin behavior at each of the case study sites.[89] Documents consisting of written materials (such as promotional material, advertisements, website content, government program brochures and others) were also examined for each case study. Extensive field notes[90] were collected during these observations, interviews, and document reviews. With the field notes I maintained a personal field diary that contained my own feelings, reactions to the experience, and reflections about the personal meaning and significance of what I had observed. Raw data were organized into narrative descriptions with major themes, categories, and illustrative case examples extracted through content analysis. Patton (2002, p. 5) recognizes this effect of emergent themes, patterns, understandings, and insights as "the fruit of qualitative inquiry."

In order to collect these data, through which I meant to capture and communicate other's experiences of the world, I entered the field with the intent of getting close to those involved in the study—not just through physical proximity for a period of time, but also through what Patton (2002, p. 48) describes as "development of closeness in the social sense of shared experience, empathy, and confidentiality." Put another way, it involves what methodologist Norman Denzin calls "the studied commitment to actively enter the worlds of interacting individuals" (Denzin, 1978a, pp. 8–9). Entering the field with intensions for such personal engagement stands in sharp contrast to those who strive for objectivity and detachment in an attempt to eliminate personal bias in their work. But Patton (2002) questions the utility of distance and detachment, reporting the assertions of qualitative researchers that

> without empathy and sympathetic introspection derived from personal encounters, the observer cannot fully understand human behavior. Understanding comes from trying to put oneself in the other person's shoes, from trying to discern how others think, act, and feel. (p. 49)

Although I believe that complete *empathy*, by its strictest definition, is never possible because we cannot fully know what it is to be "in the other person's shoes," I agree with Patton's

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[89] Patton (2002, p. 23) suggests that "what people say is a major source of qualitative data, whether what they say is obtained verbally through an interview or in written form through document analysis or survey responses." But he also recognizes that "there are limitations …to how much can be learned from what people say. To understand fully the complexities of many situations, direct participation in and observation of the phenomenon of interest may be the best research method" (Patton, 2002, p. 23).

[90] Field notes contained data that were collected in each case study site, as well as personal impressions and reflections. They consist of descriptions of what was experienced and observed, direct quotations from the people observed, full transcripts of phone interviews, and field-generated insights and interpretations.

point: that entering the field and having personal contact with those who are part of the study is not only valid, but can produce key insights into both externally observable behaviors and internal states (such as worldview, opinions, values, attitudes, etc.; see Denzin, 1978a; Patton, 2002).[91]

When I finished the field work in each of the case studies, data analysis and interpretation relied largely on latent content analysis—the process of extracting major themes, categories, and illustrative case examples from which more refined themes, patterns, understandings and insights emerged (Patton, 2002). Content analysis can refer to searching textual materials; searching text for recurring words or phrases, for example (Patton, 2002). "More generally, however," according to Patton (2002, p. 453), "content analysis is used to refer to any qualitative data reduction and sense-making effort that takes a volume of qualitative material and attempts to identify core consistencies and meanings." Furthermore, in any sort of interpretative analysis, the goal is to first generate a framework or structure for understanding data (Davenport & Anderson, 2005). Striving to honor the diverse viewpoints I had found, my aim was to locate patterns across stories, experiences, and perspectives (see Davenport & Anderson; Patton, 2002, p. 6). I began analyzing data by searching my field notes and other documents for themes with which to create a coding system to sort and retrieve data (see Dunn, 2000; see also Patton, 2002).

My process of content analysis was similar to that taken by feminist researcher Mary Field Belenky (Belenky, Clinchy, Goldberger, & Tarule, 1997). Having conducted a number of interviews relating to how women thought about truth, life changes, and other topics, Belenky and her colleagues grouped similar responses and stories together and created categories that they thought best captured what they found in the narrative data they had collected (Belenky et al.). "After painstaking analysis, [Belenky] ended up with the five categories of knowing … a framework that became very influential in women's studies" (Patton, 2002, p. 6). With a similar

[91] Critics of qualitative inquiry may insist that becoming close to the individuals and situation under study is an approach that is too subjective, but for any researcher to claim pure objectivity is terribly naive. *Empathic neutrality* is the approach Patton (2002) suggests as a middle ground between becoming too involved (which might cloud judgment), and remaining too distant (which can limit understanding). Like other researchers—qualitative or quantitative—I sought honest, meaningful, credible, and empirically supported findings. I therefore strove to adopt a stance of neutrality, both as an outward expression toward those involved in my research and as a continual internal process of reflexivity. But, as Patton (2002) suggests, neutrality does not mean detachment: "Qualitative inquiry depends on, uses, and enhances the researcher's direct experiences in the world and insights about those experiences. This includes learning through *empathy"* (Patton, 2002, p. 51, emphasis in original).

process, after reviewing field notes, personal field diaries, and documents, I created, abandoned and re-created various categories.

Table 4.1 *Example of Coding System for Interview Data from Case Study 1*

Field Site	Informant Type	Category	Type of data that would be coded as fitting within the category
Bahamas at-sea wild dolphin encounter trip	Encounter customer	*Dolphin Identity*	Informant indicates dolphins are: "Like us, only better" Curious Intelligent Gentle Playful
		Dolphin Intentionality	Informant indicates that dolphins: Make a "choice" to interact "Want to play with us' "Hang around" the boat "Played with each other, then with us" "Controlled the pace and extent of encounters"
		Dolphin Value	Informant indicates how they value dolphins: Dolphins "deserve freedom" Dolphins have "individual personalities" Dolphins "deserve respect" "No one has the right to 'own' dolphins" Strong anti-captivity bias
		Encounter Intimacy	Informant describes encounter as: An "indescribable connection" She "was just 'with' the dolphin" He "lost track of time" A dolphin "touched [her] soul" Intensive because of eye-contact

Belenky's categories of women's knowing described her ultimate findings. For example, one "way of knowing" was a category called *silence*. One characteristic that Belenky found important when cateogorizing a woman as "residing in silence" was that the informant perceived herself as "deaf and dumb" with little ability to think (Belenky et al., 1997). Similarly, one of the four categories of encounter experience I discerned in the first two case studies was *dolphin identity*. When an encounter customer expressed particular ideas about dolphins—for example, if a customer said dolphins are "intelligent" or "like us, only better" or "like my dogs"—I took that as an important characteristic of how they identified dolphins. For the first two case studies, I settled finally on four categories with which to code my data. The categories were informed partly by my previous experience and research, but ultimately were based on my sense of what

categories best represented the data. Categories included *dolphin identity, dolphin intentionality*, *dolphin value,* and *encounter intimacy*.

These broad topical categories aided me in grouping my data and then comparing, evaluating and interpreting those data. Once the data were coded, I was able to review them by themes and relations between themes and create several frameworks of meaning in order to describe individual's experiences of dolphin encounters (see Dunn, 2000). For the third case study, through content analysis I identified the positions, justifications and values associated with each stakeholder in the policy conflict that characterizes a contested encounter space. Once data were coded according to those categories, I was able to discern overall patterns, as well as consistencies and conflicts in the political stances taken by those with an interest in the policy dispute. Reviewing the various themes that emerged led to further insights and understandings related to the case (see Patton, 2002).

Table 4.2 *Example Coding System for Interview Data from Case Study 2*

Field Site	Informant Type	Category	Type of data that would be coded as fitting within the category
Dolphins Plus	Encounter customer	*Dolphin Identity*	Informant indicates that she thinks of dolphins: "Like my dog" As having intelligence, emotions As a "friend" As "nice" As "gentle" "Like Flipper!"
		Dolphin Intentionality	Informant describes dolphins as: Having done what they were told Trained to interact with people Interacting with customers to "get fish"
		Dolphin Value	Informant indicates how they value dolphins: Would "own" a dolphin if they could Would "want a dolphin as a pet" Captive dolphins are educational Captive dolphins "help special needs kids"
		Encounter Intimacy	Informant indicates that in the encounter: They "had fun" She "was intrigued by their responsive behavior" He though "touching them" made the encounter "so worth it" Awareness of training and reinforcement for interaction She "wanted to get [the metaphysical] in the swim, but just didn't"

Table 4.3 *Positions and Justification of Stakeholders from Case Study 3*

	NOAA (NMFS)	Captive Display Industry	Tourism Bureau	Wild Dolphin S/W Operators	Animal Advocates
Position re: S/W	Opposed to swim-with tours in the wild	Opposed to swim-with tours in the wild	In Favor of swim-with tours in the wild	In Favor of swim-with tours in the wild	Opposed to swim-with tours in the wild
Justification	Harmful to dolphins			No compelling evidence s/w is harmful to dolphins	Harmful to dolphins
Justification	Harmful to humans	Harmful to humans		No compelling evidence s/w is harmful to humans	Harmful to humans
Justification				S/W is positive for people and dolphins if done "properly"	
Justification			Enjoyable for tourists	Regulations proposed are overbroad and unfair; there are better alternatives	
Position re: Feeding	Opposed to feeding	Opposed to feeding		Opposed to feeding (but some operators still feed, even if covertly)	Opposed to feeding
Position Re: Enforcement	Enforcement is important issue	Enforcement is important issue		Enforcement is important issue	Enforcement is important issue
Position re: captivity & captive s/w programs	Condones captivity	Pro-Captivity	Pro-Captivity	Anti-Captivity	Anti-Captivity
Justification	Captive programs educational and provided for by the MMPA	Captive programs educational	Tourists enjoy marine parks	Captivity is harassment; captivity encourages harassment in the wild	Captivity is harassment; it is an individual animal welfare issue, a conservation issue, and encourages harassment in the wild

In addition to the foregoing methods of analysis, I provided narrative accounts of encounter experiences that folded many complimentary informant perspectives into a few distinct characters. As fictional accounts driven by the data, the narrative portion of the analyses were meant to extend symbolic and emotional understanding of a human–dolphin encounters and the politics of a particular contested encounter space (see Boufoy-Bastick; Manen, 1900; Richardson, 1990). Researcher Beatrice Boufoy-Bastick demonstrated validity in using this sort of interpretative narrative to vividly describe a Fijian educational setting by grounding the story to the data (Boufoy-Bastick, 2003). Similarly, each of the composite narratives here is grounded solely in the data. In other words, every scene, circumstance and setting corresponds precisely with my field observations (or, as was the case with the wild dolphins in chapter 5, character behavior matched what was reported in scientific field studies concerning those particular dolphins). In addition, all of the dialogue and thought monologues are taken verbatim from interview transcripts and observations. The story-telling itself was a product of my own impressions and reflections as well, combined with the practical effort to portray each case as accurately, fairly, and completely as possible.

Although the narratives arise from the data, they are meant to enrich and transcend the somewhat detached, intellectual analyses that proceed them, and allow the reader to more fully perceive some of the lived experiences I investigated while in the field. Therefore, the use of anthropomorphism[92] and descriptive literary techniques are deliberate—such devices are useful not only for adornment, but to carry cognitive meaning (Richardson, 1990). Allegory and stylized prose are meant to engage the reader's senses beyond the cold mental descriptions that come from categorizations, tables of quotations, charted observations or even network representations of data.

Even though they are not as prevalent as other types of analyses in geography today, the interpretative narratives are no less valid than other forms of qualitative interpretation. Sociologist Laurel Richardson (1990) argues that from the 17th century onward, scholars have divided writing into two kinds: scientific and literary. She cautions that literature was supposedly the repository of rhetoric, subjectivity, and fiction, while science—on the other hand—was the repository of "plain" language, objectivity, and fact. The truth value of literature

[92] As I argued in Chapter 3, anthropomorphism is a valid, ethical, and interpretive filter that can (and should) be productively engaged.

has been denied based on the idea that it was "invented" rather than "observed," the way science presumably did (Richardson). Richardson's work on narrative and sociology discusses the historical roots of this dualistic construction and argues that even the "plainest" science writing uses literary devices to constitute value and to convey meaning. While adhering to the data, I used interpretative narratives to enliven the analyses by representing embodied, lived experiences of dolphin encounters and the complex politics that involve a particular encounter space.

Rigor and Reliability

In an effort to produce trustworthy data and credible findings, I relied on multiple data sources, multiple qualitative methods, and critical reflexivity. Ultimately, my aim was to produce case studies that are reliable, authentic, balanced about the phenomena under study, and fair to both the humans and animals investigated (see Patton, 2002, p. 51).

One of the greatest strengths of qualitative inquiry is the opportunity to use many different sources of evidence, what Denzin (1978b) calls *data triangulation* (for example, I learned from encounter customers, institutional officials, swim-with-dolphins program organizers, dolphin behavior, marketing materials, and so on; Denzin, 1978b; Patton, 2002; Yin, 2003). A study can also be strengthened through *methodological triangulation* (Denzin, 1978b), which relies on the use of multiple methods to investigate a single case (Bradshaw & Stratford, 2000; Patton, 2002). In the present three cases, I relied on a mix of interviews, observations, and document analysis. Triangulation serves to clarify meaning by honoring the different ways a phenomenon is experienced (J. K. Smith & Deemer, 2000; Stake, 2000). The power of triangulation is based on the assertion that no single method ever adequately solves the problem of rival causal factors. Thus, because each method reveals different aspects of empirical reality, it is wise to employ multiple methods of observations (Denzin, 1978b).

The process of triangulation in each case involved comparing and cross-checking the consistency of information derived at different times and by different means (Patton, 2002). For example, I compared observations with interviews, what people said in public versus what they said behind closed doors, and I noted the consistency of what people said over time. I also compared the perspectives of people from different points of view by, for instance, asking the same general questions of dolphin encounter customers, dolphin trainers, encounter program administrators, captive facility managers, and anti-captivity advocate representatives. In addition,

I checked interviews and observations against encounter program promotional materials, government documents, and other materials in order to corroborate (or dispute) what interview respondents said. I adhered to methods of triangulation in an effort to reduce systematic bias and distortion during data analysis (see Patton, 2002). According to Patton (2002), "triangulation, in whatever form, increases credibility and quality by countering the concern (or accusation) that a study's findings are simply an artifact of a single method, a single source, or a single investigator's blinders" (p. 563).

As another method for dealing with my own blinders, I strove to maintain a high level of critical reflexivity throughout the research process (Dowling, 2000; Patton, 2002). I suggested in chapter 1 that reflexivity is an important component of critical writing. It is also an essential element throughout the research process. Feminist geographer Kim England (1994, p. 82) defined critical reflexivity as "self-critical sympathetic introspection" and a "self conscious analytical scrutiny of self as researcher." A reflexive approach enables qualitative researchers to acknowledge, forthrightly, how their assumptions, values, and identities contribute to the research project (Berg & Mansvelt, 2000; Dowling; Schwandt, 2000). Qualitative researcher Robyn Dowling (2000) warns that reflexivity is difficult, not only because geographers rarely write about their research process in their publications, but also because we are not generally accustomed to examining our own engagement with our work. Following her suggestion then, as a means of helping to maintain reflexivity, I kept a personal field diary[93] (alongside, but distinguished from, my field notes) in which I recorded my thoughts and ideas about the research process, its social context, and my role in it (Dowling). This sort of diary "can provide research into the researcher's own speaking position and how this is articulated, challenged and modified through the research journey" (Berg & Mansvelt, p. 173).

Data Collection: Case Study 1 (Encounters in the Wild)

The first case study focused on individuals' experiences of dolphin encounters in the wild. I initially set out to investigate human encounters with free-ranging dolphins in the wild at Panama City Beach, Florida where several commercial swim-with-wild-dolphin programs take patrons into the Gulf of Mexico for in-water interactions with free-ranging dolphins. But as I became more familiar with Panama City Beach, the history of feeding dolphins in the area, and

[93] Dowling (2000) refers to this as a *research diary*. I use the name personal field diary to distinguish it from my fieldwork notes.

the resulting approach and *begging* behaviors of resident dolphins,[94] I decided that the case did not meet the criteria I had set out for the first case study. That is, I sought a case where encounters were offered with free-ranging dolphins that were not constrained in any way—they were free to come and go as they pleased—and in my view, the history of feeding and habituation of dolphins in the Panama City Beach area placed doubt on whether the dolphins there interacted with people solely for the sake of a potential food reward. In addition, given the current climate of friction over the legality of such swim-with programs (see chapter 2 and chapter 7), I decided to shift focus and move outside the United States to avoid any question of the legality of my participant-observation activities. Choosing a wild encounter program outside of the United States assured me that I would not risk violating the Marine Mammal Protection Act.

Several live-aboard vessels sail from West Palm Beach, Florida to the waters surrounding the Bahamas in search of dolphins willing interact with their customers. I chose one of these vessels for my first case study site, a 31-meter steel chase boat called the Gulf Stream Eagle, and participated in an a eight-day, seven-night at-sea wild dolphin encounter trip from May 24–31, 2003. The primary aim of the boat trip was to find wild dolphins willing to interact with the human customers on board. Thus, nearly the entire time was spent in and around what trip organizers called "The Dolphins' Playground," an area several miles wide consisting of relatively shallow water around the Bahamas where bottlenose and spotted dolphins are known to frequently interact with human swimmers and divers. During this trip to the Dolphins' Playground, the boat had a crew of four people and 16 encounter/tour guests. The cost of the excursion, which included all meals and lodging (everything took place aboard the Eagle) was $1,650 per person.

Although there was no guarantee of dolphin encounters during the trip—or even dolphin sightings—many encounters occurred. At the beginning of the trip, on the first day, organizers provided information about free-ranging dolphins, including dolphin anatomy, social structure, and past dolphin encounter experiences. In addition, organizers strongly suggested (what they

[94] As a result of the continued feeding, dolphins approach boats and jet skis in a certain area of the Gulf, and sometimes raise their heads out of the water and open their mouths in an apparent "feed me" gesture. The behavior may seem familiar and expected of bottlenose dolphins because it is typical of captive dolphin behavior and Flipper's behavior on television and in the movies (not surprisingly, since Flipper was a captive-trained dolphin), But this behavior is not typical of free-ranging dolphins in the wild.

considered to be) appropriate ways of interacting with dolphins, including warning against reaching out and touching any dolphin during an encounter. When I was not involved directly with observation, participation, or interviewing, days at sea consisted of meals, sunning on the top deck of the boat, visiting with other passengers, and informal lectures about dolphin mythology by one of the participants who was in the process of writing a book on the subject.

All activity stopped when someone saw dolphins in the water, however, and everyone on board was alerted. Most times, dolphins would be sighted riding the boat's bow wave. When that happened, many people would move to the side of the boat where the dolphins could be seen and, if they stayed in close proximity to the boat, the captain shut off the boat's engine. If the dolphins "hung around" the boat after the engine was shut down, crew and organizers signaled that customers should put on their masks, snorkels, and fins and one or two people entered the water. If the dolphins—whether one or several—continued to stay in the general vicinity of the swimmers, other customers were encouraged to get into the water.

Over the course of eight days, there were 10 dolphin encounters lasting from 30 minutes to two and a half hours each. By encounter, I mean that one or more people were swimming in the water in close proximity (within a few feet of one another) to one or more dolphins. All but one encounter were attended by spotted dolphins, while the shortest encounter (approximately 30 minutes long) happened with three bottlenose dolphins on the fourth day of the trip. There were no encounters the first two days of the trip. On the third day, there were two encounters, the second of which included an increasing number of spotted dolphins. It began with four spotted dolphins, but more dolphins joined the encounter as it went on and, at its most crowded, 18 spotted dolphins were counted. Aside from one more day of extremely bad weather (when most of the people aboard spent the day seasick), all of the remaining days included several encounters with spotted dolphins.

Because my aim for this case study was to investigate individuals' experiences of human–dolphin encounters in the wild, units of analysis included the people and dolphins involved in the encounters. Just as each *case* was chosen purposefully, I drew from purposive sampling strategies to guide my sample size choices and who I recruited to participate in the research, which included in-depth, semi-structured interviews and an emergent approach to observing encounters. I interviewed and/or observed dolphin encounter customers, crew members aboard the Eagle, and the dolphins involved in encounters.

Seventeen people (three out of the four crew members, the trip organizer and all but two customers) agreed to participate in my research and made themselves continually available for interviews, conversations, and observation. I took a total of three hours of video tape as I observed five dolphin encounter occurrences from the boat, above the surface of fairly clear water. Approach and avoidance behavior of the dolphin(s) involved in each observed encounter was noted, and I made more detailed notes of dolphin behavior during my own three encounter experiences in the water. I took still photos of every encounter (some in the water during the encounter, others while observing encounters from the boat).

Each informant participated in at least two semi-structured interviews. In many cases, I was able to have several interviews with informants. During interviews I took handwritten field notes and, for those who consented, I audio and/or video taped the conversations. I also engaged in informal conversations and both participated and observed encounters throughout the week. At the end of each day, I systematically reviewed my handwritten notes and any audiovisual material obtained and then typed up my field notes, adding further impressions and insights as I did so. Field notes were compiled, along with photographs, audio and videotapes, interview transcripts and other relevant documents into a case study database. Aside from sleeping and grooming for approximately 8–10 hours per day, I was interacting with and observing people whose primary anticipation was the next time we would see dolphins and be able to get into the water with them. It was fitting to have lengthy, in-depth conversations about what dolphins meant to them and what they were thinking about the encounters they had experienced each day.

Although this case study was flexible by design, it was guided by my first research question: What are individuals' experiences of dolphin–human encounter spaces with free-ranging dolphins in the wild? Advertisements, research, advocacy groups, government regulations, and my own previous experience with human–dolphin interactions also provided some orientation for the case study and I came to the question with some loose expectations of what I might find. Depending on the human I asked, I thought people might consider dolphins to be, variously, expensive playthings, spiritual partners, Flipper, pet-like creatures, meal tickets, "just" animals, or something else. These are the perspectives that helped to shape my initial open-ended interview questions. I had fewer ideas about the quality of the encounters, specifically—did people feel a deep connection with dolphins or would it be more like an amusement park ride? I had very little expectation about the encounter experience for the

dolphins; I wondered how they engaged in "encounters" and whether they actually approached human swimmers or were somehow enticed to interact with them in some way. Thus, although I had some general expectations that guided my initial research choices, methodologist Robert Stake's prediction held true: "Case researchers enter the scene expecting, even knowing, that certain events, problems, and relationships will be important, yet they discover that some of them this time will be of little consequence" (Stake, 2000, p. 441). By the same token, unexpected and enlightening issues, relationships, and lessons emerged as the case study progressed.

Data Collection: Case Study 2 (Encounters in Captivity)

Fieldwork for the second case study was conducted primarily at a Dolphins Plus in Key Largo, Florida from May 5 to May 22, 2004. I also spent one day (approximately 6 hours) of fieldwork at Discovery Cove in Orlando, Florida. On December 13, 2003 I participated in the "All Inclusive Package" that included a 30 minute "dolphin-swim experience;" access to the (public areas of) the entire park; use of snorkel equipment, lockers, and showers; and a seven days of admission to SeaWorld Orlando, Discovery Cove's sister facility less than one mile away. My primary purpose in visiting Discovery Cove was to observe and experience the newly opened dolphin swim-with facility that Anheuser-Bush spent $100 million to build (L. Miller, 2004).[95] I was struck by the tremendously lush landscaping, the well-designed and attractive foot paths that subtlety guide customers into ubiquitous opportunities to purchase merchandise, and the beautifully manufactured beaches, reefs, and grottos. The dolphin interaction programs occurred in the three 200-foot-long pools[96] that were beautifully disguised as "lagoons."

On my first day at Dolphins Plus, I was greeted warmly, welcomed to the facility, and given "carte blanche" to go anywhere I liked on the facility grounds at any time, and talk to whomever I wished. I was given a locker in the dolphin trainer office area and provided with several Dolphins Plus Staff t-shirts to wear when I was on site. Although I was concerned that encounter customers I would interview might hesitate to express negative attitudes about their experiences if they thought I was a staff member (if they had any negative attitudes), dressing like other dolphin trainers allowed me greater access to all areas of the facility—especially before I had had a chance to personally meet everyone—and seemed to encourage other staff

[95] Discovery Cove opened on July 1, 2000.

[96] I was surprised at how small the areas seemed for the 28 dolphins living there, and how shallow they seemed. There are reportedly a segregated medical pool and six other 40-foot-wide holding pools out of customer view.

members to accept my constant presence in their daily work life. In my estimation, it was a worthwhile trade-off.

There were four male bottlenose dolphins and seven female bottlenose dolphins residing at Dolphins Plus during my time there.[97] Dolphins Plus offers a structured swim program that is scheduled three times per day and involves several small groups (of no more than six people) that accompany a dolphin trainer to one of six large floating platforms situated in one of several enclosed dolphin areas.[98] The encounters begin with an informational briefing that lasts about an hour and is meant to educate customers about dolphins and their anatomy, social structure, environmental issues, what to expect during interaction sessions and how they should conduct themselves while in the water with the dolphins. When no encounter is scheduled, dolphin trainers use these platforms (which permit close contact because they are floating below the elevated dock level) to feed and otherwise interact with dolphins. Customers take turns getting into the water from the side of the platform one at a time. The trainer directs both customer and dolphin behavior, and usually one dolphin interacts with one customer at a time.[99] Each person has about 15 minutes in the water interacting with one of the dolphins. A structured swim session cost $160 per swimmer.

Essentially, I was interested in the same questions that arose while conducting my field work in the Bahamas. But given the different context of the encounters (in captivity) and the different nature of the dolphins involved (dolphins in human care), I expected some different

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[97] Three dolphins were pregnant when I was there, and each gave birth to healthy babies not long after I had completed my field work. As of this writing, then, there are three more dolphins living at Dolphins Plus, all about one year old.

[98] Dolphins Plus also offers a "natural" swim program that allows customers to enter the dolphin enclosures with a snorkel and fins and swim around with no guaranteed interactions, and no reinforced interaction behaviors directed by trainers. Dolphins Plus also hosts a nonprofit organization that offers Dolphin Assisted Therapy programs for disabled children and adults. I focused on structured swim interactions during my field work, since those activities most resembled other human–dolphin interaction programs offered with captive dolphins today.

[99] When customers get to the platform, each person takes a turn getting into the water where one or two dolphins are swimming nearby. The person is directed to slip quietly into the water and stay next to the platform, hanging on with one hand. The trainer then directs one of the dolphins to engage in a behavior near the person, such as rolling onto his or her "back" so that the person may, at the trainer's allowance, touch or stroke some part of the dolphin's belly. Several behaviors like this are typically done at the platform, where the trainer is in closest proximity. Then oftentimes trainers will instruct the human to swim out into the water where they will wait for the trainer to direct the dolphin to another behavior, swimming to the person, for example, and offering his or her dorsal fin for the person to take hold of and be pulled in a sort of dolphin-tow. These kinds of behaviors are discussed during the educational talk before the encounter, so human participants know what to expect when they are directed to these kinds of behaviors. The dolphins, of course, do these behaviors routinely, so they too know generally what to expect (assuming customers follow directions from the trainers).

findings to emerge. Nevertheless, the process of data collection and analysis for this case study largely paralleled those of the wild encounter case study, including the use of in-depth interviews, document review, and an emergent approach to observing encounter participants—both human and dolphin.[100] Research participants included dolphin encounter customers, dolphin facility workers (primarily dolphin trainers), and the dolphins involved in encounters. Aside from the dolphins (who had no choice but to be present for my observations), all informants volunteered to be included in the research. I was able to conduct in-depth interviews with all 13 of the dolphin trainers during my time at Dolphins Plus. I also conducted 76 semi-structured interviews with encounter program participants.

At the informational briefing where customers gathered before any dolphin interaction took place, I was permitted to introduce myself and talk briefly with those present about my research (a group that ranged from eight to 30 customers), and then invite them to talk with me about their encounter experiences when they were finished with their program. This all took place outside, in a covered, informal, patio-type setting where people sat on picnic benches near the dolphin swim areas and waited to be led to the place where in-water encounters occurred. From these groups, typically about half of the encounter customers volunteered to be interviewed after they had completed their encounter swims. The interviews generally took place on the same picnic benches, just after the encounters, as customers dried themselves off with towels and told stories about their particular experiences. Because I could not interview every encounter participant, the size of the sample was determined by informational considerations—redundancy was the primary sampling criterion (Lincoln, 1985; Patton, 2002). When customers began repeating what other customers had expressed over and over again, I felt comfortable that I had obtained an adequate sample. This strategy of leaving the sample size open is another example of the emergent nature of qualitative inquiry (Patton, 2002).

In addition, I observed more than 35 dolphin-encounter programs from the surface of what was typically cloudy-green water—paying attention to both human and dolphin behavior—and participated in several encounter programs myself.[101] Because the dolphin enclosures are

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[100] As I did while aboard the Gulf Stream Eagle during the first case study, I made detailed notes about what I observed around me on a day-to-day basis, trying to be as comprehensive as possible and to avoid personal filters as much as possible. I noted things that I found surprising or unexpected.

[101] I did not participate with any customer group, however. My structured swims were one-on-one with a trainer who allowed me to experience the in-water interaction program during less crowded times, when a platform was free and

made with chain link fence, it was possible to observe more than one encounter program at the same time, although when I say I observed more than 35 programs, I observed no more than two platforms during any one program time. When I was not observing specific encounter programs, I walked around the facility and watched parts of several different programs.

Consistent with the naturalistic research design, I took an emergent approach to observing encounters. I did not attempt to document any set criteria of behavior by either human customers or dolphins. I made detailed notes about what I observed around me on a day-to-day basis, trying to be comprehensive, to avoid personal filters, and particularly noting things that I found surprising or unexpected. Some of these things influenced the course of the research design in the field, as I mentioned above.

Furthermore, I observed dolphin behavior to glean an idea of how motivated each dolphin was to participate (or avoid) each encounter. This meant that, for each encounter I observed, if a dolphin seemed noncompliant with his or her trainer's direction (in their patterns of approach or avoidance of swimmers, for example) or if the trainer mentioned that a dolphin seemed "moody" or affected by the interaction in an unusual way, I made note of that as well. I followed up with specific trainers (who regularly worked with the dolphin I had observed and made notes about) to corroborate my own observations and to seek their opinion of (a) what was going on behaviorally, and (b) what they thought it meant to the dolphin. Granted, this was no formal ethological study;[102] but my intent was to gain insight into the dolphin's mental or emotional experience during encounters in a flexible and intuitive way, not to document physical dolphin behavior. If the trainer that worked every day with a particular dolphin confirmed that my observation of her avoidance of a certain customer was accurate, and the trainer suggested that she believed it was because the dolphin was "put off" by the customer's jerky, loud demeanor, for example, I made note of that and trusted my interpretation (the dolphin did not *want* to be around a particular person, for example) as an approximate explanation of the dolphin's experience. [103]

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dolphins who were expecting to interact with people at that time were not involved in a swim program with other customers.

[102] Ethology is the scientific study of animal behavior.

[103] In the words of ethnographers Arnold Arluke and Clinton Sanders,

> examining the animal's perspective can …counter the masculinist, postivist, structualist, reductionist view of the natural world and the place of "man" within it. Interpretive-experiential involvement in the

Dolphins Plus offers structured swim programs every day, seven days a week. Between programs, trainers interact with one another and make notes about the interaction sessions, documenting any unusual or interesting behaviors from the dolphins. Some days there is physical maintenance to be done, such as painting fences or Scuba diving to repair underwater enclosures, and such tasks are also performed by trainers between encounter programs. During this time, they also regularly prepare the dolphins' food, feed, and visit with the dolphins, clean up after feeding (scrubbing the steel buckets used to carry fish, etc.), and anything else that pertains to the care and keeping of dolphins in captivity. The job is busy and physically demanding, especially when each day takes place mostly under the hot Florida sun. I took whatever opportunities I could to help in the daily trainer tasks, asking questions, making observations, and taking notes as I went along. Sometimes after work, I would join other dolphin trainers and we would socialize or take more time to do interviews related to my project.

Each night, when I finished for the day, I reviewed my observational and interview field notes, as well as any audiotape of interviews, and completed my field notes for the day. This included organizing the notes (typing up the handwritten and sometimes soggy notes that were quickly jotted down while interviewing or observing, and transcribing audiotape), and then augmenting those notations with additional perspectives and insights as I reflected on the day's events. These data were compiled, along with photographs, audiotapes, interview transcripts, and other relevant documents (facility advertisements, for example), into a case study database. As in the first case, this study was flexible by design, but guided by my second research question: how are encounters with captive dolphins experienced? Advertisements, research, and previous experience with captive dolphin encounter programs provided some orientation for the case study and I came to the question with some loose expectations of what I might find. However, unexpected relationships, issues, and lessons emerged as the case study progressed, which ultimately contributed to a more enriched investigation than I first anticipated.

> exchanges between people and animals provides an opportunity to reconstruct the world of nature. (Arluke & Sanders, 1996)

From this perspective, the world is not separated into subjects (rational, objective, scientific, men) and objects (animals, emotional, feminine, "savages"), but instead is composed of dialoguing, interactive subjects.

Data Collection: Case Study 3 (Contested Encounter Space)

The third case study focused on Panama City Beach, Florida, which I chose as an information-rich, politically important case study site to investigate how societal structures construct, maintain, legitimize, and resist dolphin–human encounters. Through investigation of its geohistory and place-bound dolphin-related politics, my aim was to describe the social and policy dimensions that affect dolphin–human encounter spaces in Panama City Beach. The units of analysis were therefore the dolphins, dolphin policy itself (including the MMPA and agency projects related to the Act), governmental officials involved in policymaking, and the commercial interests affected by the dolphin policy (including those that offer swim-with-wild-dolphin programs and those that offer captive dolphin encounter programs in the same community).

I used participatory research methods while riding aboard a number of dolphin tours (although not participating in any) and attending several meetings between government officials and commercial interests about prospective policy changes. I also engaged in textual analysis of portions of the MMPA and related regulations, as well as a significant agency programs such as the Protect Dolphins Campaign, to investigate processes that influence dolphin encounter programs. Finally, I conducted in-depth, semi-structured interviews with government officials, commercial dolphin encounter interests (those who are both for and against policy changes), local tourism officials, and advocacy group representatives that have shown interest in the dispute.

I conducted fieldwork primarily in the Panama City Beach area because that was the venue where one particularly heated contest of human–wild dolphin encounters in the United States was underway. Fieldwork consisted of full or partial day visits to the area over a two-year period (2003–2004) to meet with various people interested in the U.S. policy dispute over human–dolphin encounters in the wild. Purposive sampling strategies were used, as I selected those people with exceptional knowledge of dolphin interaction law and policy and/or understanding and knowledge about the history of dolphin interactions in the Panama City Beach area. During that time I also conducted in-depth, semi-structured interviews by phone with key agency representatives from NMFS involved in making, interpreting, and enforcing existing and future rules and regulations related to human–dolphin encounters. In addition, I communicated with these informants and other governmental representatives by way of email over that two-year

period. I also conducted several interviews with a number of nationally and internationally recognized animal advocates who take a particular stand on whether people should or should not be prohibited from interacting with dolphins in the wild.

I participated in and observed two meetings in Panama City Beach attended by commercial dolphin-encounter operators and National Marine Fisheries personnel—one in March 2003, the second in March 2004. Both of these meetings were organized to discuss the rules and regulations (and related confusions and opinions) affecting human–dolphin interactions in the wild. In addition, I was able to interview meeting attendants and/or make contacts for follow up interviews. In addition to day trips for specific meetings and interviews during 2003–2004, I also spent a full eight days in the area, in which I observed several different dolphin encounter trips (with various tour operators in Panama City Beach) and conducted five in-depth, semi-structured interviews with commercial dolphin encounter tour operators. Further, during that part of the fieldwork I interviewed four interns working with one particular tour company that summer, and an official from the area's tourism office.

During that week I also spent five hours at the area's only captive dolphin facility—Gulf World Marine Park. Compared to Dolphins Plus, Gulf World is a more typical captive dolphin facility in that dolphins are kept in concrete pool enclosures and perform shows daily. Gulf World also offers captive dolphin encounters. However, Gulf World's owner is an active and vocal opponent of the area's wild dolphin encounter tours. Gulf World's owner was not available to meet with me (despite my efforts to make appointments with him many times over the course of two years). He arranged for me to talk with a long-time employee instead. That is who I met with upon arriving at Gulf World, and I conducted a lengthy (two and a half hours) semi-structured interview with her. I also observed an encounter program at Gulf World that day, which included an educational orientation, and briefly interviewed two of the dolphin trainers involved in the encounter program. Additionally, I acquired advertising brochures and flyers from all the dolphin encounter programs offered in Panama City Beach (both in the wild and from Gulf World). And I obtained promotional materials produced by NMFS related to the Protect Dolphins campaign as well as NMFS-produced marine mammal viewing guidelines. Each of these resources provided material with which to conduct textual analyses to compliment other methods used in this case study.

In a fashion similar to that used for the first two case studies, during interviews I jotted handwritten field notes and, for those who consented, I audio taped the conversations. I kept an extensive personal field diary, along with (but distinguished from) the field notes. At the end of each day I spent in Panama City Beach, I systematically reviewed my handwritten notes and any audiovisual materials obtained and then typed up my field notes, adding further impressions and insights as I did so. Field notes were compiled, along with photographs, audiotapes, interview transcripts, advertising material, government program texts and other relevant documents into a case study database.

This third case study was also flexible in design, although it was guided by my third research question, which was decidedly different from the first two: How do societal structures construct, maintain, legitimize, and resist dolphin–human encounters? Of all three case studies, however, this case study design was the most fully emergent. I relied a great deal on snowball sampling strategies (Hay, 2000), as each informant opened new doors for people to meet or issues to explore. For example, I did not intend to interview the Panama City Beach captive display facility (Gulf World) representative until I learned that the facility owner was an avid supporter of the government's position that people ought to refrain from close encounters with dolphins in the wild. Bringing that dimension into the analysis, however, provided worthwhile data with which to describe both the contested encounter space and how social structures influence human–dolphin encounter spaces around Panama City Beach, Florida. Analysis also began early in the case study and continued throughout the two years, informing the emergent design and leading to greater insight into the current policy dispute related to human–dolphin encounters in the United States today.

Ethical Considerations

Collecting and interpreting social information involves personal interactions that occur in a societal context. As such, social researchers cannot separate research methods from the people, animals, or structures they are trying to understand, and good qualitative research recognizes the significance of the interrelations between society, the researcher, and the research project (see Dowling, 2000). These relationships permeate all methods and phases of research and raise key issues of ethics, power, and subjectivity (Dowling). In striving to conduct good, sensitive, and ethical research, my primary strategy was to maintain a consistent level of critical reflexivity throughout the process (see e.g., Dowling; Schwandt, 2000).

Ethical conventions such as university guidelines, informed consent, and privacy and confidentiality concerns were addressed early in the research design process (see Dowling, 2000). The human subjects review committee at Florida State University granted formal approval of this project in 2003 (Appendix A) and reapproved the research in 2004 (Appendix C). All (human) research participants gave permission to be involved, and each completed a university-approved informed consent form before participating (Appendix B). Completed informed consent forms remain on file with each case study's database. In addition, field notes, tapes and transcripts are currently stored in a location with restricted access and individual informants remain anonymous through the use of pseudonyms.

Beyond the standard ethical concerns, some unexpected ethical questions arose during the course of my research. I indicated at least one above (wearing the staff t-shirt while at Dolphins Plus); but a more vexing issue requiring far more in the way of reflexivity emerged during my research in Panama City Beach. In conversations with some informants, especially when discussing the policy dispute in Panama City Beach, I was asked what I think is "right"—*should* people swim with dolphins or not? The shrugged-shoulder "depends"—a sort of non-answer I had provided to colleagues who had asked me this for years before I got out into the field—did not seem fair. For example, as I began field work and asked to join some tours for observational purposes, commercial interests wanted to know where I stood on the issue. I also suspected that NMFS officials and others were interested in my personal positions on the matter. Striving to maintain neutrality, and seeking an open and agreeable rapport, I did not express my personal concerns about NMFS' project to keep people away from dolphins by casting all dolphins as "dangerous animals," or my general impression that most human–dolphin interactions taking place in the Gulf of Mexico near Panama City Beach are irresponsible. Had I been forthright with my informants, I'm not sure the interviews would have gone very far. Ultimately, I decided to be honest (but vague) when confronted with the question and responded by saying "just like you, I'm interested in what's best for both people and dolphins." Be that as it may, I am committed to fully and fairly representing each informant's perspective. I acknowledge, however, that not all of those interviewed will necessarily agree with my ultimate interpretation or evaluation of their project.

Among the most important ethical challenges for me was the use of dolphins in my research. I have acknowledged in previous chapters that I regard dolphins as sapient, sentient

beings worthy of moral considerability. My personal and philosophical stance is what prompted me to include dolphins (along with humans) as units of analysis, and to attempt to understand—however simply and partially—how *they* experience human–dolphin encounter spaces. Does that mean I feel conflicted about having observed them, in captivity and in the open ocean, without their informed consent? No; of course not. But I did struggle with issues of dolphin captivity throughout the course of my research. Surprisingly, I found that at Dolphins Plus, many of the dolphin trainers struggle with the issues of captivity as well. At times, I felt that by participating in encounter programs, I was endorsing such activities, and oftentimes I was not particularly proud of that endorsement.

CHAPTER 5

WILD ENCOUNTER CASE STUDY

Study Area and Resident Dolphins

North of Grand Bahama Island, a resident group of Atlantic spotted dolphins (*Stenella frontalis*) has become increasingly familiar to researchers and tourists alike. These dolphins typically grow to a little more than seven feet long and have large, robust bodies that make them look a good deal like bottlenose dolphins (*Tursiops truncatus)*—those most frequently seen in captivity (Leatherwood & Reeves, 1983). The difference between the two dolphin species is evident: As the name implies, spotted dolphins are covered in dark gray to blackish spotting patterns (Figure 5.1). As newborns, they are free of spots and nearly indistinguishable from bottlenose dolphins, but spotting increases as individual dolphins age (although it decreases in the species as a whole from coastal to offshore populations) (Leatherwood & Reeves).

Figure 5.1 Atlantic Spotted Dolphins

Generally, the spotted dolphins in the waters northwest of Grand Bahama Island are seen in small (sub)groups of five or six, although occasionally groups will join others to make an assembly of 35 to 40 spotted dolphins (Dudinski, 1996). These are resident dolphins that remain largely in northern Bahamian waters in a home range north of Grand Bahama Island around Little Bahama Bank (Dudinski; Herzing, 1993).

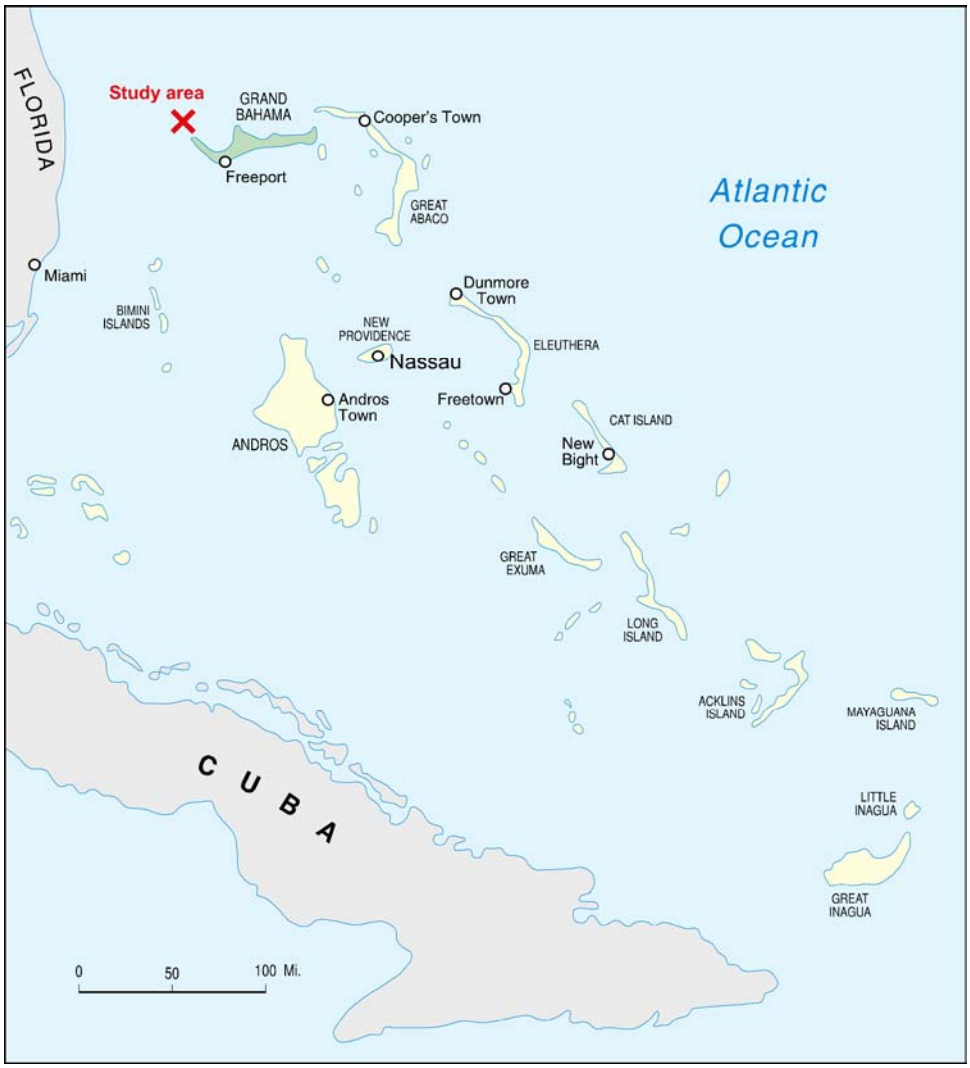

Figure 5.2 Study Area in the Bahamas

The sand bar at Little Bahama Bank averages 20 feet deep and covers an extensive area (about 28 square miles). Water temperature is on average about 82 degrees Fahrenheit. It is bordered by the deep water of the Gulf Stream that drops rapidly from around 23 feet to over 217

feet deep. The sea floor is nearly pure calcium carbonate (making for a white sandy bottom) and, although considered a watery desert by local fishers, it is home to a limited number fish species including tile fish (*Malacanthus plumieri*), eyed flounder (*Bothus ocellatus*), Atlantic needlefish (*Strongylura marina*), ballyhoo (*Hemiramphus brasiliensis*), and Atlantic flying fish (*Cypselurus melanurus*), all of which are eaten by resident dolphins (Dudinski, 1996; Herzing, 1991).

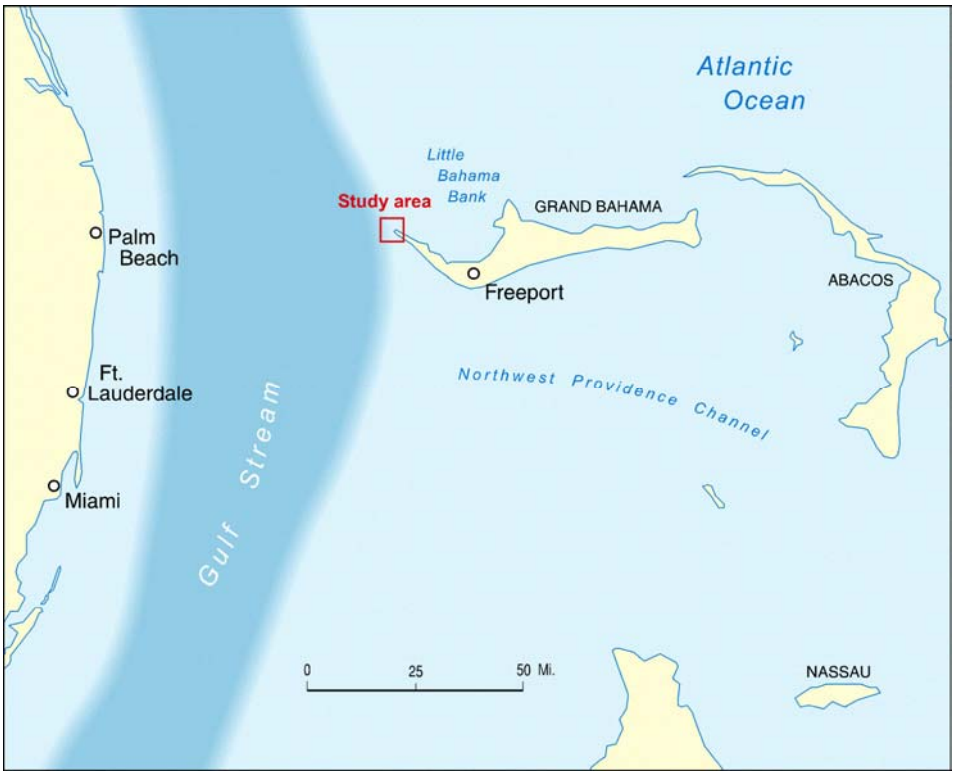

Figure 5.3 Study Area at Little Bahama Bank

The dolphins tend to travel in a northeast to southwest and southwest to northeast direction (Dudinski, 1996). Dolphin researcher Kathleen Dudinski suggests that trends in travel directions to and from the Gulf Stream indicate that these dolphins forage and feed in deeper waters along the bordering continental shelf, while they primarily use the shallower, sandy-bottomed waters for resting, playing, and socializing. When the dolphins feed on the smaller fishes over the sandbar, they may be teaching foraging skill to younger dolphins (Dudinski), or just engaging in a behavior Herzing (1993) called “snacking.”

The Bahamas dolphins reportedly began interacting with humans in the 1960s, when they approached divers searching for and salvaging a ship wreck[104] that was widely scattered along the Little Bahamas Bank, north of Grand Bahama Island, Bahamas (Dudinski, 1996; Hauser, 1976). The dolphins soon became (noninvasive) scientific study subjects, seeming not only to tolerate human swimmers in their vicinity, but also to actively seek them out, approaching, investigating, and often mimicking their visitors (e.g., Doak, 1988; Dudinski, 1996; Hauser, 1976; Herzing, 1991). Commercial swim-with-wild-dolphin cruises emerged in the past 15 years or so to take advantage of the seemingly friendly and welcoming wild dolphin community.

Researchers have observed a range of subgroup structures present in this resident group of spotted dolphins (Dudinski, 1996; Herzing, 1991). A "nursery" group consists of females, newborns, and dolphins no more than a few years old. Females own the primary responsibility for rearing the young, as evidenced by findings of long-term, strong associations between mother/calf dyads (Dudinski). Calves also seem strongly bonded with other female members of the nursery group (Dudinski). The calves learn how to forage and catch prey, and begin to socialize and interact with other members of the larger dolphin group. They form bonds and associations with their siblings and other calves in the nursery group, and will usually leave their mothers and move into a juvenile subgroup around five years old (Herzing, 1991). Other typical subgroups include mature adult males, subadult males, foraging juveniles with a supervising young adult, and courting young adults (Herzing, 1991).

As the dolphins age and their patterns of association vary, they also are thought to assume different roles in their society: "Joyous youth turns into responsible adulthood in many ways. A once rambunctious juvenile … can now be observed supervising the juvenile subgroups during forays to fishing grounds," for example (Herzing, 1991, p. 9). Scientists who study this group of spotted dolphins have documented many sequences of behavior, with correlated vocalizations, including nursing, mating and courtship, play and aggressive behaviors (Herzing, 1991, 1993). Denise Herzing (1993), who began her long-term investigation of the Bahamian spotted dolphins in 1986, also found that communication is contextual and complex in dolphin society. For example, echolocation clicks are used to orient prey and objects, frequency modulated whistles are used for long distance and contact behaviors, and bursts of pulsed sounds are used for close proximity interactions. Nonverbal signals, such as body postures and tactile cues, are also used

[104] The Spanish galleon was called *Neustra Senora de la Maravillas* and sank in 1656.

and of primary importance in communicating and socializing (Dudinski, 1996; Herzing, 1991, 1993).

(Human) Study Participants

In May 2003, I joined a group of 14 passengers and four crew members for a week long at-sea dolphin interaction cruise. The trip originated in Florida, where the approximately 102 foot steel chase boat was docked at a small West Palm Beach marina. The boat was powered by two diesel engines, giving it a cruising speed of nearly 20 miles per hour and a maximum speed of about 26 miles per hour. There were both indoor (air-conditioned) and outdoor dining areas. Seven guest cabins were located down below and passengers used a steep and narrow staircase to get up and down from their cabins. Two bathrooms with showers were located upstairs from the cabins, just next to the main parlor where the inside dining area was located. Outside, there was a large sundeck and a partially shaded lower dive deck. There was also an expansive camera table outside near a six foot wide stairway that led down to a 13 by four foot dive platform at water level.

Four people served as the crew on this trip, including the captain. During the summer season, several crew members typically worked on several different boats that spend time in the Bahamas seeking interaction with resident dolphins. All four had extensive experience on boats in the Bahamas and had been swimming, snorkeling, and scuba diving in the study area waters—what they called the "Dolphins' Playground" in promotional literature—for the last 10 to 15 years. The organizer for this particular trip usually puts together two to three trips per summer of her own, depending upon how many people she can recruit to join a trip. Cost per passenger runs well over $1,000, so it is not a product easily marketed to a vast number of people. The cost is high because the organizer must be sure there is enough money to cover the cost of gas, boat maintenance, food (for three meals per day, plus snacks, for all people on board), and other expenses, and still make a profit. "I'm not getting rich from these trips, that's for sure" the trip organizer confided in me, "but I get to go out and do this all the time—so the money is really not what it's all about." She also indicated that she gets a great deal of personal satisfaction watching the customers' reactions to encounters and hearing about their encounter experiences.

None of the crew members could tell me precisely how many times they had been swimming with the dolphins in the area around Little Bahamas Bank, but each of them estimated that they had crewed between 100 and 150 trips like this before, spent hundreds of hours in the

water, and had thousands of individual encounters with the dolphins—mostly with spotted dolphins, but sometimes with bottlenose dolphins as well. “I’ve been swimming with these same dolphins since 1995, very regularly” the trip organizer told me. “I’ve worked as crew for 10 years on two of the boats that go out there, doing research and identification work. I’ve also worked as crew on two passenger vessels, taking people to swim with the dolphins. And on top of that I’ve also led my own group trips to swim with these dolphins on four different vessels for several weeks each year, every year, since 1995.”

When I asked about the dolphins typically involved in interactions with human swimmers, the organizer told me that it is almost always the spotted dolphins who show interest in humans, even though bottlenose dolphins share these waters. “There are far more bottlenose dolphins [in the area] than spotted dolphins, probably over 300 animals,” she said.

> The bottlenose dolphins are not as interested in playing with us. But the spotted dolphins have been interacting with humans … since the treasure divers in the 1960s or 70s. The bottlenose dolphins only started to show interest in us in the 1990s, after joining in a few games as mixed groups with spotted and bottlenose dolphins playing with people.

It is generally the same individual dolphins that interact with people each trip, one crew member confirmed, but not all of the dolphins interact with people every time. There are roughly 175 resident spotted dolphins, as far as the trip organizer knew, and the largest gathering at any one time she had seen included about 60 dolphins.

All of the passengers aboard were dolphin encounter *customers*; they all paid money to join this trip for an opportunity—hopefully many opportunities—to swim with dolphins in the wild. Customers were White, healthy men and women that ranged in ages from their late 20s to mid-50s. A few customers had experienced different swim-with-dolphin programs in other parts of the world, and one person was on this particular trip for the third time. Most of the people, however, had never been in the water with a dolphin, and one had never fully seen a dolphin “in real life” (in the wild or in captivity)—only in books and on television.

Customers generally arrived in pairs or small groups, although a few people came on the trip by themselves. Animated conversation, easy smiles, and nervous laughter indicated that there was a good deal of anticipation and excitement the first night aboard as customers met at the marina to board the boat the first night of the trip. There was a safety briefing and an orientation that night, after cabin assignments were made and people settled in for the journey.

Early the next morning, the boat left the marina and crossed the Gulf Stream on its way to the blue-green waters surrounding Grand Bahama Island.

Each day, the Gulf Stream Eagle traveled in several mile wide loops and figure-eights along an approximately 25 square-mile area of Little Bahama Bank in search of dolphins willing to interact with its dolphin encounter customers. When dolphins were seen, everyone on board was alerted. Most times, dolphins would be sighted riding the boat's bow wave. When that happened, passengers would generally move to the side of the boat where the dolphins could be seen and, if they stayed in close proximity to the boat, the captain shut off the boat's engine. If the dolphins "hung around" the boat after the engine was shut down—meaning they slowed their rate of speed to match the boat's, and remained in close proximity to the boat—someone from the crew indicated that customers should put on their masks, snorkels, and fins and one or two people were directed to enter the water. If the dolphins continued to stay in the general vicinity of the swimmers, other customers were encouraged to get into the water as well.

Over the course of eight days, there were 10 dolphin encounters lasting from 15 minutes to two and a half hours each. By encounter, I mean that one or more people were swimming in the water in close proximity (within a few feet of one another) to one or more dolphins. All but one encounter were attended by spotted dolphins, while the shortest happened with three bottlenose dolphins on the fourth day of the trip. There were no encounters the first two days. On the third day, there were two encounters, the second of which included an increasing number of spotted dolphins. It began with four spotted dolphins, but more dolphins joined the encounter as it went on and, at its most crowded, 18 spotted dolphins were counted. Aside from one more day of extremely bad weather (when most of the people aboard spent the day seasick), all of the remaining days included several encounters with spotted dolphins. During the trip there was a congenial atmosphere among the passengers who shared their individual impressions and thoughts of the encounters with one another and with me.

Encounter Meanings

Interviews, observations and conversations with human encounter customers and crew were coded according to the four categories outlined in chapter 4: *dolphin identity, dolphin intentionality*, *dolphin value,* and *encounter intimacy*. The data suggested a spectrum of interrelated themes that corresponded with the previously identified categories (Figure 5.4).

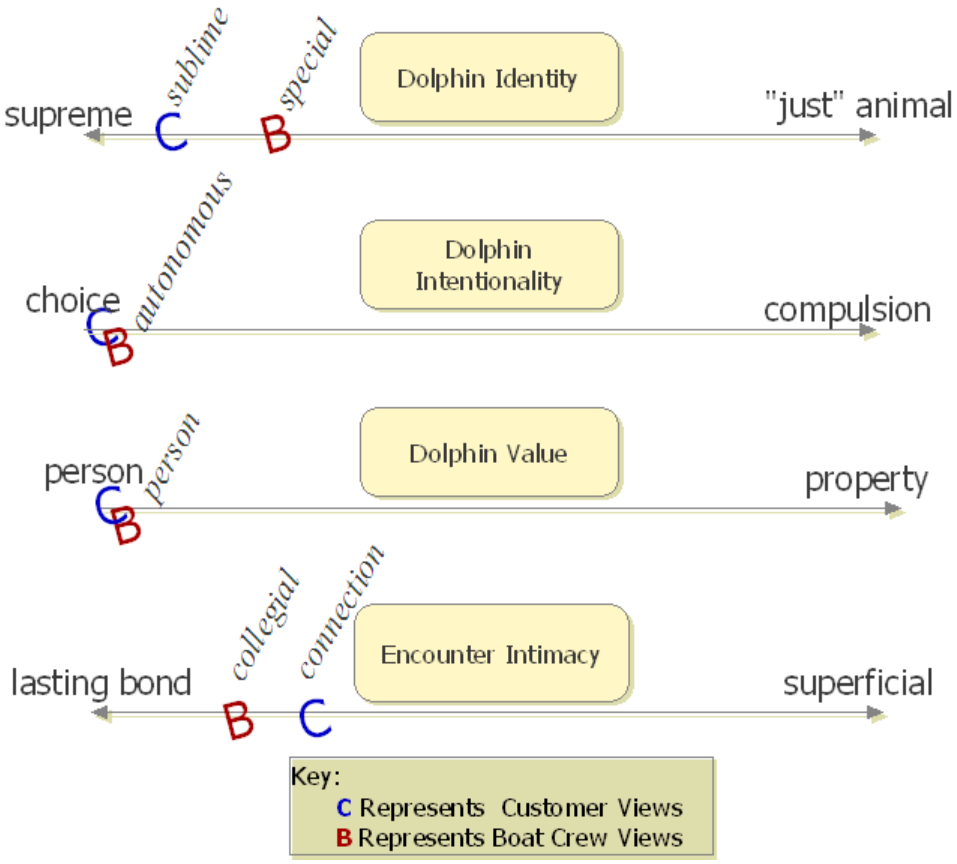

Figure 5.4 Theme Spectrums

For dolphin identity, at one end of the spectrum were those who spoke of dolphins in a spiritual sense, indicating that they thought of dolphins as supreme, angelic, or god-like beings. At the other extreme were those who saw dolphins as "just" animals, identifying dolphins as nothing special or unusual among (nonhuman) animals. Informants' views of dolphin intentionality revolved primarily around the degree to which dolphins freely chose to interact with people (and levels of perceived enjoyment during interactions), or whether they were somehow encouraged, enticed or—at the extreme—compelled to engage in encounters. How dolphins were valued ranged from conscious persons on one side to simple property or commodities on the other. These values were gleaned in part from informants' perspectives related to the practice of keeping dolphins in captivity for display, educational, or scientific purposes. Finally, encounter intimacy might be defined as an intense, lasting bond at one end of the spectrum, or at the other extreme, a fleeting, superficial encounter, such as sighting a dolphin in the distance or watching dolphins play in the boat's bow wave. Although research participants

indicated various positions with regard to each category, patterns and generalities allowed me to distill four interlinked dimensions of encounter experience for customers and crew members (Figure 5.4).

Customer Encounter Experiences

Encounter meanings exist in a more fluid and dynamic network than is suggested by discrete categorization. In practice, it was difficult to separate categories, so I created a conceptual map, called a web of meanings, with double-headed arrows leading to and from each theme designation. The customer web of meanings below (Figure 5.5) maps the various themes distilled from data and supplements the descriptions that follow by indicating the complex interrelationships that exist between themes and categories.

Dolphin Identity (Customer): Sublime. Although most wild encounter customers did not believe dolphins were supreme beings, god-like, or (literal) angels, they did generally elevate the dolphins to some superior level. I therefore labeled the customers' identification of dolphins as *sublime*. "They vibrate love," one woman put it simply. A young man on his first encounter trip said it this way:

> I'll venture to guess that there are things they know about this world that we don't realize yet—not just instinctual things of what they are "saying" with all the clicks and whistles—but something that they need to pass along to us, and when we are ready, they will still be here to 'tell' us.

Customers generally tended to see dolphins as gentle, peaceful, playful, caring, highly intelligent, curious, and like humans—"only better." When I questioned what was so special about them, a woman in her mid-20s quipped "you never hear stories about other animals saving people, or others hav[ing] such complex brains!" Some suggested that dolphins possessed knowledge as yet unknown to humans: "They know what we don't and that's why we're interested."

There were no negative impressions of dolphins offered the entire trip—not during interviews or conversations with me, or that I overheard; in fact, they were said to be *better* than humans because they were not judgmental, destructive to their environment, or ego-driven as, according to informants, many humans are. A man in his early 30s on his first encounter trip said "dolphins are seemingly interested in human beings regardless of color, nationality, age, race, status or any other external superficial characteristic which we humans so often identify with."

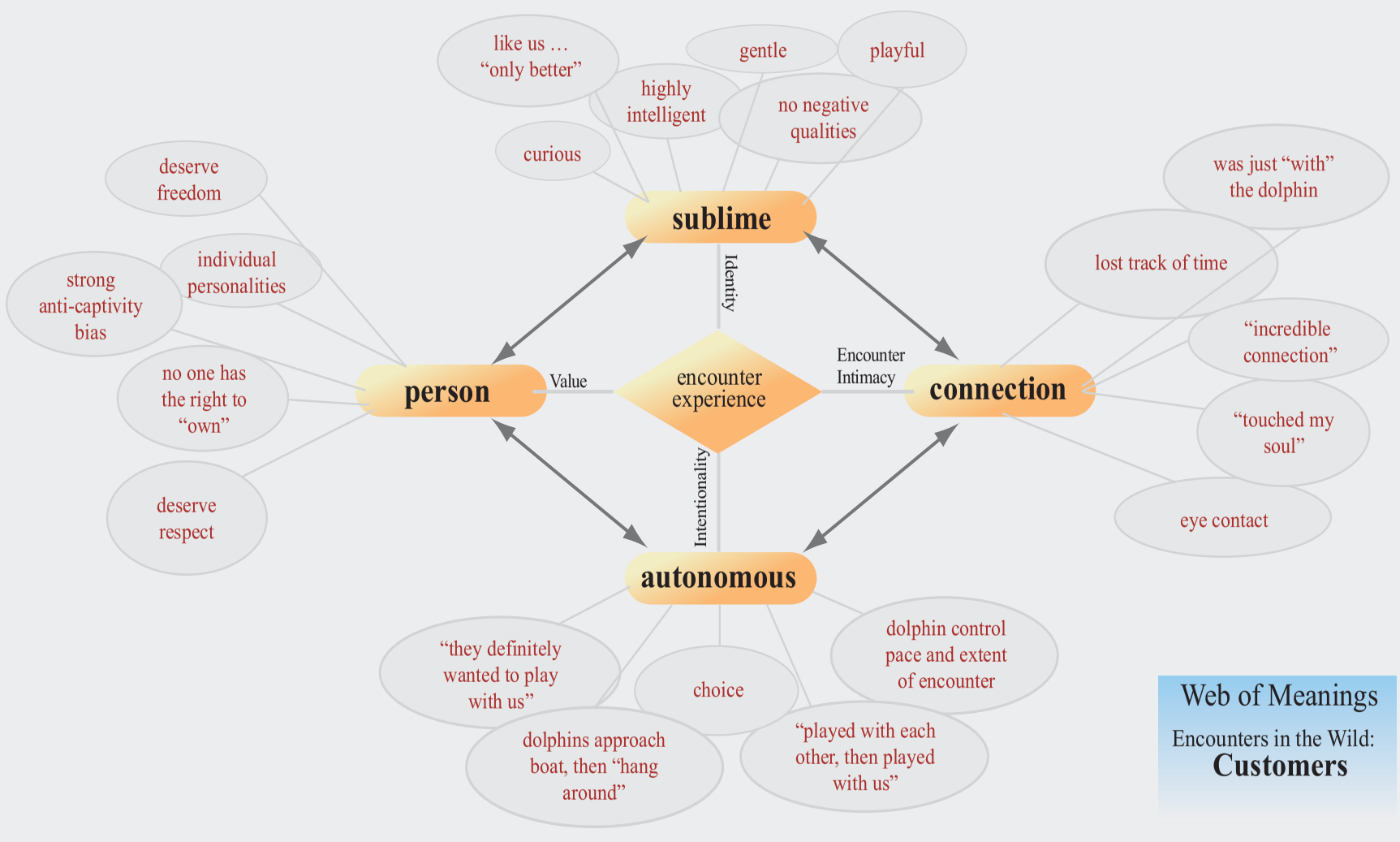

Figure 5.5 Wild Encounter Web of Meanings (Customers)

With regard to "tools, buildings and 'progress'," an older man mused, "maybe dolphins have evolved to the point where they don't *need* technology [like we do]. Certainly dolphins are suited for the water world where they live, so making comparisons to humans, who live on land, is difficult." He continued,

> but the part that intrigues me the most is the more esoteric realm, like the part (80%?) of our brains that we "don't use"—or, like the man said, "we use all of our brain, but we just don't know what the other part is up to!" Maybe dolphins do know—perhaps without the constant barrage of media, politics, expectations, material pursuits, traffic, etc., they rely and use *that* part of their brain [that we don't] more often and therefore have it more developed and have sensory and communication abilities that we [do not understand] yet. Consciousness is something we know little about, but for me it's a safe bet that dolphins may have beat us to the punch.

When I asked one person who had been swimming with dolphins several times before this trip to describe how dolphins were similar to and different from humans, he responded by ascribing only positive qualities to dolphins, with less flattering observations reserved for the humans:

> In general, dolphins resemble humans in their evolved social structure, evident care of the group and relatives. They differ in their apparent ability to live very *presently* in each moment, and to approach new situations with a certain curiosity and not suspicion … the way humans tend … to do.

> A first time encounter customer responded to the question this way:

> [My experience here] has really made me think that we are not the most intelligent species on this planet. Because when you asked that question … intelligence to me isn't how much you can recite—or how much you can remember—that's just rote; it is about how you interact with your environment and enjoy what you have, make the most of what you have and living in harmony with your surroundings. If that is intelligence, the dolphins far outsmart us. It's been a very humbling experience to be in the sea in their environment. Because you get into the water with these animals and you just feel so retarded compared to them, swimming around [informant fails his arms, making struggling, gulping noises] … that was amazing to me.

Encounter Intimacy (Customer): Connection. Research participants emphasized an intense (if brief) connection with one or more dolphins when they were involved in an encounter, so I defined the customers' experience of encounter intimacy as one of *connection*. What most frequently emerged in interviews, as well as casual conversation between guests and with me,

was any incident of having made eye contact with the dolphins. Recounting stories involving eye contact also brought forth the most emotional descriptions of encounters. Nearly every person reported this occurrence as a significant, highly meaningful event. After the first encounter event, one person reported his experience this way:

> To look a wild dolphin in the eye—you really feel like they are looking at you as well! [Informant pauses, apparently thinking to himself and shaking his head]. Incredible. They're very curious; the younger ones particularly are very curious. When you dive down and you twirl down they do the same, they really seem to like that. It's hard to tell who's copying who: People copying dolphins or dolphins copying people? It's really beautiful!

When people made eye contact with a dolphin, often they reported swimming together side-by-side or spinning in place to maintain eye contact as a dolphin swam in a circle around them. As one customer blurted as she climbed back on board after an encounter "he kept looking at me in the eye and swimming around me!" In events like these, people typically reported "losing all track of time" and having had an "indescribable connection" with the dolphin.

Touching, rubbing, or brushing alongside with eye contact also made an enormous impression on people, adding to an apparent feeling of connectedness with the dolphins. "Two touched me this time," a woman in her twenties reported after a swim later in the week:

> One came and brushed along side me—I thought it was another snorkeler, but it was a dolphin. And one did two or three circles around me, so I gently put my hand out and he let me touch the whole length of his body.

Other customers felt a connection with dolphins without physical touching:

> I had a very special moment with a dolphin who had a whitish belly and we were tummy to tummy, and he was staying quite a long time! I didn't touch him, of course. We stayed side-by-side and swam together for a long time!

she said grinning. On another day just after a late afternoon encounter, an informant said quietly but with great urgency, "the dolphin literally touched my soul!"

On the sixth day of the trip I asked a woman who had participated in several dolphin interaction programs all over the world (from Africa to Australia to Panama City Beach, Florida) what she thought of her week on board. She shared that for her "it's always very magical—special feelings, special emotions. The first time I had an encounter I was in tears! I was deeply

touched—there are many things I just can't explain." Several informants seemed frustrated when they tried to express their experiences and emotions, and sometimes could not find the right words: "It's almost not conscious [long pause]. I was just [long pause], *with* [the dolphin], really."

Crew Encounter Experiences

Intimacy and Identity were somewhat different for the crew than for customers. The crew's web of meanings below (Figure 5.6) maps the various themes distilled from data and indicates how they are different from the customers' experiences. Customers and crew were similar in how they valued the dolphins, and how they perceived dolphin intentionality.

Dolphin Identity (Crew): Special. The crew and customers shared a great deal in the meanings they attached to encounters and the dolphins involved. Just as the customers did, crew members identified dolphins as highly intelligent, social, playful, and curious. They also marveled at how dolphins are so exquisitely adapted to their environment. However, although the customers identified dolphins as *sublime*—as like humans but "better"—the crew was cognizant of the dolphins' abilities to be aggressive with one another (and other types of dolphins and sea animals) and cautioned against a fantasy view of dolphins as "perfect" beings or gods. I designated the crew's identity of dolphins, therefore, as *special*.

Encounter Intimacy (Crew): Collegial. For the crew, encounter intimacy had even more depth, because of the history of repeated interactions and mutual recognition of individual dolphins and crew members when they entered water during encounters. Encounter intimacy therefore was defined for the crew as *collegial*, a mutually respectful relationship indicated by the consistent, gentle interactions that took place between crew members and dolphins who apparently sought out one others' company. Dolphins and crew members frequently maintained eye contact with one another and engaged in regular, seemingly affectionate, physical contact. Dolphins and crew members also often mimicked each another and swam together in unison as dolphins do with one another in play or social interaction. Crew members described the dolphins as their "friends," and have never witnessed aggressive behavior by the dolphins towards them or any encounter customer in this area.

With all the time they had spent in the water with these particular dolphins, I asked crew members what sort of relationship—if any—they had formed with the dolphins. "I've come to know several of the dolphins personally" one crew member volunteered, continuing:

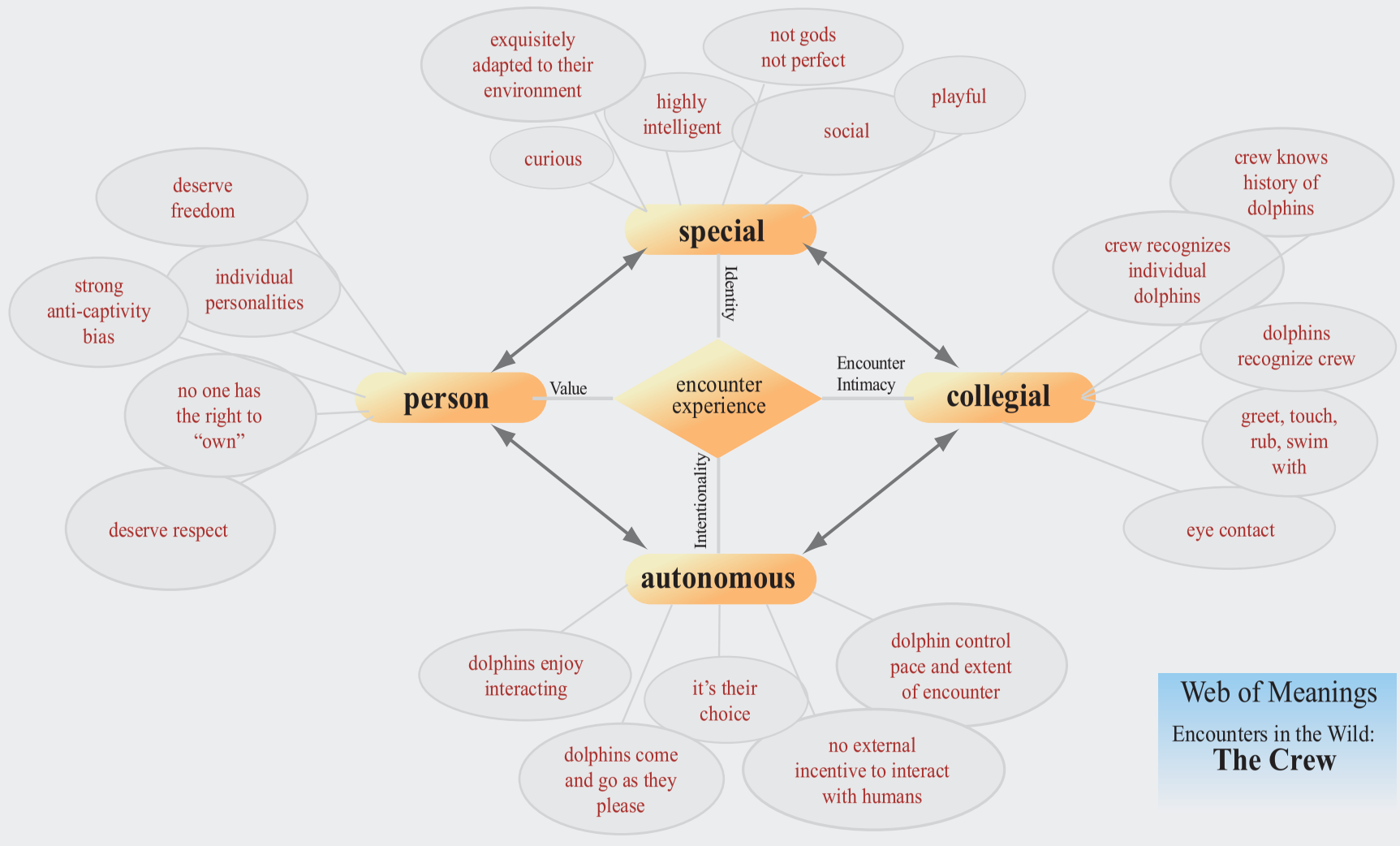

Figure 5.6 Wild Encounter Web of Meanings (Crew)

> [I've] developed very close relationships with them. By "close relationships" I mean they recognize me, and come to me when they see me. They seem to greet me, and even if they are not in the mood to play … or hang out, these dolphin-friends always seem to at least acknowledge my presence, with eye contact, a nudge, or by brushing me with a peck fin, or rubbing up against my body with theirs. Dolphins are very tactile animals, and show affection by touch a lot of the time with each other.

With such familiarity, I wondered if they had names for the dolphins. "No," one of the crew members said flatly, "but [someone] who captains [another boat] claims *he* has named them, and that he now 'owns' their names—like, he has a copyright to their names. Like he *owns* these dolphins!" I was talking with all of the crew members during this particular conversation, and each of them indicated a sense of repugnance at the notion of the other captain "owning" either the dolphins or the dolphins' names that he had given them. "It's ridiculous" the trip organizer concluded.

Dolphin Value (Customers and Crew): Person. Aside from the differences in how the crew and customers identified dolphins and the level of their encounter intimacy, I found that the crew and customers attached very similar meanings to how they valued dolphins and their encounters with them. How customers valued dolphins is closely related to their identification of dolphins, not surprising given their perceptions of intimacy during encounters with them. Participants valued dolphins as sentient, self-aware, sapient individuals—*persons*, as I labeled it (the opposite extreme of *property* or thing).

The crew similarly valued dolphins as *persons*, and shared the customers' anticaptivity stance, their insistence that dolphins' freedom should be respected and their belief that no human has a right to "own" any dolphin. This was evident in the strong, unanimous bias against the practice of keeping dolphins in captivity or in having a dolphin as a "pet." When I asked a certain customer who had spoken often and lovingly about missing her pets at home whether, assuming she could take excellent care of one, she would like to be able to spend every day with a dolphin, perhaps by "having a dolphin as a pet," the suggestion was met with apparent shock and indignation: "a dolphin should *never* be kept as a pet!" She seemed to realize that she had nearly barked the answer at me and softened a bit with a follow up comment, "I would love to have a relationship with a dolphin, but I would never want to keep one in a pool."

There were no circumstances under which a customer thought it would be appropriate to keep a dolphin in captivity. "There is not enough space for them" one person commented. "The

worst thing," another person offered, "is how arrogant we humans are to keep these beings for our pleasure. Because when you see them in the wild like this it's so natural and they seem so happy." "It's not fair" he continued. "It's arrogant" he said again. "We have gotten to the point of illusion where we constantly need entertainment. [Dolphin] captivity is just another form of that—we need radio, TV, movies, now dolphins! It's all part of our insecurity about who we are." The one exception to the overall distain for the concept of dolphin captivity was suggested this way:

> Maybe when there is a dolphin stranding, I guess, and the dolphins are only kept for as long as it takes to restore their health—under those circumstances, I can see an argument for it. But not under any other circumstances. They deserve to be free. They deserve our respect.

Another indication that dolphins were valued as individuals, or persons, was evident in a regularly expressed concern for (and interest in) dolphins' emotional and mental states when informants talked about their dolphin encounter experiences. Customers also attempted to distinguish individual dolphins and believed that all dolphins have individual personalities and moods. The crew did not necessarily try to help customers learn individual characteristics of specific dolphins, but they did mention that several "really friendly" dolphins are regularly present for encounters. "The ones who accept touch," the trip organizer shared, "are related."

> The two who accept touch the most are sisters. They will come to someone they know first, then if they are in the mood, they will go to each person in turn, and allow them to gently touch them. Other times they will just come in, acknowledge your presence, and then keep their distance. They have changing moods just like us, for sure.

In addition, customers and crew members alike repeatedly expressed the sentiment quoted above, that *all* dolphins "deserve respect and freedom."

Dolphin Intentionality (Customers and Crew): Autonomous. All customers placed great emphasis on their experience of the dolphins as mindful, intentional beings who freely chose to interact with them and who, in every case, absolutely controlled the pace of the encounter (or whether any encounter occurred). Similarly, the crew saw dolphins as intentional, *autonomous* individuals who engage in interaction with humans out of choice and for enjoyment.

Dolphins approached the boat presumably to ride the pressure wave created by the forward motion of the boat motoring at speeds of up to 20 miles per hour. To test whether those

dolphins *wanted* to interact with the boat passengers, the crew would routinely slow the boat's speed and put the engine in neutral. With no more pressure wave, sometimes the dolphins seemed to lose interest and left the area. Oftentimes, however, the dolphins would remain near the boat, swimming slowly in close proximity to the vessel, a behavior the crew described as "hanging around." When one or more dolphins hung around for more than a few minutes, passengers were instructed to enter the water.

Customers got into the water with mask, snorkel, and fins. Most were adequate snorkelers, but none were any match for the speed and agility of the dolphins. Customers often commented that they felt "clumsy" or "spazzy" in the water with the dolphins who were by comparison terrifically speedy and graceful. Nevertheless, during encounters, participating dolphins remained near swimmers—sometimes keeping a sluggish pace (for dolphins) and swimming right alongside them, and often weaving unhurriedly in and out of snorkelers floating in groups at the surface of the water.[105]

The dolphins approached the boat and then stayed to swim near, investigate, communicate, and/or touch human swimmers out of "pure choice"—that was a unanimous conviction among the customers. When I asked a customer as he was drying off from his first time in the water with dolphins what he thought about his encounter experience, he said breathlessly

> Wow! That was great! It was a long time in the water—and they didn't get bored. I'm surprised! They seemed to really enjoy playing around …. The more playful you are the more they are; and also just to watch them in their own space—they'll play with each other, then play with you, then back to each other—to be a part of that—wow!

Quite a few people expressed surprise that the dolphins seemed so engaged in the interaction—curious and playful—for no reason other than that "they just seemed to enjoy it!" "I don't know what I thought would happen," another first time encounter customer confessed,

> Maybe I thought the crew would secretly be feeding them on the side or offering them some reason to hang around. But they are just as curious about us as we are about them—

[105] I observed several encounters like this from the boat, and while I noted the leisurely, almost slow-motion movements of the dolphins from above the action, customers frequently reported how *fast* the dolphins were swimming around them—"zooming in and out of view," for example, or "disappearing" out of view in a split second as they tried to take an underwater photograph. It was an interesting divergence in perspectives.

> they clearly *want* to be here, I guess just because they are interested and get something out of it too.

Another customer was similarly surprised by the encounter and said "they really came to us and swam with the group. I expected them to hang back. I didn't expect them to be so playful, so curious!" A veteran encounter guest put it this way: "They choose to interact, display intense interest and curiosity for no (obvious) reward and continually demonstrate a willingness to play and interact."

This theme was named *autonomous* because the dolphins seemed to be interacting with swimmers freely, and not out of instinct or because they were motivated by external reward or some other influence. Informants repeatedly referred to how the dolphins came and went as they pleased, that they "wanted" to interact with them, or that they "were having fun" during encounters. Again, customers were adamant that it was the dolphins, alone, who controlled the pace of the encounters. A few days into the trip, I had a rather academic conversation with an educated customer interested in my research. In a friendly play of devil's advocate, I suggested that, like a zoo, this encounter trip was "really a space created by humans, for humans." He noisily disagreed and said,

> the *dolphins* are the ones in control here! I'd say the space is created by *them*, not us. We don't entice them. We don't call them, don't tell them when they can come and go. *They* call all the shots out here—it's entirely up to them whether these "encounters" happen or not. We just show up and hope!

Other customers echoed his testimony: "Dolphins in the wild can choose if they approach humans or not. They are clearly superior in the ocean to humans in speed and agility. So they only interact with you if they want to."

Enriching the Analysis with Interpretative Narrative

Here, I provide a counterpoint to the foregoing case study analysis with a narrative account of a wild encounter that folds many complimentary informant perspectives into a few distinct characters. It is a story grounded solely in the data, and is offered as an addition to the foregoing interpretation—a triangulation, in methodological terms—that is meant to present the embodied, sensual, lived experience of a dolphin encounter in the wild. With the proceeding analysis, I strove to provide insight into the meanings people attach to dolphins and their

encounters with them in the wild. The following narrative speaks to the simple (but important) question, "what is it like to experience a dolphin encounter in the open sea with free-ranging dolphins?" and is meant to extend symbolic and emotional understanding of at least one example of such phenomena (see Boufoy-Bastick, 2003; Manen, 1900; Richardson, 1990).

The characters represented in the interpretive narrative are fictional, but only to the degree that they each represent an informant's experience and one or more themes that emerged from the data. Information relating to the dolphins and their perspectives came from several sources, including observations made during field work, data gathered from human informants familiar with the dolphins that interact with human swimmers in the Bahamas, publications related to dolphin biology and behavior generally (e.g., Frohoff & Packard, 1995; Pryor & Norris, 1991; Reynolds et al., 2000), and publications related specifically to the population of Atlantic spotted dolphins (*Stenella frontalis*) that reside primarily in the waters along the Little Bahama Bank (e.g., Dudinski, 1996; Herzing, 1991; Herzing et al., 1995). With regard to the human characters, all of the events, opinions, experiences, and meanings brought forth in the story were based on informant interviews, observations and participatory research.

I intend the following composite narrative to be a unique and powerful way of contextualizing an encounter event. Again, I intentionally used anthropomorphism and other descriptive literary techniques to carry particular meaning (Richardson). It is a less traditional approach than the analysis presented above—although far from unique (see Richardson)—and offered here as another facet of interpretation, and perhaps an even more fluid and balanced (from a sensory perspective) approach that better highlights the dolphins' perspectives along with the customers' and crew's experiences.

A Human–Dolphin Encounter Experience in the Wild

Just north of Grand Bahama Island, in the warm blue-green waters of the Sargasso Sea, spotted dolphins travel in synchrony with each other along the shallow, softly ridged sand bar of Little Bahama Bank. Someone watching the baby swimming in the clear Bahamian waters might confuse her with a bottlenose, as her sleek gray body has not yet developed the dark gray to black spots that will start to appear just before she reaches puberty. Like the others, as she ages her markings will continue and grow bigger, but like a human fingerprint, she will always have her own unique spotting pattern. She also has her own sound signature, a name that is hers alone, which she will utter at a certain frequency to introduce herself when she ventures into new places

or joins another group of dolphins. As she glides upwards to the surface for a breath of air, her mother swims alongside, body-to-body with her calf and in close association with several other females—sisters, perhaps, or even a grandmother—who are ever present and willing to help care for the baby.

Nearby, a group of juvenile dolphins burst forth from beneath a quiet sea in exuberant play. Although still a part of the larger congregation that includes their mothers and nannies, the older children spend most of their time now in a subgroup of their own. With teenage enthusiasm, boys and girls frolic together in a boundless world that seems to exist solely for their amusement. They too stay close—enjoying an endless variation of constant touching, rubbing and caressing between noisy, bubbly bouts of chasing, leaping, and exploring the world around them. Several miles away, a coalition of three adult males travel in fluid harmony, moving and breathing with each other in perfect unison. They cruise leisurely together, shoulder to shoulder, with pectoral fins overlapping like buddies cheerfully strolling arm-in-arm after winning the big game. As they approach the center of the energetic subgroup of adolescents, their pace remains slow, steady, and unified and, without swerving or altering their speed, a path opens up before them as the youths respectfully watch them pass by.

As the dolphins play and socialize, they engage in a version of chatty conversation that sounds to human ears more like a buzz than a series of distinct, individual clicks. Along with this click-language they make all sorts of other sounds as well—squeaks, squawks, pings, whistles, grunts among them. Though their eyesight is as good as any human's, it is a world of sound and vibration that dominates their senses. Sound travels easily through the water (some four to five times faster than in air) and the peak acoustic sensitivity of dolphins is up to 150 kilohertz, much higher than the human hearing threshold (the upper bound of which is only 20 kilohertz). Their watery home is a sea of total sound. They "see" most clearly with a sophisticated system of echolocation, sending complex sound waves out and constantly analyzing returning echoes. It is hard for humans to comprehend; it would be like being able to detect an object the size of a quarter at a football field's distance away just by using sound. Even moving through a sea of total blackness, dolphins can know how far away something is, its precise size, density, speed, and direction. An endless orchestra is experienced—both heard and *felt*—every day in the snap and crackle of tiny crustaceans buried just under the sand bank, the grunting and grating of

hundreds of different fishes, the squawks of sea birds overhead, the low vibrational drone of a passing diesel engine, the undertone of moving water, and the chatter of their own companions.

Spotted dolphins are very much like the bottlenose dolphins with whom they share this area—they are gregarious, social creatures who spend their days in intensely bonded pods eating, resting, socializing, and playing with one another. Faithful to northern Bahamian waters, numerous subgroups of three to six dolphins are part of a larger, fluid congregation of dolphins that reside in a home range over the Little Bahama Bank. Traveling scores of miles every day, they cruise in a relatively straight line, southwest to northeast and back again, in a path that is the most direct route between deeper waters of the Gulf Stream and the shallow sand bar where they mostly rest and socialize.

In the deeper waters to the far southwest of their home range, there are an abundance of tasty fishes on which to feed, and the dolphins get their fill easily through an efficient process of coordination and cooperation. Like cowboys rounding up a heard of wayward cattle, they target a scattered school of meaty fish and corral them into a tight knot at the water's surface. The fish end up trapped on all sides by patient diners who then, one by one, take turns plunging through the buffet (and sending a few of the fish leaping to the surface where opportunistic gulls swoop down to catch the crumbs).

Towards the northeast, in the shallower, sandy-bottomed waters of their home, sated residents worry little about the dangers of predators. Their days and nights are spent mostly loafing around, playing together, and otherwise socializing as they naturally tend to the deep, socially complex bonds they share with one another. Occasionally they nibble on small-eyed flounders and tile fish. Sometimes they float suspended in a headstand position at the bottom of the sandy banks with their rostrums buried in the sand, rooting around to reveal a crunchy crustacean snack. This won't fill them up, but it is an enjoyable enough pastime, and it may also teach young dolphins foraging skills that they can use during more intense hunting and feeding times. For now, though, socializing is the only matter on the agenda as dolphins play on the shallow white banks for the sheer enjoyment of it. They regard one another intently, greet each other with a pectoral pat, and rub against each other frequently. There are opportunities for exploring and playing with other things in the environment as well; for example, a game of pass-the-seaweed is a favorite on Little Bahama Bank, and surfing in and around the pressure waves created by a boat zipping along the surface seems to be great fun.

A Journey Begins

From the Manatee Lounge and Restaurant, the light blue boat with the white wheelhouse is clearly the largest vessel in the small municipal marina. The *Gulf Stream Eagle*, a 100 foot steel chase boat operating in the Bahamas since 1975, is moored at the far dock. Sailboats and small private fishing boats share the marina, each gently bobbing and swaying in the salty breeze to the left and right of the wooden plank walkway as four crew members clomp their way to the end of the dock with equipment, food, and supplies for a week's excursion at sea. It is a late May afternoon in West Palm Beach, Florida and the small crew readies the *Eagle* for another voyage across the Gulf Stream to the waters just north of Grand Bahama Island, an area they have dubbed the Dolphins' Playground. On this trip, all seven guest cabins will be full. Fourteen passengers are scheduled to arrive by eight o'clock tonight, where they will be introduced to the crew and each other, checked into their cabins to unpack and settle in, and given a thorough tour of the boat's facilities and the week's events ahead of them. That first night, passengers will sleep on board while the *Eagle* is still in the marina. Sooner than most are awake the next morning, the boat will be fully outfitted and ready to leave the dock before daybreak for its week-long trip at sea.

Jack is the only person on the crew whose primary responsibilities started long before this day when passengers will arrive with obvious enthusiasm and some anxious expectation about swimming with free-ranging dolphins in the waters of the Bahamas. The first time he served aboard a vessel as crew in the Bahamas and had the chance to swim with the dolphins on Little Bahama Bank was over ten years ago. In 1996, he organized his own dolphin encounter trip for a group of friends. It went so well that Jack has organized two to three trips per summer ever since. When he is not the trip organizer, Jack regularly works as a crew member on different vessels spending time in dolphin territory in the Bahamas. In all, he has probably done about 150 trips like this before, spent hundreds of hours in the water and had thousands of individual encounters with the dolphins who make the waters around Little Bahamas Bank their home. He is familiar with these dolphins and feels like he has come to know several of them personally. They recognize him and come to him immediately when he joins a group encounter swim, making eye contact and nudging him or brushing by him with a pectoral fin even when they do not seem in the mood to play or hang around the other swimmers. He considers them his friends. The relationships are "not demanding, needy, or codependent," as he puts it, like those that so often

play out with his human companions. But his connection with them is more of a strangely intimate and respectful familiarity.

Jack has met each of the passengers before, at least via email, in the course of the many months he spent promoting this cruise to the Dolphins' Playground. It is a journey he believes everyone should experience, because he has witnessed again and again the tremendous joy that people experience when they interact with a dolphin in the wild. But the excursion is pricey—Jack has to be sure that the crew is paid, and the costs of maintenance, fuel and food for all aboard for the week is covered in the price of the trip, plus a profit that makes sense for the business he is running—and most people cannot or will not pay the $1,650 per person cost of entry for the experience.

As the marina darkens with the shadows of dusk, the rest of the crew readies the boat for the journey. Gulls squeal overhead as Jack goes over his passenger list and sees that each of the small cabins situated in a narrow hallway at the bottom of a steep stair case (the largest ones with room only for a bunk bed and space to turn around) is ready for their guests. Two bathrooms with sinks and stand-up showers are located on the main deck near the darkly paneled primary gathering room, inside and air-conditioned. That is where Jack will begin the orientation once all are aboard for the night. With 14 adult passengers, plus the crew, the space is somewhat cramped, but Jack hopes that everyone in this group will get along well with each other. The intimate surroundings, and the itinerary that awaits them, usually inspires a quickly cemented camaraderie among his customers. And he knows that there are plenty of spacious outside decks aboard for sunning, snoozing, or stealing away from a group crowded inside to escape the afternoon heat outside.

One by one, couples and small groups of people arrive in the gravel marina parking lot, emerging tentatively from taxi cabs or parked sedans with luggage and snorkel equipment in tow. By eight o'clock, the marina is nearly dark and all of the passengers have made their way aboard the *Eagle*. Gloria, whose travel from the west coast began in the dark of early that morning, finally takes a break after stowing her stuff down below in her cabin and joining the animated, chatty group in the main parlor area. Riffling through the papers she was asked to bring with her—liability waivers and other official pretrip documentation—she settles for a moment on an email she'd printed out from Jack nearly a year ago and reads the capitalized promise that finally coaxed her into booking this trip: "It's paradise out there in that warm

turquoise blue water, with wild dolphins swimming all around you. If you have been waiting to SWIM WITH BEAUTIFUL FRIENDLY WILD DOLPHINS, THIS IS THE TIME TO DO IT …. IT REALLY IS LIFE CHANGING!"

With a deep breath, Gloria smiles to herself, feeling tired, a little anxious and more than a little excited, and turns to the couple next to her. The three engage in the ritual nice-to-meet-yous and where-are-you-froms for a couple of minutes, when Jack appears and shifts the whole group's attention with a larger than life "Welcome aboard!"

The parlor takes on an informal classroom atmosphere after Jack presents the crew of the *Eagle* and invites the passengers to introduce themselves to the group. With preliminary paperwork and a thorough boat safety briefing out of the way, Jack explains the itinerary: They will leave the marina at day-break, cross the Gulf Stream, clear customs in the Bahamas, and arrive in the waters north of Grand Bahama Island around noon. That is where they will spend the entire trip, in the Dolphin's Playground, motoring around an area of about 25 square miles, engaged in a daily vigil of dolphin spotting. The days at sea are to be relaxed—lounging on a gently swaying top deck, soaking up the warm sun and engrossed in a novel, for example, or daydreaming towards the horizon while scanning for dolphins. But, Jack discloses with a grin, all activity will come to a halt (including scheduled meal times) when dolphins are spotted nearby, especially when they seem interested in playing, riding the pressure wave, or jumping alongside the boat for any length of time. Smiles and looks of expectation fill the parlor as passengers look forward to the next day when such an event might occur. It is why they are here, and they can't wait to meet the dolphins!

By day three of the trip, however, a few dolphins have been spotted in the distance, but none have come to frolic and play near the boat as Jack described their first night aboard. These three days seem like weeks of constantly thrumming engines, salty wind, and the hard splashing of four to six foot waves against the hull. Passengers are becoming accustomed to shifting their bodies in time with the rocking of the boat to keep their balance, although a drunk stumble here and there at an unexpected lurch is still a regular occurrence. It is all very exhilarating on the one hand, and yet, Gloria's head has been swimming since the first morning with a feeling of almost-seasickness.

Anticipation is starting to mix with bewilderment at the very real possibility that there may be *no* dolphin encounters. "Of course," Gloria reminds herself for the hundredth time,

"there were no guarantees, and all the literature warned of the possibility that there could be no encounters at all."

But Jack makes a point of visiting with customers to keep the mood hopeful and positive. Gloria tries not to be frustrated, focusing instead on the brilliant weather, the time to unwind, and the new friendships she's easily struck up since the trip began. A spoiled child may simply blame the dolphins for not showing up, or perhaps throw a tantrum and demand that Jack *make* them appear somehow (or at least refund her money)! But Gloria's sentiment is generally shared by all the passengers; they knew there was no guarantee, and though they will be disappointed if they are denied the one thing they came on this journey to experience—to swim with a dolphin in the wild, even just once—all of them swear it will not ruin their trip. Inside the wheelhouse and oblivious to passenger angst, the captain continues confidently at a steady clip of nine to 10 knots, making miles-wide figure eights around the area the crew knows as dolphin territory.

The Encounter

Now as lunchtime approaches, a voice from the front of the boat rises up above the ambient noise on deck: "Dolphins!" The shout energizes slow-motion loungers to pop their heads up like prairie dogs from whatever they're doing and, with a second call, "Dolphins! Here come three more! Up at the bow!" triggers a swift migration of all passengers to the front of the boat to see for themselves. Squeals and exclamations fill the top deck as Gloria leans over the railing and sees dolphins now, zipping and zigzagging alongside the boat through the pressure waves sent away from hull by the forward motion of the vessel. After about seven minutes, the boat slows. Jack calls to the captain that the dolphins are "still hanging around!" and the captain responds immediately by shifting the engine into neutral.

Figure 5.7 "Dolphins!"

Figure 5.8 Two Dolphins "Hanging Around"

It is suddenly quieter, and voices are much easier to hear. "I've got two over here," the assistant captain calls from the front left of the boat, beginning to whistle and knock on the vessel's side, something that has worked in the past to keep dolphins from taking off out of boredom after the boat has stopped moving. "Three are back here! No … wait, there's the other two. All five are back here by the platform!" Five dolphins swim lazily near the rear of the boat, loud bursts of breath from atop their heads as they surface, and occasionally rolling to one side showing what seems to be an inquisitive eye towards the human onlookers. "They're hanging around alright!" With that, Jack calls for everyone to grab their mask, snorkel, and fins and head down to the dive platform.

"Finally! It seems to be actually happening," Gloria thinks to herself, as she hurriedly works her fins onto her bare feet and spits into her mask to keep it from fogging up once she's in the water. Her heart is racing now, and she watches the first passenger plunk into the water from the dive platform—just yards away from the three dolphins she can now see.

"I've got two over here!" she hears from behind her to the left. The platform rises and falls, smacking the surface of the water with uneven thwacks as the boat continues to roll while the second passenger tries to time his jump from the platform. The rest of them will wait for these two to get into the water and see if the dolphins will continue to stick around—"to see if they really want to play," as Jack says. If the dolphins remain nearby, the rest of the passengers will be allowed to enter the water as well. Gloria feels a slight sense of panic, thinking "it's already been too long." She can hardly believe the dolphins have stayed around for this amount of time, and she is eager to get into the water for fear that they will disappear again.

But the dolphins remain. And soon it is Gloria's turn to jump from the platform into the adventure. She doesn't realize that, as she is timing her own jump, two more dolphins have joined the group and are meandering around the idling boat with the others. Stepping off the platform with a diver's one-step stride, it begins. To her, the water is initially chilly, but as she adjusts her mask, sinks her face into the water, and begins pumping her legs towards the other

swimmers her body quickly adjusts to the temperature. One by one, more passengers enter the water and make their way to the gathering of snorkelers swimming in a loose group a few yards off the back of the boat.

Having seen that each of the passengers has made it safely into the water, Jack joins the rest of the crew up on the top deck to watch.

All of the passengers are face down, their bodies splayed against the surface of the water, moving in ragged semicircles and bumping into one another. “Maybe we should make everyone take a swimming test before we let them in the water” says the assistant captain with a tone of worry in his voice and just a tad of annoyance. “Sir!” he shouts down to the group, “put the snorkel *in* your mouth!” Jack lets go of a quiet grunt and cups his hands around his mouth: “Hey guys! The dolphins are right there! They’re all around!” They watch as seven dolphins slowly move in and around the entire group who remain largely unaware of their presence. They’re moving so slowly they seem to be drifting alongside some people. “Try diving down! Remember how we talked about? They like it when you dive down!” he shouts. “And make some crazy noises through your snorkel. Hum a song or something!”

Maybe next time he will suggest they take some toys into the water with them to keep the dolphins interested in staying—a wind-up plastic fish that has been known to peak some interest in the past. But the first encounter is usually frantic, he thinks, and this time is no exception. After about fifteen minutes, the people in the water seem to be moving a little bit slower. Jack monitors his guests closely to be sure everyone is all right, and to point out dolphin locations to those who poke their heads up out of the water, sucking in breath and jerking their heads around in search of a dorsal fin at the surface. It is the least efficient way of keeping up with the dolphins, he knows, and wishes they would just dive down deep where they’d have a much better view.

Some passengers are better at free diving then others. Jack sincerely wants each of them to have a wonderful experience, not just so they’ll come back or recommend this excursion to all their friends and relatives so his business will survive, but because it is just such an amazing thing to make contact with these dolphins, and he loves to hear the stories his customers tell after their first day of encounters. Just then, Jack shifts his gaze to watch as the first guy to get into the water surfaces from a long dive. At precisely the same time, two dolphins come up beside him, expelling their breath at the very moment he spits the water from his snorkel. “Whoohoo! Alright

Brian!" Jack screams as he turns to the captain who is grinning as well. "Did you see that?" he exclaims. "It must be the sisters. How cool was that?" he muses rhetorically. The captain looks past Jack and says "it's gonna be a good one, man. Here comes another dolphin—a young one!"

Figure 5.9 Young Dolphin Approaches

After a pause, he continues "And behind her a few yards, see?" as he points beyond the dolphin leaping towards them. "Looks like there may be another three—no … five more—coming to join the action!" *Awesome*, Jack thinks. "I'm going in," he says to the others, and dashes down to ready his gear.

Through green tinted waters flooded with the dancing light of a midday sun, seven adolescent dolphins move in a slow motion dance around a group of 14 gangly, clumsy creatures with hardly any ability to move through the water at all—most of whom seem unable to leave the airy surface above them.

They are so different from dolphins, whose smooth, streamlined, muscled bodies possess a suite of respiratory, circulatory, and biochemical adaptations that make them so exquisitely adapted to their environment. Several of the young adult dolphins in this group are related. The two sisters were introduced to these boats and their people by their mother when they were just babies. As they grew older and more daring, they ventured from the nursery pod to investigate the people on their own, bringing along others in their pod to join the play. There is no fear—only amiable curiosity. Each dolphin instantly senses the elevated heart rates, rushing adrenaline and labored breathing that most people are experiencing. They slow their swimming to a near standstill, lacing in and out of the group of floating people as they examine them intently, sometimes regarding one or another for

Figure 5.10 Clumsy People, Graceful Dolphins

a long moment. That may be the most interesting thing about them—among all other creatures in the sea the dolphins know, these are the only ones who seem to meet their gaze and actually *look back*.

Gloria is starting to feel claustrophobic as she navigates clumsily through the crowd of flailing arms and kicking fins, constantly picking her head out of the water to see where she's going. Thinking she's far enough from the clustered swimmers to snorkel properly, she swims straight into another customer who gives a muffled "hey!" "Sorry," she thinks, already exhausted from swimming hard and sucking water through her snorkel for the third time. Then she sees three dolphins swoop below her, and kicks hard in a vain effort to keep up. Two take off again. But one seems to slow to a pace that allows her to barely keep up and she follows, diving down to the sandy bottom and keeping up as best she can.

Figure 5.11 Barely Keeping Up

Out of breath, she leaves the pursuit and floats to the surface, lifting her head from the water in time to hear Jack shouting from the distance "they're right there!"

Changing direction, she tries to slow herself down. Breathing more steadily, noticing the muffled quiet as she relaxes in the water, Gloria works her toes to gently push the fins. Like magic, she finally begins to take in what is happening around her. She notices that, as clumsy and frantic as all of them are, the dolphins seem to be enjoying the bubbly, spastic activity and continue swimming in and around the snorkelers. She watches five dolphins swim together just beneath her and, turning in the other direction, sees another passenger—she can't tell who exactly—dive down and push herself through the water, legs glued together like a mermaid and with

Figure 5.12 Bubbly Group Encounter

two dolphins swimming not 10 feet away from her. She was actually swimming *with* them, it seemed. Or were *they* swimming with her? Gloria is amazed and, she admits to herself, a little jealous.

Figure 5.13 Diving Together

Turning to her right, she catches sight of another person diving from the surface downwards and three dolphins seem to follow right behind him. Noticing that he is much better at free diving than the other snorkelers, Gloria realizes that it is Jack, and the dolphins seem to greet him in a familiar way. For the next 25 minutes or so she practices free diving and staying underwater for as long as she can.

Figure 5.14 "Jack" and Friend

She sees dolphins zooming all around, first in her line of sight and then fading into the distant haze of endless green. There seem to be more than seven here now, she thinks, but she can't tell if the dolphins she is watching are the same ones that passed by before or not. Knowing now that she can't keep up with them no matter how hard she kicks, she settles into the thrill of just being in this space with them.

Then, thinking at first it's another snorkeler on a collision course, she feels something brush up alongside her. Not another snorkeler—it's a dolphin! And he (or she?) is swimming slowly by, two more by his other side, with a look of quiet curiosity that transfixes Gloria.

In a terribly ungraceful move, Gloria contorts her body so that she can maintain eye contact while the dolphin moves around her. She arches her back, cocks her head and begins paddling with her hands, spinning in place, as the dolphin circles around her for the third, forth, now fifth time, all the while searching her eyes. She feels something too—a buzzing of sorts, and hears what reminds her of a squeaky door opening.

Figure 5.15 Swimming "With"

It's Gloria who breaks the gaze; she unfurls her body and pops her head up, sucking at a breath, and watches the dolphin slowly glide away. Gloria is at once befuddled, amazed, grateful, and utterly humbled. She has no idea how long she has been in the water now.

Feeling more confident in her swimming, Gloria takes a deep breath through her snorkel, pikes her body, and dives 12 feet to the sandy bottom where two dolphins are rooting in the sand with their snouts. It is hard to stay down and she fights the buoyancy by pumping her fins in the mermaid move she's been practicing and moving forward in a horizontal direction along the sea floor. As she passes the two dolphins, one ceases his foraging and watches her swim by, catching up with her by a slight and imperceptible flick of his tail. He brushes along side her and Gloria, astounded all over again at how close he is, finds herself in a euphoric dream state. Keeping her arms at her sides, she makes a choice not to give in to the urge to reach out and stroke the dolphin. Again, her lungs fail her, and she must return to the surface. Mimicking the way she'd watched the dolphins do it, she slowly spirals herself upwards towards the surface and, to her delight and astonishment, the dolphin matches her movements. The two move belly to belly in an upward spiral that may have only lasted a few seconds—ten at most. Gloria is lost in it, though, and whether it is ten seconds or an entire hour makes no difference to her.

As she surfaces, Gloria loses sight of that dolphin too. For another half hour or so, she floats more than swims, watching the dolphins as they whiz beneath her. When she hasn't seen a dolphin for more than five minutes, she is suddenly exhausted and looks up to see where the boat is. Completely spent and now shivering, she starts her swim back to the boat where several passengers are already aboard, drying themselves off and talking excitedly about their experiences.

Afterglow

Having finished dinner now, with everyone gathered in the parlor area, Jack plops down and asks, with an air of nonchalance, how the day went for everyone. "Are you kidding?" one of the women responds with cheery incredulity, and the lively conversation begins. "What I was telling him was," a young woman starts while leaning into her partner sitting next to her, "I was a little bit nervous when I first got into the water. And then one came up to me right away. It was amazing. To look a wild dolphin in the eye—you really feel like they are looking at you as well," she says, seeming to pause with the memory of it.

"Yes, exactly, the eye contact was extraordinary! I felt an indescribable connection!" another passenger exclaims, and continues "they are really looking at you. We were just swimming along, you know, and they came to us. I guess I expected them to hang back; I didn't expect them to be so playful, so curious!" Everyone nods in agreement.

"They definitely set the pace of the encounter" another person adds. "What I remember is that they seemed to play with each other, then play with us. Back and forth like that. It was so cool—that they so obviously *wanted* to play with us!"

"Right," another passenger says, "but some wanted to play more than others, and I'm sure they have days when they feel like playing and maybe others when they don't." The group responds as if that's obvious and someone adds, "well sure, I mean they have good days and bad days just like us, right? I mean I assume they do. And each has his or her own personality I'm sure. Is that right, Jack?" Jack nods.

"They are so much like us," another woman adds, "but, really, they're even better" she pauses and adds sheepishly, "I think." Feeling encouraged with nods from the group, she explains: "They are social, intelligent, they communicate with each other, all that … but even more, they're so gentle, and they don't judge each other based on skin color or," she turns to Jack, "skin spotting, I guess would be more accurate!"

Someone a couple of people to the woman's left continues the thought: "They don't need to construct things, or bend the environment to *them*—they live in harmony *with* their environment."

From the other side of the parlor, someone adds: "No ego. And no war!"

Jack smiles at the group in what seems to be complete agreement. *Sure, they're gentle when they interact with us out here*, he thinks*, but dolphins are not immune from aggression with each other. Still, there is no use putting a damper on the conversation by suggesting that dolphins aren't* gods*, he muses.* He tries to steer the conversation back to the encounters today.

From across the parlor, a customer follows his lead: "For me, like the others have said, it was all about being eye-to-eye! I felt like I really made contact with several dolphins. And there was this one that" she pauses, "it was just," she cocks her head trying to think of right way to put it, "it's not a conscious thing. I was just," she pauses again, apparently frustrated with her inability to articulate the feeling, "*with* this dolphin, really."

Gloria is nodding as well, and smiling along with the others. She knows just what the woman was trying to say. The conversation continues for another 20 minutes or so, eventually breaking down into several discussions within smaller groups sharing their experiences with the people closest to them.

Gloria is sitting next to the couple she met her first night aboard. "The thing that astounds me," the older man confides, "is that I've been to Africa and seen many wild animals including" he looks up and counts them on his fingers, "elephants, giraffes, lions, cheetahs, zebras, hippos, and rhinos, and this was just *so* different. None of those animals are interested in human beings the way these dolphins obviously are. These animals actually come up to you and have a look at you!" His speech is urgent, but there is no need to convince any of his audience. He continues "and not only have a look at you; I had a sense, at some moments, that they really wanted me to touch them—or at least they wanted to touch me. They were just swimming so close and nudging me! It was astounding. I can't explain it."

His wife shrugs her shoulders at him, smiles, and reminds him and Gloria that it's only the third day! Lots of people apparently touched the dolphins today, and Gloria actually feels proud of herself that she did not. *But two of them touched* me, she thinks quietly to herself; *touched my soul.*

Next to Gloria, Jack is answering some questions a few of the passengers are asking. The parlor seems to quiet down and everyone's attention spontaneously turns to Jack's conversation. Sensing this, the questioner turns to include the whole group: "Has anyone ever been bitten?"

Jack looks confused and tentatively responds by saying "what do you mean?" And then, realizing what he's asking, with a snigger Jack says, "you mean like by a fish or something?" The group is now looking more confused. "Are you asking if the dolphins have bitten people who come out here to swim with them?" This obviously hasn't crossed many minds before, and the group looks to Jack for the answer. "The thought is pretty much inconceivable, actually" he says, his tone a bit more serious. "I've just never seen any behavior towards humans that would even suggest aggression. No. Definitely no biting. Not even close. And I've been doing this out here for a long time." One of the passengers shoots the guy who asked the question a "well, duh" look.

"I just think" another passenger chimes in, changing the subject, "that the idea of keeping these magnificent creatures locked away in a pool is insane!" The group reacts strongly and unanimously: "It's horrendous. You know, in England they no longer keep dolphins in captivity. Activists groups shut them down."

"Good for them!" an older woman comments, "it must be horrible for captive dolphins. The only place they belong is in the open sea. They deserve respect. And every one of them deserves to be free" she says in earnest—another sermon to the choir.

Jack pipes in (he just can't stop himself): "Actually, it's not just that they have such limited space in captivity. Not only are they forced to swim in circles, never being able to swim as fast as these guys out here do, or dive down deep, or hang out with generations of family, or chase fish, or root around the sand for crunchy treats!" Jack motions to the wide open sea just outside saying "they miss out on things we just don't think about. Remember the first night when I did the orientation on dolphin physiology? That sonar we talked which bounces audial impulses off objects and sends back a sort of picture in the form of an echo?" The group was listening intently, all of them nodding in affirmation. "To imprison a dolphin in a small concrete pen is the same as sentencing sight-oriented creatures like us to live in tiny rooms completely surrounded in mirrors. It's got to be absolutely maddening." The mood turns sober with that, and Jack silently chastises himself for getting on his high horse. But there is no need: again, they are in

complete agreement—each and every person present is vehemently opposed to dolphin captivity in any form.

The next four days bring more encounters, deepening friendships, and plenty of introspection for those, like Gloria, who are inclined to self exploration. And as the *Eagle* makes its way back across the Gulf Stream on its way home to West Palm Beach, Gloria is finding it difficult to think about her own trip home. “Back to work, bills, and responsibility … back to reality!” she thinks with a sigh, not realizing that she was holding her breath. But her experiences with the dolphins on Little Bahama Bank were also reality, she reminds herself. And she will take them along—vivid moments etched into her memory and remaining with her always.

CHAPTER 6

CAPTIVE ENCOUNTER CASE STUDY

Study Area and Resident Dolphins

Dolphins Plus, located in Key Largo, Florida, was among the first dolphin facilities in the United States to offer commercial swim-with-the-dolphins programs in the 1980s (Samuels et al., 2000). The facility is located on a canal in a largely residential area, where the canals allow residents to take their boats south to Rock Harbor, which leads eventually out to the Atlantic Ocean, or east, directly to the Atlantic Ocean (Figure 6.1).

Figure 6.1 Map of Study Site

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When the canals in Key Largo were constructed, many were made with wide rectangular areas that top the narrower canal leading to nearby open waters. From a bird's-eye view, it looks as if the canals around Rock Harbor are mostly shaped like large *T*s, with houses, palms, and mangroves lining the base of the figure, and the top of the T serving as a mini neighborhood marina (Figure 6.2). Dolphins Plus sits at the top of one of several connecting canal Ts, but instead of mooring boats in the larger rectangular space, eleven bottlenose dolphins *(Tursiops truncatus)* are kept in several discrete areas partitioned off with chain-link fencing that extends from the canal floor to about ten feet above the water's surface (depending on the tide).

Figure 6.2 Study Area Aerial Photo
Aerial imagery used with permission and provided by GlobeXplorer (Appendix F).

Residential boaters on their way through the canal have a fairly clear view of the facility through the fences as they pass beneath the foot bridge that connects the south side enclosures to the north side's, and perhaps catch a glimpse of the dolphin neighbors to their left or right as they motor slowly through the no wake zone (Figure 6.3).

Figure 6.3 View of Study Area from Canal

Table 6.1 *Resident Dolphins, May 2004*

Name	Gender	Parents	Arrival Date / Date of Birth
Dinghy	F	Wild	September 7, 1980
Lil' Bit (aka LB)	M	Wild	March 2, 1981
Squirt	F	Wild	July 23, 1985
Samantha	F	Wild	April 7, 1987
Jessica	F	Wild	April 27, 1987
Sarah	F	Wild	June 1, 1987
Bob	M	LB, Jessica	July 28, 1994
Tracey	F	LB, Jessica	June 28, 1999
Cosmo Binks	M	LB, Dinghy	August 21, 2000
Bella	F	Fonzie[106], Sarah	November 3, 2000
Julian	M	Fonzie, Samantha	September 7, 2001

[106] Fonzie was a wild-caught male bottlenose who died in March 2004.

Of the eleven dolphins at Dolphins Plus during my field work in May, 2004, four were male and the other seven were female. Six of the dolphins were wild caught and brought to the facility between 1980 and 1987. The other five dolphins were born at Dolphins Plus.

The dolphins are fed six different kinds of fish, including herring, capelin, sardines, silversides, smelt, and mackerel, five times every day. They also have been observed chasing and eating small snapper and other live fish and crustaceans that live in the canal. Water quality is tested regularly, and is consistently excellent, reportedly a result of the tides from the Atlantic Ocean that flush through the canal every day (R. Borguss, personal communication, May 5, 2004). At high tide the canal is about 22 feet deep; at low tide, it is about 14 feet.

The natural sea-pen environment, partitioned at Dolphins Plus by chain-link fencing, allows the dolphins the opportunity to communicate with one another, even if they do not share the same enclosure areas (what the animal care and training staff terms their "houses") (Figure 6.4).

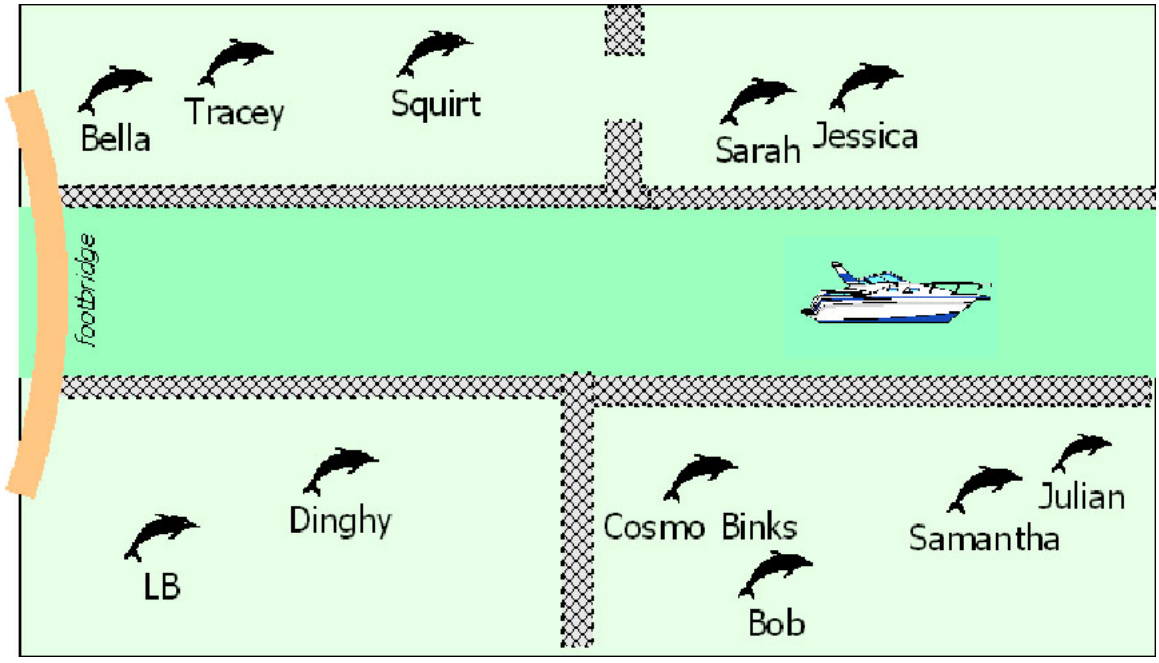

Figure 6.4 Dolphin "Houses"

That is a significant difference between Dolphins Plus and other, more common aquariums throughout the United States that are more pool-like: Dolphins separated by concrete walls are unable to see or communicate with one another. The other differences between sea-

pens like those at Dolphins Plus and land-based aquariums are equally significant from the dolphins' perspective. Among other things, pool-type aquarium water can contain harsh chemicals with the potential to harm sensitive dolphin skin and eyes. They are also devoid of the sounds, vibrations, tastes, tides, and rhythms of a natural sea environment, as well as the stimulation that probably results from chasing and eating native fishes and crustaceans (O'Barry & Coulbourn, 1999). One thing that is common between the two types of facilities, however, is that the dolphins are restricted to the boundaries of the facility where they live.

Born Free?

Although the residents of Dolphins Plus are accustomed to their lives in human care, some might question if captive dolphins miss the sudden excitement of a chance encounter with a big shark, or foraging on their own for meals of various live fish out in the open waters. Years ago, the dolphins were given that choice when the barriers to the canal at Dolphins Plus were lifted for one day out of each week and the dolphins could swim unrestricted out of their enclosures and into the canal, the neighboring harbor, and beyond (H. Byerly, personal communication, May 6, 2004). The staff called Mondays the "dolphins' day off". One bold male stayed out in the canal, away from his enclosure, for days at a time, and once a male and female ventured as far as the ocean together. Most, however, swam a little distance into the canal where they lingered shortly—a matter of minutes for some, hours for others—and soon returned to the familiarity and safety of their relatively small enclosures.

By human standards, it seems to be a pretty cushy setup—a lifetime of excellent food, quality medical care, rewards for playing, and adoration by human caretakers and visitors alike—all in a safe, secure environment free from the stress and danger of uncontrollable life in the wild. Dolphins in human care regularly engage in asked-for behaviors like leaping and "waving" with great zeal—they seem to enjoy it, playing with their human companions as enthusiastically as they do with one another. And they are clearly eager to spend time with humans (often whether there is food involved or not). They even seem interested in (some) human visitors they have not previously met. They are engaged, active, healthy, sexual, and successfully reproducing in captivity, and they are generally responsive to one another and to

humans. They do not seem to be complaining (their permanent "smile" aside),[107] so we generally assume that they do not object to their captivity or dependence on humans.

For those born in captivity, like five of the younger dolphins at Dolphins Plus, they have known no other life. But many of the dolphins currently in captivity were once free-ranging, independent, dolphins living in the open sea. Six of the older dolphins at Dolphins Plus once lived in waters not far from where they currently reside—several as recently as 1987. They were likely very young when they were first brought into captivity, and no one can tell if they remember how they came to be there. According to some who worked closely with dolphins for many years and were at one time involved in taking dolphins from the wild, from the captured dolphin's perspective, it was a horrendous experience that would be better forgotten (O'Barry & Coulbourn, 1999).

According to Richard O'Barry, one of the famous "Flipper trainers" turned dolphin advocate, in the 1970s and 1980s, local men traveled out to the waters of the Florida Bay in small vessels seeking out bottlenose dolphins for capture (O'Barry & Coulbourn, 1999). O'Barry and Coulbourn describe a dolphin capture much like this: In their boats, the men would spot a pod of dolphins, pick out the one they wanted—usually a young female—and run her into the shallowest areas of the bay. Then, having separated her from her pod and running her into exhaustion, one or more men would jump out of the boat, grab her like a cowboy wrestling a calf, and hoist her into the boat. There was no doubt confusion in the noise, vibration, and being separated from her family and friends, and there was surely a sense of helplessness in being stranded in such shallow waters with no escape. The biggest shock, however, must have come when she was heaved aboard the capture boat, suddenly torn from her home waters. For dolphins who live their whole lives weightless, like astronauts in space, the unfamiliar, overwhelming pull of gravity out of water is abnormal. Suddenly, her whole body out of the water, she would have felt strangely heavy as the weight of her body pressed down on her lungs and other internal organs. In a state of fear and stress, the young female would have struggled to get away the only way she knew how, by trying to swim—pounding her tail flukes up and down, working her pectoral fins, and thrashing around.

Once returned to the waters of the sea pen—familiar, and perhaps comforting, waters at that—the dolphin learned to exist in a space the smallest fraction of her old home range

[107] The ubiquitous dolphin "smile" is a physiological trait, not an indicator of emotion.

(swimming round and round, instead of straight ahead for many miles at a time or diving down hundreds of feet as she did in the wild). She learned to accept comfort and sustenance from human caregivers and, eventually, with native memories blurred or maybe forgotten, adapted to living as part of a *human* society.

For dolphins taken inland to human-constructed aquariums, their new home waters would not have been nearly as familiar, and their adjustment process, I imagine, would have certainly been more difficult. Aside from the sterile, often chlorinated, water devoid of tides, currents, wild sea tastes, and the myriad sounds and vibrations of underwater life, there would be no contact with other dolphins (aside from one chosen by humans to share that space), no fish to chase, no changing seascape and only human "toys" to interest them—rubber balls, perhaps, or hula-hoops. And, in addition to other natural behaviors that would be thwarted by such an environment, dolphins living in an in-land aquarium—what O'Barry and Coulbourn (1999) call "concrete dolphin bowls"—tend to limit or cease use of their sonar. A real blast of sonar (like those routinely observed in the wild) against the smooth, solid walls of such tanks would hurl a nonsensical echo back at the dolphin in potentially maddening reverberations (see O'Barry & Coulbourn).

(Human) Study Participants

In May 2004, I spent approximately three weeks at Dolphins Plus interviewing dolphin care and training staff members ("trainers"), observing interaction sessions, and interviewing encounter customers.[108] I focused on what Dolphins Plus called their structured swims—those that promised close in-water interaction between customers and dolphins, where trainers guide and direct the encounters.[109] These encounter sessions cost $160 per person, and lasted between

[108] One perspective that is missing is that of the people who worked "upstairs" at Dolphins Plus, in the office and gift shop. While I attempted to ask questions of the owners, they directed me back to the trainers "who spend all their time with the dolphins and the customers." It made sense, of course. But I was not able to assess the degree to which the near-total focus on animal welfare and *happiness* was shared by those who did not directly care for them. One trainer said, "they [the owners and office staff] take our opinions really seriously, unlike at other places." But another trainer mused that he thought the "people upstairs" were probably more about the bottom line—the business aspect of the encounters—than the trainers were. I expect he is probably right, although I do not have direct evidence of as much, other than the obvious: that Dolphins Plus is a commercial facility offering dolphin encounters for profit.

[109] Dolphins Plus offers two kinds of encounter programs: one they call the *natural swim*, where customers pay to snorkel in the dolphins' enclosures without trainer direction or guaranteed interaction, and the other is called the *structured swim*. Although I did observe and participate in several natural swim sessions, I chose to focus only on the structure swims because other swim-with-the-dolphin programs around the United States and the world are similar in approach to the structured swim.

an hour and a half and two hours on average, the first hour or so of which consisted of a detailed pre-encounter orientation. The orientation covered basic dolphin physiology and biology, some information on the particular dolphins at the facility, and direction on how customers should behave during the encounter.

Structured swim encounters began with two people in the water with one or two dolphins at a time. The session generally began with touch behaviors—a "handshake" for example, where the dolphin was asked to raise out of the water vertically and present his or her pectoral fins just in front of the customer who then was allowed to gently touch the inside of the pectoral fins. A "body-rub" was another initial interaction, where the dolphin was asked to swim slowly by and present his or her side (or sometimes belly) and allow the customer to touch or stroke their skin. As the session progressed, the interactions would become more active, depending upon the physical ability of the customer. "Foot-pushes," where the dolphin would push the customers (either on their back or on their stomach) through the water by their feet, or "dorsal-tows" were offered as finale interactions.

All the encounter participants I interviewed were encounter *customers*—meaning they each paid at least $160 to engage in one (or more) structured swim programs. Their ages ranged from young 20s to mid-60s, and they were primarily white, from the United States, and (I presumed) socio-economically middle to upper-income. Generally, most of the customers I interviewed were very pleasant, and willing to participate in my research, but provided surprisingly quick and shallow responses to my questions and had to be continually probed to talk about their views of dolphins and their experiences interacting with them. It was an enormous divergence from my experience on the Bahamas boat trip (chapter 5), where the customers engaged in the interviews with a good deal of careful deliberation and, in my view, personal insight.

I also interviewed and/or spent time with all 13 of the trainers working at Dolphins Plus. The trainers were all in their 20s and 30s, fit and physically attractive. They were also well educated (most with college or postgraduate degrees) and I found them to be thoughtful and articulate. Most of the trainers had outside jobs as well, either at local resorts or waiting tables at restaurants. It is expensive to live in the Florida Keys, and in order to pay rent, many had to supplement their incomes. A few people commuted from outside of the Keys, about an hour's commute each way, every day. No trainer worked at Dolphins Plus for the money—most every

person was there (and had been there for several years, some more than 10 years) because they "always wanted to work with dolphins."

Several trainers had experience with other dolphin facilities as well (interviews and job offers from SeaWorld, mainly). They uniformly considered SeaWorld a very different working environment, and compared it unfavorably with Dolphins Plus. The consensus was that SeaWorld was "impersonal," and "all about the bottom line." One trainer, after passing a rigorous swim test for her SeaWorld interview, said she was very intimidated in the interview that took place "in a big room with a long conference table and five people on one side of the table and just [her] on the other." They asked questions like "in 30 seconds, tell us who you would most consider a mentor and why" and "where do you see yourself in five years?" When she said, "hopefully, I'll have an amazing relationship with some animals here," she got the feeling that those conducting the interview were unimpressed. "The relationships with the animals were definitely *not* a priority" at SeaWorld, she said.

At Dolphins Plus, on the other hand, she had a one-on-one interview with the curator and owner at a picnic table, swam with a few of the dolphins, and met the other trainers. It was a casual, no pressure event by comparison and she is very pleased to have been denied an opportunity to work at SeaWorld. Others were hired after having done an internship with Island Dolphin Care, a nonprofit organization that shares Dolphin Plus' space and dolphins for use in its dolphin-therapy special needs program. When I asked the curator how he determined who he hired as animal trainers, he said "after we've narrowed down people who we think would fit in well here, I have them get into the water with the dolphins. Then, whoever the dolphins like best, that's who I offer the job to!"

Encounter Meanings

Interviews, observations, and conversations with human encounter customers and trainers were coded according to the four categories outlined in chapter 4: *dolphin identity, dolphin intentionality, dolphin value, and encounter intimacy.* The data suggested a spectrum of interrelated themes that corresponded with the previously identified categories (Figure 6.5). The blue marks below indicate where I interpreted customers to fall on each spectrum, and the red marks correspond to trainer perspectives.

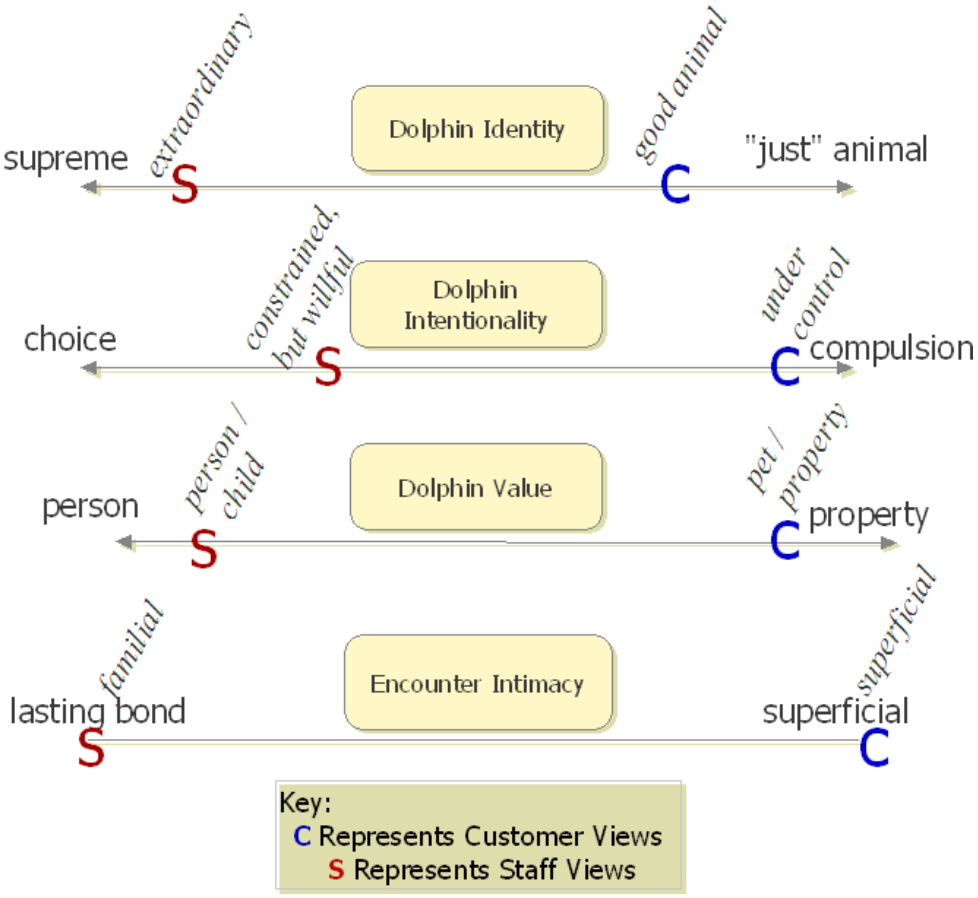

Figure 6.5 Theme Spectrums

As it represented in my discussion of the wild encounters, for dolphin identity, at one end of the spectrum was the recognition of dolphins in a spiritual sense, an indication that people thought of dolphins as *supreme*, angelic, or god-like beings. At the other extreme were those who saw dolphins as *"just" animals*, identifying dolphins as nothing special or unusual among (nonhuman) animals. Informants' views of dolphin intentionality revolved primarily around the degree to which dolphins freely *chose* to interact with people (and levels of perceived enjoyment during interactions), or whether they were encouraged, enticed or—at the extreme—*compelled* to engage in encounters.

How dolphins were valued ranged from conscious *persons* on the one side to simple *property* or commodities on the other. These values were gleaned in part from informants' perspectives related to dolphin dependence on human care and the concept of ownership. Finally, encounter intimacy might be perceived as an intense, *lasting bond* at one end of the spectrum to the *superficial* encounters observed much more frequently in the dolphinarium visitor who spent

a few minutes watching captive dolphins swim or perform in a "dolphin show." Although research participants indicated various positions with regard to each category, patterns and generalities allowed me to distill four interlinked dimensions of encounter experience for customers (marked above in blue) and trainers (marked in red) (Figure 6.5).

Animal Care and Training Staff Experiences

Encounter meanings exist in a more fluid and dynamic network than is suggested by discrete categorization. The trainer web of meanings maps the various themes distilled from data and supplements the descriptions below by indicating the complex interrelationships that exist between themes and categories. In practice, it was difficult to separate categories and, frequently, many elements that seemed to belong in one theme category could have just as easily belonged in another. For example, the trainer sentiment that the dolphins are "our children" was placed under *Encounter Intimacy*, as an example of the familial intimacy between trainer and dolphin. However, it might just as well fit under the category named *Dolphin Value*, as it also goes to show that dolphins were valued as persons or children. Thus, I created the web of meanings with double-headed arrows leading to and from each theme designation (Figure 6.6).

Dolphin Identity: Extraordinary. The trainers generally believed dolphins to be unique and *extraordinary* beings. This was especially pronounced during the pre-swim orientations, for which each trainer had his or her own style and way of presenting, but all shared an apparent respect and admiration for dolphins generally. Trainers did not limit themselves to "scientific" facts about dolphins during orientations; instead, they consistently conveyed what extraordinary creatures they think dolphins are—not in their physical attributes, but in their social nature. One trainer described how Dinghy, the first dolphin to be brought to the facility, was very emotional when her last trainer left the job and "expressed herself by refusing food, breaching, and acting very emotionally." Also, trainers often called the dolphins "very altruistic" during orientations, and said "they're very social," and "have a huge sense of humor." One trainer described dolphins as "magical, beautiful creatures" that, unlike cats, dogs, or sea lions, "make conscious choices."

In addition to commenting on their inherent curiosity, trainers emphasized the patience dolphins have when coming into contact with humans. One trainer expressed to me that "these dolphins are much more tolerant than most humans. Even with those that have [relatively] short fuses—it takes a lot … to get their goat." For him, "dolphins are [different from] other animals because of the relationships" they have with them. He said "they're not animals—

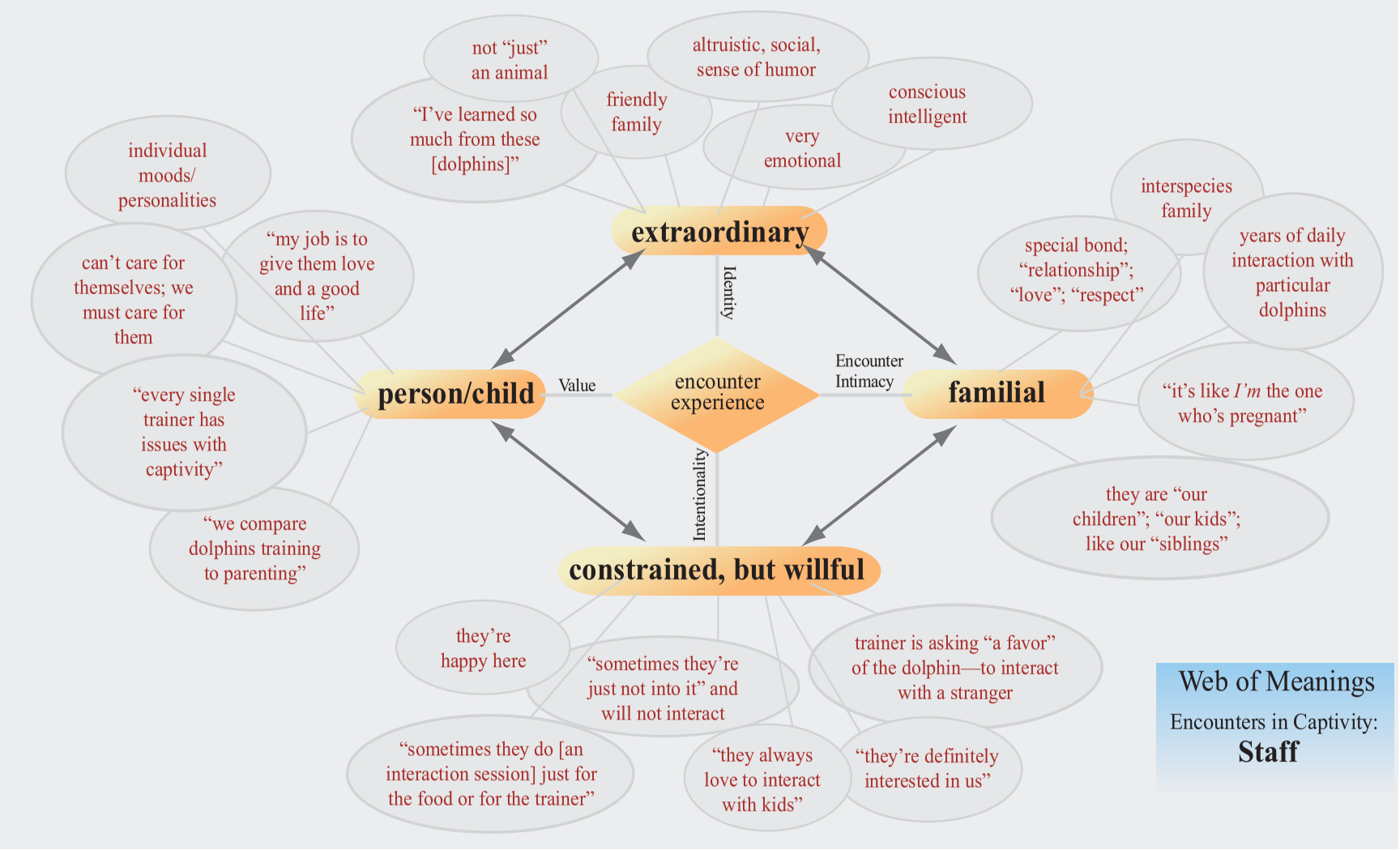

Figure 6.6 Captive Encounter Web of Meanings (Trainers)

they're more like a coworker who you must have good rapport with in order to work well together." Many trainers revealed that they think "people just don't give [enough] respect for the consciousness and intelligence of dolphins." And one trainer was not shy about framing her own opinion of dolphins in terms of the personal and spiritual growth she had experienced with the dolphins; she shared that she "has learned so much from these dolphins" at Dolphins Plus.

Dolphin Value: Person/Child. For the trainers, there was no end to the conversation about the various individual dolphin moods and personalities. "We can't help but talk about their personalities," a trainer told me. "We realize they're not just an 'animal' or a 'commodity'—and we work really hard to give them the respect they deserve." Sometimes, a few trainers told me, there are encounter customers that have a "theme park mentality" and "treat the dolphins like machines." Most of the trainers expressed real indignation over this "dolphin-as-ride" attitude. One trainer told me about a customer who said "what does LB stand for? 'Lazy Boy'?" when LB did not perfectly engage in the interaction behaviors asked of him. She took the question as a personal insult. Another trainer told me about people who called Samantha—an older dolphin with a deformed jaw—"handicapped" and wanted to have a picture with a "better" dolphin. In each of these cases, the trainers told the stories with great emotion, taking personal offense at such objectification of the dolphins.

When I first arrived and was finding my way around the facility and meeting everyone, I tried to follow the conversations going on in the trainers' office. Initially, I could not distinguish in the conversations whether a trainer was talking about a dolphin or another person. I came to realize that when trainers used the names Jessica or Bob, for example, it was apparent that they held them in especially high esteem. Were they talking about other trainers? Best friends? Their children? No, I came to discover; in those cases it was usually the dolphin or dolphins with whom they regularly worked.

But if the dolphins were considered individuals—conscious persons—they were still thought of as dependent persons. "These dolphins are not able to care for themselves in the wild any longer. They depend on us to take care of them," one trainer explained. "We're their parents," and "these guys are our kids!" was repeated over and over. "My job is to love them and give them a good life," another trainer said. The trainers appear to take pride in the way they care for the dolphins as well, putting "care and love" above "training and conditioning." "We never, ever deny them their food," one of the trainers told me, when she was recounting some bad

experiences they had had with a few personnel decisions that did not work out. “People that came to work here who had previously worked at another facility would withhold food if they weren’t doing everything right in a session. They’d leave the platform with food in their buckets!” she emphasized, obviously appalled at the idea. “I’ve heard them say our dolphins are fat and lazy. And they were fired right away.”

Attitudes about dolphin captivity, generally—and about these dolphins, specifically—also suggested that trainers valued the dolphins as persons. Surprisingly, as one trainer said frankly, “*every* trainer [at Dolphins Plus] has captivity issues.” She was right. One trainer confided that they “face moral dilemmas every single day.” In fact, almost every trainer I spoke with was against captivity. But each trainer also expressed a feeling of powerlessness to change the dolphins’ captive status, saying things like

> These facilities are going to exist no matter what. Of course I want them to the free! But they’re here now, so my job is to take the best care of them and make them as happy as I can.

One long-time employee put it this way:

> I’d prefer *no* dolphins in captivity. If you really get down to it, I don’t care for zoos and oceanariums. I would never be a part of a wild capture [of dolphins]. But they are here now, and they’re not going anywhere, so it’s my job to keep them healthy and happy. I have, and would, put my job on the line to do what is best for these dolphins. These guys are my kids!

Another trainer shared her feelings about captivity in general:

> I generally don’t like captivity. [And] I hate that they’re wild caught. When I left [my job as a trainer here] the first time, that was one of the reasons—conflicting feelings about the captivity issue. I came back because these guys are going to be here no matter what. And if *someone’s* going to be here to care for them, I’d rather it be me!

One trainer even compared dolphin capture and selling to the human slave trade. But “the reality is that they’re here,” he said, “and my job is to be sure they are happy and healthy—that they are content.”

In addition to feeling like the dolphins’ captivity was inevitable, some trainers took solace in what they suggested were the positives that can come from their being in human care,

"like learning from [dolphins] and becoming sensitive to them—that is really valuable." One trainer said:

> These guys are really doing us a favor being here. Essentially, their lives are dedicated to educating people. My reason for being here—my hope, is that customers will walk away saying, "wow, these are amazing beings!" They're fun, yes, but I want them to go out and do something to help protect them and their environment and our world. These programs, I hope, open up awareness.

But the trainers were also cognizant that "every captive situation is different," and thus, the experience for the dolphins varies from place to place. Variations in habitat sizes, whether they are held in natural sea environments or chlorinated pools, the attitude of the animal care and training staff, and other variables contribute to how the dolphins experience captivity, trainers believed. And they seemed sincere in their conviction that they did a fine job of keeping the dolphins both healthy and happy. As one informant said, "if I were a dolphin and had to be in captivity, I'd want to be at Dolphins Plus!"

Dolphin Intentionality: Constrained, But Willful. When I questioned trainers about whether they thought the dolphins "enjoyed" interacting with customers, most agreed that the dolphins generally enjoyed children in the water the most. They also agreed that the dolphins "are definitely interested in us [people]." Most consistently however, trainers expressed dolphin intentionality as constrained—by food or by a desire to please them—but also willful, meaning that they still had the ultimate choice of whether or not to engage in interaction sessions:

> Sometimes, many times, they do enjoy it. They get a feel for the customer—we get all sorts of customers. There's times we're both just trying to get through a session! But basically it comes down to, you can't force it; the trainer is asking a favor of the dolphin, to do these behaviors with a stranger. It's not always the almighty fish like the customers think. It's about the relationship with us.

Some trainers indicated that they felt sorry, at times, "using" their relationship with the dolphins to encourage them to interact when they may not have wanted to.

> [Regarding whether they "want" to interact], some do, some don't. It depends on the customer, their mood, the moment—everything. Sometimes, they're just not into it, and then they're doing it just for me [their trainer], or even the food. I actually feel really bad sometimes, when I can tell they don't really want to do it. I feel like I'm using my best friend.

Most also agreed that the level of interaction between a customer and a dolphin had a good deal to do with individual personalities—"some of the dolphins are introverts, and some really seem to enjoy interacting, especially when there are children in the water" one trainer told me. Another informant estimated that the interaction was "90% for the trainer and the food, and 10% because they want to interact with the customer." "They do it because they trust the trainer and know they won't let anything bad happen to them," another trainer said, indicating that the relationship between dolphin and trainer was an important part of a successful interaction.

Encounter Intimacy: Familial. The trainers spend every day caring for specific dolphins. Most have worked with the same dolphins for several years. They feed them, play with them, teach them behaviors, understand their moods and personalities, and feel an intense and abiding connection with them—a lasting, familial bond. Every trainer referred to the dolphins, at one time or another, as his or her "children." One trainer called their relationship an "interspecies family." The ongoing relationships between particular trainers and dolphins apparently foster a feeling of intense connection. At the platform, I observed every trainer consistently engage with the dolphins in enthusiastic, typically high-pitched but gentle baby-talk. One trainer calls the dolphins she works with her "best friends."

In one preswim orientation, the trainer said "we compare dolphin training to parenting." Another trainer told me that her father carries photos of the dolphins she most often works with and shows them to people, calling them his "grandchildren." More than just calling the dolphins their "children" or "best friends," each of the trainers exhibited a serious commitment to their job, which they contended was to make the dolphins healthy and happy. When I questioned any of them about leaving their job, it was either out of the question—this was a lifetime commitment for some ("I could never leave—it would be like leaving my children!" one trainer said)—or met with a heavy sigh and a solemn mood. "It's a real commitment to work here, to take care of these guys. The relationships are really intense," one trainer told me. Another trainer confided that she was on the verge of deciding to give up on her dream of a husband and kids. "Taking a job here is a commitment to stay. It's a choice of lifestyle." Most trainers agreed. Only one trainer—who was there temporarily—had a different perspective. "It's like [the trainers are] more interested in being friends with the dolphins," but, she thought "that's not really being *trainers*."

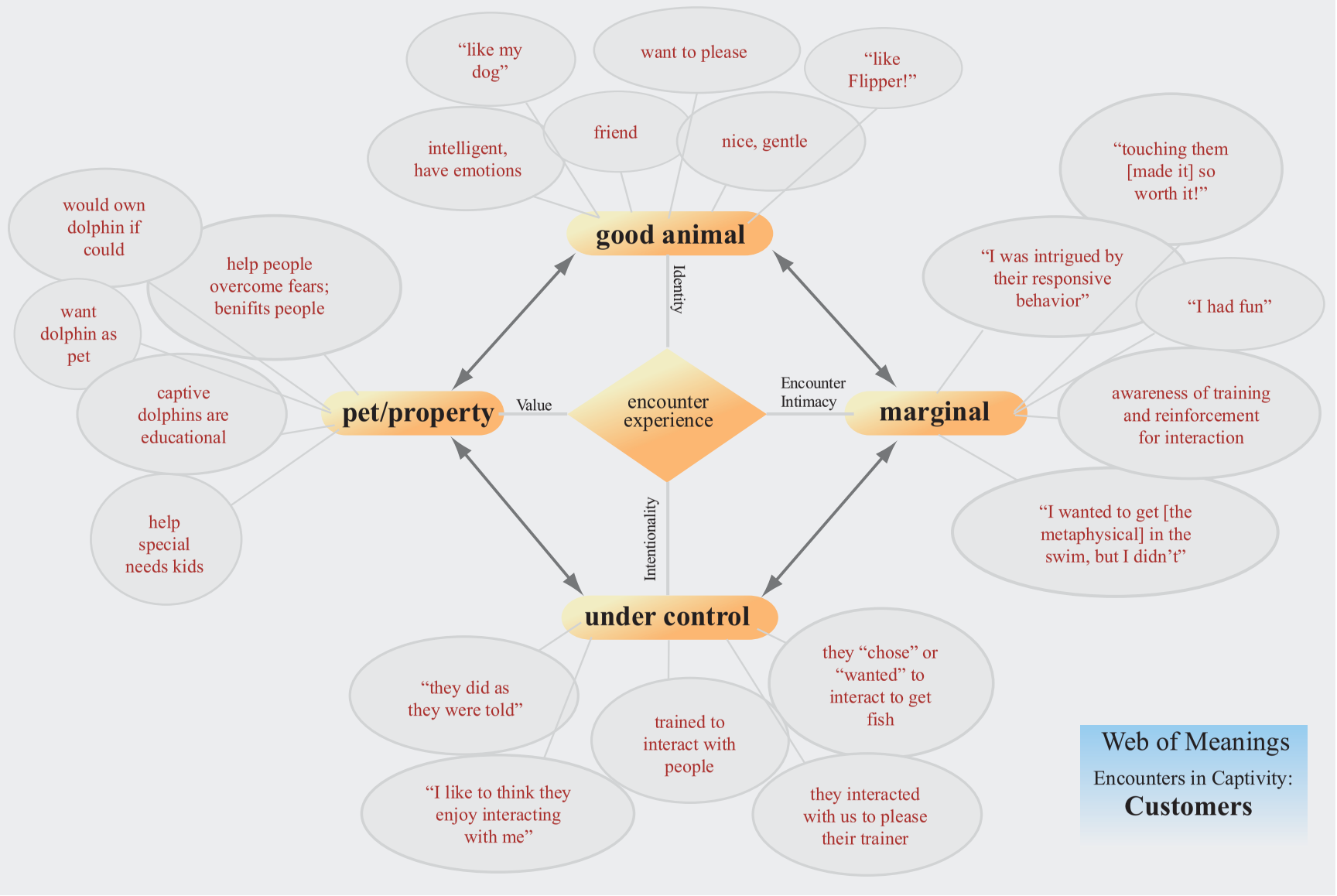

Figure 6.7 Captive Encounter Web of Meanings (Customers)

Customer Encounter Experiences

Customer encounter experiences were very different from trainer's experiences. The following suggests as much, and the web of meanings that precedes the interpretations is, again, meant to highlight the complex interrelationships that exist between themes and categories (Figure 6.7).

Dolphin Identity: Good Animal. Sociologists Arluke and Sanders (1996) developed a *sociozoologic scale* that ranked animals from Humans (at the top) to Good Animals (like pets and lab or farm animals) to Bad Animals at the bottom (including freaks, vermin, and even demons).[110] For Dolphins Plus encounter customers, dolphins would fall squarely in the Good Animals category. Customers often mentioned that dolphins were "intelligent" and "have emotions," but then compared such features, and the dolphins more generally, with other "good" animals like dogs and horses. One customer defined it succinctly, in terms of marine animals: "sharks mean, dolphins nice!"

When I asked people to identify various types of animals as either (a) friend, (b) stranger, (c) foe, (d) dangerous, (e) pest, (f) pet, (g) spiritual partner or (h) meat, customers overwhelmingly identified dolphins as "friend." I asked also about puppies (also mostly "friend"), sharks (mostly thought of as "foe," and/or "dangerous"), fish (which were identified as "stranger" or "meat,") and cockroach (resoundingly identified as a "pest"). Customers also thought dolphins were "nice" and "gentle," and often mentioned Flipper as the archetypal friendly dolphin. "I'm a Flipper child," one woman said to me. Finally, a few of the customers commented on how eager the dolphins seemed to be to please their trainers—an apparently laudable trait, as those comments were always positive and upbeat.

One particularly interesting perspective that arose again and again was the comment that customers did not expect the dolphins to be "so big," and that they were nervous when first entering the water because the dolphins were bigger than they had imagined. I expect that surprise is a result of people having primarily experienced dolphins from the head up—that portion they are used to seeing stick up out of the water when interacting with people in captivity. Standing on the dock, the trainer and the customer are always looking down on the dolphin—and the dolphin seems no bigger than the size of his or her head. But when customers

[110] Were the dolphin identity spectrum thought of in terms of this sociozoologic scale, dolphins would, in many cases, occupy a space that Arluke and Sanders have not yet identified—"Supreme" Animal, for instance, as the wild encounter customers identified them.

moved down into the water with the dolphins, suddenly the space—and, as a result, their perspectives—drastically changed. They were no longer *above* the dolphin, and the dolphin seemed to suddenly have at least quadrupled in size.

Dolphin Value: Pet/Property. One of the most interesting ambiguities I found in the ways customers thought about dolphins was their identification of the dolphins as friends—as intelligent, emotional, even self-conscious beings with individual personalities—on the one hand, and the consistent answer to my question "would you like to own a dolphin?"—which was overwhelmingly a resounding "yes!" on the other. Even those who identified dolphins as a "spiritual partner," and "as (or more) intelligent as humans" or "as (or more) emotional than humans" generally indicated that, assuming they could properly care for one, they would like "to have a dolphin as a pet." Thus, my interpretation of how customers identified dolphins influenced my analysis of whether they valued dolphins as something closer to persons or property.

For customers, the "captivity issue" was not much of an issue at all. Although a few people indicated that they "felt bad for the dolphins" and "wouldn't want to see them confined to any greater extent than they are [at Dolphins Plus]," most thought that "they enjoy their life [at the facility]." Another customer said, "at least here I know they're well cared for. They seemed to enjoy what they were doing." They also offered what they perceived as the many benefits of captivity, suggesting that "zoos and captive places can be good because of education." Another informant said, "there is great value in the rehabilitation and release work … [And] education is the good part of captivity. It's good, because people need to know that dolphins have feelings."

Another customer commented that "research is a good thing. And I especially like the special needs program." The idea that dolphins can *help* people when they interact with them was shared by several other customers. One said "humans should interact with dolphins more [because] it would benefit humans." "They help people overcome fears" said another customer who came to the facility with a bit of trepidation about the interaction program, adding that keeping dolphins in captivity so that people could swim with them was positive because it "benefits people."

Dolphin Intentionality: Under Control. The customers typically believed that the dolphins were completely under the trainers' control. When I asked one customer whether she thought the dolphins enjoyed the encounter, she said that she "would *like to think* they enjoyed

interacting with [her].” Another informant put it more blatantly: “They did as they were told.” “I don’t think they *wanted* to,” one customer responded, “it’s a learned behavior.” Some people recognized the bond between dolphin and trainer, suggesting that “they interacted with us to please their trainer.” Most, however, thought that they only “chose” or “wanted” to interact in order to “get the fish.”

Encounter Intimacy: Marginal. Nowhere was there a greater contrast between the experiences of customers and trainers in the captive encounter space than in the level of encounter intimacy. Where the trainers reported a lasting, familial bond with the dolphins, customers’ experiences were, on average, almost at the other end of the intimacy spectrum—marginal. Of course, customers did engage in swim-with sessions, so the encounter was more intimate, as a practical matter, than a visit to an aquarium to merely “see” captive dolphins, or as an audience member at a dolphin “show,” which I would categorize as purely superficial. It was the largely detached, surface experience reported by the customers in this case that persuaded me to categorize their experience as something close to superficial, however. Far from the “experience of a lifetime,” as dolphin encounters are often advertised to be, most of the people I observed and interviewed thought the encounter “was fun” and they said they “had a good time.” The trainers’ stories about the many customers who come to encounters with a “theme park mentality” also influenced where I placed customers on the intimacy spectrum.

However, some customers, although still fairly described as marginal, expressed experiences that might suggest a more intimate encounter than those who merely objectified the dolphins—a respectful acquaintance, perhaps. For example, several people good naturedly compared the dolphins to “Flipper,” apparently as a compliment to the dolphins, or perhaps as a way of confirming that the experience was what they had expected—fun and friendly. When I asked one customer if she felt more connected with dolphins or nature after the swim, she said:

> I wouldn’t say I felt closer to nature or [the dolphins] by the … dolphin experience because they are trained and the setting did not feel or appear natural at all. However, I loved playing with the dolphins and was intrigued by their interactive and responsive behavior. I have always been slightly nervous about [being in the water] and I think this was an excellent opportunity to overcome some fears about sea animals and learn about them, first hand, especially [dolphins] I have heard so much about before.

No customers who did the structured swim program mentioned feeling an intense connection with the dolphins. A few referred to how “lots of people think they’re mystical [and]

magical," but they themselves did not express that as their own opinion. One woman, however, confided that she was *hoping* to feel a special connection; she said "I'm really curious about the metaphysical side. I think I wanted to get that in the swim. But I just didn't" she shared, seeming to be disappointed. Most customers were just thrilled by the opportunity to touch the dolphins, or "ride" the dolphins. One person described her favorite part of the encounter as the tactile interaction: "Touching them was the best part. That was when I felt like, this was so worth it," she said, "really worth it!"

Enriching the Analysis with Interpretative Narrative

What is it like to experience a dolphin encounter with captive dolphins in a controlled environment? In this section, as a counterpoint to enrich and enliven the forgoing analysis, I provide a narrative account of encounters at a captive dolphin facility. Like the previous account of a wild encounter experience (chapter 5), this narrative brings together the various experiences of encounter participants—dolphins, customers, and trainers—and merges them into a few distinct characters in order to fully honor the variety of voices and views expressed during this case study. Names are changed here for the purposes of anonymity and characters are created to represent the breadth of experiences in the field; however, all events, quotes, and representations are based entirely on data resulting from my fieldwork that was conducted primarily at a dolphin facility located in Key Largo, Florida.

A Human–Dolphin Encounter Experience in Captivity

In the humid stillness of a Keys morning in late-May, eleven bottlenose dolphins swim lazily in the calm, deep green waters of a rather ordinary canal not far from the open sea. From one part of the canal, a mother sends click-messages to her young son who lives just yards away with three other dolphins. They have no trouble seeing or communicating with one another, but a barrier between the two areas where they live prevents them from touching each other or swimming together closely. They lived together in the mother's area for a short time before her son was moved from her enclosure to the one just beside it, where he now lives with his almost-ten year old half-brother, a younger boy that is only two, and the two-year-old's mother.

All the dolphins converse with one another across the canal and between their separate enclosures where they spend the morning unaffected by potential pitfalls of life in the open waters—sharks, for example, or driftnets, or heavy pollutants. Those who share an enclosed area

frequently swim together, touching and caressing one another as they socialize, bonded as if they chose one another for pod-mates. Many are related, and about half of the residents have spent their entire lives in these partitioned canal sections. Like their free-ranging cousins who live nearby, the dolphins here experience the never-ending, rich acoustics of their natural environment. And every day, the canal is continually flushed through with the natural rhythm of the currents and tides. The dolphins snack on mangrove snapper and grunts, and chase after glass minnows and shrimp that find themselves unknowingly on the other side of the holey barrier that keeps out much bigger animals (like unwelcome sharks).

Snacking does not interfere with mealtimes, however. Abundant food is readily supplied throughout the day like clockwork. There is no foraging required; no journey to a special feeding spot or coordinated efforts with large groups of dolphins. Here, they watch for the human they know will come with various kinds of delicious fish that will be hand-fed to them along with chatty, sing-song attention. If they don't care for a particular kind of fish, they might spit that sort out and only accept the tastier ones. There will always be more.

On the north side of the canal, in the quiet of the morning hours a young female seems strangely entertained as she plucks an antenna from an unlucky lobster clinging to the fence just below the water surface. As she moves in for the second antenna, she is distracted by an unfamiliar whistle. She and her enclosure mates rush to the edge of their area where they excitedly greet a free-ranging dolphin who has swum into the canal and is now peering in, nearly motionless, from the other side of the barrier—it keeps the sharks out, yes, but other visitors of such size as well.

The young males on the opposite side of the canal race around in a bubbly frenzy, as the once placid waters seem to unexpectedly explode in an outbreak of alternatively timed splashes. The other dolphins whirl, leap, and circle around with equivalent enthusiasm. Clicks, squawks, and whistles fill the water, each dolphin emitting his or her signature whistle at that one certain frequency as if repeatedly and enthusiastically introducing themselves to the newcomer. When the visiting dolphin departs, the manic outbreak settles quickly, leaving the canal waters quiet again but for the regular sounds of misty air bursting forth from blow holes—a "psthuh," followed by a quick "ahuhpt"-ing inhale made just as another dolphin rolls beneath the water.

The Work Day Begins

Figure 6.8 Corner of Study Site Property

In a residential Key Largo neighborhood, surrounded by palms, hammocks and mangroves, the two-story, metal-roofed building looks very much like several of the other houses that line the canals feeding south to Rock Harbor and east to the Atlantic Ocean. An oval, wooden sign with four painted dolphins stands at the corner of the property, however, and a large oval tile mosaic, white with two-toned blue-gray dolphins and a small plus symbol, adorns the front of the light gray structure. Official-looking navy blue signs with bright white letters—two spelling Entrance, the other warning that the paved parking area is Handicap & Reserved Parking ONLY—confirm that this is not a private residence. It houses the gift shop, entryway and offices of Dolphins Plus, one of the first captive dolphin facilities to offer human–dolphin *swim-with* encounter programs in the early 1980s.

Figure 6.9 Front of Study Site Property

Tall wooden plank fencing surrounds the property, so only this main structure is visible from the road. Behind the fences are a number of large, open-air structures covered with grass thatched roofs. One of these has numerous benches and picnic tables for customers who gather during their pre-swim orientation, an area posted with directional flyers (what to do, what not to do) and many educational posters featuring whales and dolphins, and one of a dolphin fish—so that tourists can be assured that the dolphin on many restaurant menus in the Keys is in fact a *fish* of the same name, not the mammal they came here to swim with.

Figure 6.10 Open Thatched-Roof Orientation Area

The picnic tables scatter the length of the covered area. It feels somewhat room-like, because it uses the fence to create a back wall of sorts where the posters hang alongside some obvious safety equipment, like the red fire extinguisher in the center of the orientation space,

and some less obvious, like the first aid kit hanging from a hook high near a corner piling that supports the roof.

Around the side of the office building and slightly out of the path where customers generally roam before and after their dolphin interaction sessions, expensive dive equipment is safely locked away in a cage-like room. It is a handy storage area for other equipment as well, and sits just beside a large fish-kitchen with oversized, stainless steel countertops and deep sinks where trainers fill the room reaching across one another for disinfectant and scour pads, talking in an almost-shout above rushing hot water and the metallic clanking of fish buckets being scrubbed clean at least five times a day.

Figure 6.11 Trainers' Office

Just next door, there is a long narrow room painted light blue and lined with double-stacked beige lockers and a full size refrigerator on the one side, and a long flat surface on the other used as a community table by the dolphin trainers. Numerous unmatched office chairs crowd the space, often draped with wet t-shirts and towels, as well as long rows of shelving stacked above the table and elsewhere. There, among other things, are various kitchen appliances, cleaning supplies, a television, video equipment, phones, medical supplies, copious snack foods, water bottles, soda cans, silverware, coffee mugs, condiments, pens, sun block, and an enormous stack of papers and files for keeping records of every feeding and interaction session with the dolphins. On the back wall, there is a huge whiteboard where schedules and assignments are managed each day in red, blue, black, and green dry-erase markers. The lockers are personalized with each trainer's touch—most have pictures of the dolphins they regularly work with, as well as photos of their pets, postcards, witty cartoon cut-outs, notes to one another, and the like. On Jessica's locker, she has a picture of her pudgy German shepherd, one of her white-mustached black cat and an orange magnet with a cartoon of a fish bowl just large enough to contain a haggard-looking and disgruntled gold fish; the caption under the fishbowl reads "this sucks!"

Figure 6.12 Staff Locker

Jessica is the first trainer to arrive this morning. She makes a beeline for the trainers' office, puts her lunch in the refrigerator and hefts her backpack into an

upper locker she absently slams shut with a metallic clank. She is in a hurry to see her baby—her very pregnant baby!—and she doesn't waste any time getting out to say good morning. A round-bellied dolphin swims alongside the concrete walkway, one eye caste upwards at Jessica, following her as she walks across the wooden dock and steps down onto the floating platform where she plunks down on her knees, bends over, and starts to coo at the dolphin in a hushed, intimate but animated conversation: "Good morning Miss Ding! How are you feeling today? You are so pretty! Yes, you are. Are you ready to be a momma? When are we going to have this baby? Let me see your tummy big girl! Oooo, look at you!" Ding rolls easily over for Jessica to rub her belly, sweetly chattering at her all the while.

The other trainers are starting to arrive now, as well as the office staff upstairs, and the other dolphins are getting a little more active as they notice the work day getting underway. Ding's second born, almost-four-year-old son Cosmo has started chuffing noisily in the adjacent enclosure—apparently annoyed by the lack of focus on him, or perhaps as a reminder, a sort of "I'm hungry! Come on!" Jessica smiles at Cosmo's antics. It's already getting hot, although the sun isn't beating down nearly as badly as she knows it will be in a few hours. "Don't worry Cosmo Binks, breakfast isn't too far away" and, with one more kissy-noise aimed at Ding, heads back to the trainer's office.

One by one, the trainers gather together in their small office. The smell of coffee wafts from the propped-open door, and Jessica navigates her way through the tangle of colleagues to a chair at the back of the room near the whiteboard. She sits for just a moment. She has already seen on the board that she is scheduled to take the 8:30 briefing before the 9:30 swim. There is no great anxiety; she has years of experience standing and talking for an hour in front of groups much larger than the 12 people scheduled for this morning. The others will have time to finish their coffee and prepare the fish that will be fed to the dolphins during the encounter program. After slathering on some sun block and pulling her sun-streaked hair haphazardly into a scrunchie, she grabs the whistle hanging inside her locker and heads out to set up for the first group of the day.

Half the customers have already arrived and are sequestered upstairs in the gift shop area until everyone with a reservation for the morning structured encounter swim has checked in. A silver minivan turns right into the parking lot, kicking up a white pea rock cloud behind it. Four women partially emerge from each door, and spend another several minutes gathering their

cameras, towels, bathing suits, sun block, hats, flip flops, and other such dolphin-swim essentials into oversized canvas bags. Loaded up, they trudge across the street and up the stairs to the entrance of Dolphins Plus. A casually dressed woman behind the jewelry case lined with gold and silver dolphin pendants greets the latest arrivals with a smile. The first customers are waiting on the benches that sit against light blue, seascape-themed wallpapered walls (some smiling and chatting among themselves, others shooting not-so-subtle looks of annoyance their way). A few minutes pass as the woman behind the counter collects the $160 per person fee and has them each fill out some paperwork.

With that out of the way, the entire group picks up their bags and towels and is escorted out of the air-conditioning, down the back stairway, along the concrete sidewalks, and to the covered area with gray wooden picnic tables. One of the customers, Belinda, lags behind the rest of the group and her husband Ray, having claimed a bench for the two of them and their stuff, looks around confused. He spots her a few yards away, crouched down with two hands and a chin resting on the higher of the two thick rope railings at the edge of the concrete walkway and the drop off to the water. She is watching a dolphin who seems to be looking back up at her, and she is grinning. But when Ray catches her attention, she stands up, looks around, and scowls.

"What's a-matter?" he calls over, jogging to meet her. "I put our stuff over there. Do you want me to get your camera?" he asks. Belinda looks as if she has eaten something sour. "What's going on?" he says again, this time with more concern. "Well, I mean—look!" she whispers conspiratorially, motioning towards the ubiquitous, partly-rusty chain-link fences. "We are quite a ways from Discovery Cove, aren't we!" Ray and Belinda had spent the past few days in Orlando before coming to the Florida Keys, the final stop in their vacation. They were unable to get in for a dolphin swim at Discovery Cove, but they paid to spend the day inside the park anyway where they did get to swim in a crystal lagoon with an amazingly realistic coral reef—complete with (live) fish and stingrays.

Figure 6.13 Chain Link Fenced Enclosures

And they were able to watch the dolphins a little ways away from a pristine white sandy beach. Belinda had been frustrated that all the dolphin swim reservations were full, but knew that she was going to get the opportunity to swim with dolphins in a few days here at Dolphins Plus.

Figure 6.14 Discovery Cove Ad

She finally puts it into words: "I don't know. I guess I was expecting something more like Discovery Cove. More…" Belinda pauses to find the right word, finally saying "tropical!" Hesitating again she says, "no, that's stupid, I know. It was just so lush and, well, tropical, with all the landscaping, the grottos and the reefs—even if they weren't exactly *real*—and the water was so clean and clear. Look at this place, Ray." She lowers her voice again, and finishes, "and this nasty green water you can barely see through? I'm kind of sad for the dolphins, you know?" Ray convinces her to come back to the table in the shade and focus on the good part—she is going to get to touch a dolphin! That gets a smile out of her.

Jessica arrives wearing a white Staff t-shirt, black shorts, her favorite flip flops, and the whistle around her neck. "Good morning everybody!" she projects cheerily. "I'm Jessica, and I am a dolphin trainer here at Dolphins Plus. I'll be spending the next hour or so with you, talking about dolphins, the swim session you'll be having, and these guys here" she extends a hand and the group all turn to look at the water. There is some whispering from a young couple in the back of the group, and Jessica turns the volume up on her voice a little to begin. "All of these are bottlenose dolphins. Bottlenose dolphins are mammals," and she continues with a short dolphin biology and physiology lesson covering mainly the highlights. "Dolphins are conscious breathers," she begins. "They breath through a nasal opening—their blowhole—on the top of their head. They are able to hold their breath for an average of four to five minutes and a maximum of about 10 minutes." She continues talking about dorsal fins, pectoral fins, tail flukes, what they are, what they're for, and so on. Too much of this and, she knows, she'll start to lose some of her audience.

Jessica moves into the importance of conserving the ocean environment, and earnestly conveys that she hopes today's experience will get people to think more about dolphins and our environment. "These guys are really doing us a favor being here," she says, trying not to sound too preachy. She wants them to have fun, but she also wants them to be inspired *to do* something when they leave the session that will help to protect dolphins in the wild and their environment.

Changing geres, Jessica says "dolphins are just as curious about us as we are about them. I'm sure you've heard about how intelligent dolphins are, but they also have very intense

emotions. They are altruistic too, and very social. They each have their own quirks—they are individuals. And they have a huge sense of humor!" This seems to wake the group up, a subtle reminder that they are about to meet these dolphins up close and personal. "Just here in front of us," Jessica points straight ahead of her to the southwest enclosure, "Dinghy and LB live together in this house. Ding is very pregnant and we are expecting her to have her baby any time now—I'm so excited!" And the group needs no convincing—Jessica immediately seems antsy when she starts talking about it, beaming as she stares over at Dinghy swimming circles just yards away. Jessica comes back to herself and the group, takes a breath and shoots them a forgive-me smile, saying "I know I use a lot of human characteristics to talk about them, but that's really the only way to describe them. They are our friends … our family. This is one big interspecies family here, and these dolphins are our children. Ding having this baby" and she gets that antsy bounce again, "is like *me* having this baby!"

Turning back to the water, Jessica points again: "There, swimming just next to Ding, that's LB. His name used to be Lil' Bit, but as you may be able to see, he outgrew his name! Mature male and female dolphins in the wild usually don't spend all their time together, but here, LB and Ding seem to be soul mates." She shifts her body and points to her right, continuing to introduce the residents. "In the next house over to the right, Dinghy and LB's son, Cosmo Binks—he's almost four years old—lives with Bob, Samantha, and the baby, Julian." Jessica tells a few personal stories about the four dolphins next door to Dinghy, but realizes she doesn't have much time left. "Across the canal, on the other side of where the boats can pass through," (Belinda shoots Ray a look), "that's where the women live," and she calls off another five dolphin names, none of which the group can keep track.

Saving the most important part of the talk for last, Jessica asks the group generally whether they are excited about the encounter, but she is met with quiet, almost hesitant nodding and "uh-huh"s. They've been sitting in the heat for nearly 45 minutes, and some have lost focus, lulled by the humidity and the never-ending droning of dove hoots. She tries to ramp up the energy—it's not a job requirement, but she thinks they *should* be excited. "Come on! You guys are going to get to interact with these dolphins in a minute! Aren't you

Figure 6.15 Pre-Encounter Orientation

excited?!" At last, she gets more vocal replies—"yes!" and "oh-yeah!"—and some grins finally emerge from the group as people start shifting in their seats.

Grabbing a two-toned gray stuffed-toy dolphin, Jessica stands and says, "Okay. Now let's talk about the interaction session. The number one rule is," she pauses to be sure that everyone is paying attention now, "never reach out to a dolphin," placing long, hard emphasis on the "*never*" part. She explains that they will be divided into smaller groups and go with a different trainer down to one of those (she points towards the water) platforms. Once there, the trainer will explain each move before and as it is happening. "So don't worry if you can't remember everything I'm going to say now. Just pay very close attention to what the trainer tells you." Using the toy dolphin, Jessica explains where it is appropriate to touch the dolphin, once their trainer has told them they may touch, and where it is not (never the eyes, the blowhole, or below the bellybutton). "Please remember, too," she hesitates and subtly (she hopes) looks towards the young couple in the back: "dolphins are very patient with us, but these guys are not robots, so please be patient too. This is not a ride at Disney World." Continuing to maintain a light and upbeat persona, even after that admonishment, she shows them what a "dorsal tow" looks like, reminds them what a dorsal fin is (from the first part of the talk), and how they should hold onto it, *when they are told to do so.* "Basically, folks, we're going to have you very well trained by the end of the day!" With that, she gets a few laughs.

"Now," Jessica says placing the dolphin on the wooden step stool behind her "any questions?" A couple of hands go up. "Yes," she says, nodding towards the forty-something woman with dark, shoulder length hair.

Belinda asks, "how big are these pens?" with a swishy hand motion towards the water. It was something she and Ray were guessing at—maybe 60 feet by 40 feet each?

Jessica nods and answers, "the houses are about 14 feet deep at the lowest tide, and 22 feet at high tide. I'm glad you brought that up. You know, the Atlantic Ocean is only about a block away, and we actually sit in the middle of two openings to the ocean—a big harbor that opens to the Atlantic at one end, and another that flows directly to the ocean on the other—so we are blessed with two tides constantly rushing through the canal everyday. That's the reason our water quality is always excellent, even if it isn't the crystal blue you'd see in a SeaWorld-type place where the dolphins are kept in tanks."

Jessica is speaking very matter-of-factly, but Belinda feels like maybe she overheard her and Ray's earlier conversation. "We were at Discovery Cove a few days ago," Belinda says to Jessica, so the group can hear, "and the water there was really clear."

"Yes," Jessica replies. "SeaWorld did an awesome job when they built Discovery Cove. But the dolphins are still in concrete tanks, even if they are built to look like grottos and painted like reefs."

Another hand goes up, and Jessica senses it is time to move on. She doesn't want to get into a session of SeaWorld-bashing. "Can the dolphins ever go out?"

She smiles at the girl riffling through her bag and pulling out her sunglasses. "We used to let the dolphins out into the canal to play once every week—on Mondays. Most of them didn't go very far, but we had to quit doing that in 1991."

"Why?" says an urgent voice from the right side of Jessica.

She turns to meet the question and says, "the government won't allow us to do it. According to them, we must have control over the dolphins at all times" she says, giving an official and stuffy ring to the last part. There are rumblings throughout the group. She looks at them and gives a what-can-you-do shrug.

"Do they bite?" It is the young guy at the back. Jessica wonders if he has heard anything during the whole hour. "Do you?" she quips, perhaps a little too sardonically, and softens after a slight pause. "Yes. Every mammal bites," she smiles genuinely. "As I said before, bottlenose dolphins on average have about 88 conical shaped teeth—44 on the top, 44 on the bottom. They use their teeth to grasp their food, not to chew it." Seeing him begin to get that glazed look, and knowing she hasn't actually answered his question, she gets to the point: "Nobody's going to bite you. Just remember to follow whatever your trainer says." *Maybe that will keep him from being a problem*, she thinks. Sometimes young men are too rough, and the dolphins don't respond well to big egos.

As if reading her mind, another question comes from the group, "do they like some people better than other people? Who do they like best?" Jessica could have responded by telling the graying but bright-eyed woman that the younger girls across the canal are very curious and active and seem to enjoy interacting with most people, but one of the older dolphins in that house is a bit more standoffish in general. She might have told them that all the dolphins seem to enjoy it most when children are in the water with them. How well an interaction is going to go—and

whether a dolphin likes one person over another—really depends on the dolphin, the person, the mood, what else is going on in the water, and other things. But Jessica notices that the other trainers are rounding the corner with stainless steel buckets in their hands full of an assortment of fish. So she gives a short, but frank, answer: "I really think the people they like best are those with a big heart."

The Encounter

One of the trainers arrives with two extra buckets of fish, one with Dinghy written in black marker on the side, and another with LB. She hands Jessica those buckets, and Jessica gives a general "have fun everybody!" to the dispersing group as she heads for the southwest enclosure. Jessica will not have any customers on her dock this morning. Dinghy is just too pregnant, and LB has even been a little moody these days, and the group is small enough to spread out among the other nine dolphins. So Jessica will take her two buckets to her platform and work on some training behaviors—getting Ding ready for her ultrasound, for example—but mostly she will feed, chat, and hang out with Ding and LB while the others do their sessions.

Figure 6.16 South side enclosures

Sarah, a long-time trainer here, cheerily greets the group of four women who will be her customers today, and leads them down the walkway and to the left, where they wait behind a slack rope in front of a ramp that descends to the wooden dock that leads to the floating platforms and the dolphins. Another veteran trainer, Tracey, motions her group—the young couple and Belinda and Ray—to follow that way, too. There are two platforms in the southeast house, and there will be four people on each platform, plus the trainers, on the south side this morning. Belinda moves close to Ray and gives his arm a squeeze. Ray is relieved to see that Belinda is obviously excited and has forgotten all about her earlier gripes. Ray is getting butterflies himself—but he doesn't show his own excitement. This was what *she* wanted to do, after all.

Meanwhile, the other four customers are escorted over the footbridge to the north side of the canal and wait at the top of their ramp also. When everyone is ready, the trainers move the rope aside and allow the customers to walk down the ramp and onto the wooden dock, all at the same time. A few dolphins will not be interacting with customers today, but their trainers also

wait and move towards their platforms in synchrony with everyone else. It's the fairest way, and everyone eats at the same time—whether they are scheduled to be in an interaction session or not.

Tracey is holding two of her own buckets and, as they arrive behind the first group and wait to head down to the dock, she tries to get a feel for her group, and tells the two couples that they will be sharing a platform together. "You are in for a special treat," she tells them with genuine enthusiasm, "because you get to swim with Samantha and the baby, Julian!"

The younger couple looks confused and the girl says, "I don't see a baby."

"Yeah. Julian is a pretty big boy now—he'll be three in a few months. But we still think of him as the baby. There's Sam, see her?" Tracey points down and to the left, "that's mom, Samantha. Her jaw is kind-of crooked, so that's one way you can recognize her."

Figure 6.17 Waiting for Encounter Session to Begin

Samantha's jaw injury happened when she first arrived at Dolphins Plus many years ago—the result of having run into the fences, trainers think. The deformity doesn't seem to be painful or interfere with her daily life, so veterinarians said a painful jaw resetting was not necessary. With a few more minutes of chit-chat, the younger couple seems to be annoyed that they have to wait for some unknown reason. Belinda and Ray, on the other hand, seem relaxed and patient. Sarah motions to Tracey that it is time to move down onto the dock. "Okay," Tracey calls to her four people, "let's go!" Belinda gives Ray another squeeze, "ooooo, thank you Ray. I'm so happy we're here!"

Four grinning women stand on the dock behind Sarah as their session begins on the middle platform. Sarah is telling them about who they will be swimming with—the boys, she calls them—Cosmo and Bob. The boys are waiting at the platform even before Sarah plops down on her knees, sits on her feet, and bends down to say good morning to each dolphin with a few fish to begin the session. "Hello boys! How are you two doing this morning? How are you doing this morning? Bob—handsome you." And turning to Cosmo, "Cosmo Binks—you silly boy!"

she sings, in the same adoring, baby-talk tone that seems to possess all of the trainers when they are with the dolphins at the platform.

Sarah introduces the ladies behind her to the two dolphins remaining patiently in front of her, and reminds them that they will enter the water two at a time, and the two in the water will take turns participating in (previously trained) behaviors with one or both dolphins. The women were paying close attention at the orientation, but they listen intently and nod as they adjust the yellow life vest all customers are required to wear in the water. "Okay! Who wants to get in first? Just get in to the water as quietly as you can, off to this side," she directs them to the left of the platform, "and hang onto the handles right there at the edge of the platform."

Once interactions start, the whole place comes alive and the constant dove "hoot-hoot, hoot-hoot" is joined with the squawks of seagulls hoping to nip a fish and the whooping, hollering, and laughter of both customers and trainers. With the heat and humidity quenched for those in the water, and forgotten by those eager to take their turn, whistle bursts can be heard from all around as well—a message to the dolphins each time they perform a behavior correctly, and a call to return for a fish reward. Jessica hates the seagulls, and swings her left arm at another one as it swoops down at her, aiming for the hand that holds the fish on its way to LB's open mouth. "Urgh!" she grunts—"bad bird! No!" she hisses up at the gull. "Ooh, those dirty birds" she says in her tender voice, addressing Ding and LB, "they should just die! That's right, isn't it," she coos at them, wagging her finger in an up and down motion. To this, both LB and Ding raise up a little and give several exaggerated head bobs up and down, seeming to be in full agreement—"Yes! Absolutely!"—to which she bleeps her whistle (good job!) and hands off several more fish.

At the far platform, Tracey is getting her group ready to get into the water. "So you all will get into the water two at a time. If you two want to get in together," Tracey says to Belinda and Ray, "maybe they would be willing to take some pictures from up here on the dock—what do you guys think?" she suggests, looking at the younger couple to see if they will oblige the request.

"Sure, no problem" the guy responds, reaching for Belinda's camera.

Ray gets in first and immediately moves further off to the side of the platform as Belinda slips into the water. It is chilly at first, but she forgets it quickly when Tracey looks down at her and says, "Okay, get ready. Just stretch out your right hand, palm down," and, looking to her left

with a quick motion with her wrist, says quietly, “here comes Samantha.” The smooth, taut, yet soft feel of something between rubber inner tube and velvety chenille slides against Belinda’s palm and fingertips as Samantha glides slowly by her, allowing her to stroke her side as she passes. “And here comes the baby!” she hears the trainer say, stretching out a little further as Julian slips past, but he has stayed just out of reach for her to touch him. “Oh, Julian—come on, let’s try that again,” she makes the same wrist motion, and Julian is back. This time Belinda’s fingers just touch him for a second. “Bzeeeeep” she hears, and both Julian and Samantha instantly return to the front of the platform, heads up and mouths in a wide smile, to receive their job-well-done fishes. Belinda is struck by several things all at once: her heart is racing, she hopes the guy up there is getting this with her camera, she can’t exactly describe the way the dolphins feel (a peeled hard-boiled egg, did she hear someone say?), and, *oh my god*, she thinks, *they’re so big!*

Figure 6.18 At the Platform

She and Ray move out a little bit from the platform, and Samantha comes over and spits water at them—a “water fight” the trainer calls it. Tracey then instructs the humans to stay where they are and spin in place, like a top in the water. Samantha pops up just in front of them, and then all three are slowly spinning in place—Belinda and Ray giggling all the while. At the whistle, Samantha is gone and back at the platform, along with Julian who was nowhere to be found during that last interaction, or for the “hand-shake” that came right before. *He clearly hasn’t developed his mother’s work ethic*, Ray chuckles to himself. No matter—the baby will get his fish, just not at this very moment. Julian, apparently miffed that his mom got some fish at the whistle but he did not, rushes off and starts swimming quickly around the perimeter of his enclosure and slapping his tail at the surface of the water. It makes a rather impressive “thwack, thwack, thwack!” “He’s just throwing a little tantrum, like children sometimes do” Tracey explains, smiling at Belinda and not the least bit concerned.

“Okay, Ray, lets see you swim on out towards the back wall. Belinda, you come on over here next to the platform.” Belinda and Ray do as they are told. Ray positions himself so that he

is floating on his back, feet slightly apart, legs rigid, and his head facing back at Belinda and the platform. “Here she comes!” Tracey yells, and Ray feels a hard push on the bottom of his right foot.

“Whoa!” comes out of his mouth, and he feels himself propelled backwards, at an impressive pace he thinks. Water is swishing up over his shoulders as he nears the platform without knowing how close he actually is to hitting it.

“Bzeep!” and the pushing stops. “All right! That was a good one!” Tracey calls as she hands out some more fish to a waiting Samantha, squeezing in some quiet, intimate little “ooooh, your so good, aren’t you? Yes you are!” And then, switching seamlessly into a louder, lower octave, Tracey calls out “Belinda, your turn!”

Belinda lets go of the platform handrail and stretches herself out in full, long breaststrokes as she navigates out to the spot Ray occupied moments ago. It feels like a few stolen seconds of freedom to be swimming by herself out into the water, without the trainer right on top of her. “Okay! Stop!” Tracey calls out. Belinda stops swimming and turns around to face them—they look so small and far away, she thinks, and she feels her pulse quicken a little as she continues to tread water. “We’re going to do a dorsal tow. Now just stretch out your right arm, palm down, and wait for Sam to come to you!” Tracey yells above the hollering going at the next platform.

Figure 6.19 “Dorsal Tow”

Belinda waits, as told, and is sure to gently grab the bottom of the dorsal fin, close to the body, when the dolphin swims up right next to her. *I’m doing it,* she thinks, gliding through the water towards the platform and holding onto Samantha as gently (and firmly) as she can, the dorsal fin wedged in the V between her thumb and other fingers. Belinda feels the rush of the water at her face and her eyes sting. The subtle pumping of Samantha’s body pulls her arm up and down as she is taken through the water at what feels to her like a pretty fast clip. Still, she mentally gives Samantha the go ahead to move even faster, and surprisingly, Sam seems to oblige her silent request. As Belinda’s thrill begins to turn to panic, and just before she runs smack into the platform ahead of her, the dolphin ducks beneath the water and Belinda floats gently back to where she started. “Wow,” she shouts over at

Ray, and then, pulling herself up from the water a bit so she can see onto the dock, "did you get some pictures of that?" she eagerly asks the guy with her camera.

As Belinda and Ray heft themselves out of the water and the other couple prepares to get in, Belinda offers to return the camera-duty favor. "Yeah, that would be cool but," the young man hesitates, glances at his girlfriend, and turns to Tracey. "We could tell that the one dolphin isn't really doing anything,"

"Julian is still very young. He's only now learning a lot of the interaction behaviors" Tracey says, trying not to sound defensive, but feeling the heat rise in her cheeks.

"No—it's not that. We're going to be with the other one, right?"

"Samantha" Tracey nods.

"Can we get a few pictures with a *better* dolphin?" he asks.

Tracey immediately remembers someone else not too long ago who, seeing the green algae growing strangely on Samatha's crooked lower jaw, said arrogantly "oh, we have to be with the *handicapped* dolphin." It infuriated her. She and Jessica had talked about customers with a theme-park mentality. They figured that probably 20% of customers in the busy season had what they termed a "dolphin-as-ride" attitude. It was just her luck, she thought, that she was stuck with them today.

Tracey takes a deep breath and says, with her most pleasant flight attendant tone and as warm a smile as she could muster, "I'm sure we'll be able to get plenty of pictures with you and both Sam and Julian. You're going to have a great time. Now," she continues turning towards the water and finishes the discussion, "come on and let's get you both into the water." Sometimes, she knows, you just have to smile and get through the session.

On the next platform over, the two older women in the water are oblivious to what is going on at Tracey's platform. "Okay! That's far enough!" Sarah shouts to Carolyn, the first at her platform to get in the water. Carolyn is out of breath from kicking her way out towards the back wall, and she is grateful to have a little yellow kick board to help her float. She is overwhelmed at how small she feels out in the water, and—although she doesn't think it consciously—she is amazed how much bigger these enclosures seem once you're down inside them. "Now lay on your front," Sarah calls, "like we talked about, and stretch your arms out in front of you holding onto the kickboard." Carolyn tries to keep her legs stretched out behind her, feet apart as she was told, but nothing is happening.

"Okay—here they come!" Then Carolyn feels two hard, rounded objects push into the souls of both her feet, and instinctively curls up her toes. But she keeps her legs locked and her feet flexed as directed, and immediately she is gliding slowly forward through the water. Exhilarated by a sense of slow, safe flight—like a butterfly coasting on a breeze—she doesn't hear a thing for these few moments. She watches Sarah, the platform and her three cheering friends come closer and closer in what seems like slow motion. The trainer gives a quick "Bzeep!" and the spell is broken. The dolphins return to the platform and Carolyn's ears fill with the sounds of whoops and claps from the energetic gang cheering her on. "That was wonderful! They were so gentle" she breaths heavily, wiping at her eyes and letting Sarah lift the kickboard from her as she grabs onto the handrail at the side of the platform.

Good Fun

Back at the picnic tables, customers grab up towels, fiddle with cameras, and pull dry clothes from their bags to change into for the drive to their next destination. "That was fun," the young couple agrees, as they gather their stuff and each don a pair of sunglasses. "What do you want to have for lunch?" one asks the other, and they head out the same way they arrived, debating between Mexican, Cuban, and seafood.

Ray tells Belinda he is going to find a bathroom, and Belinda says "that's fine, honey. I'll be right here." She is trying to see the pictures that were taken on her digital camera's screen, but even in the shade there is too much light to really make out the images.

Most everyone has dried off, gathered their belongings and headed out to their cars, but the four older women take their time and linger around one of the tables, talking about dolphins, and swapping stories they have heard about dolphins saving people from drowning. "They are really our friends," one woman says.

Belinda, trying not to be too obvious about her eavesdropping, but wanting to add her two cents says "yeah, they're like my dogs, each has its own little personality" with a smile, moving towards their table. They silently welcome her into their conversation.

"So nice, and so much gentler than I expected!" Carolyn says.

Just then a man's voice chimes in, "yeah, like Flipper!" They turn and chuckle as Ray walks up and puts away his wet clothes at the next table.

"I have to admit," Belinda says glancing back at Ray, "I was a little put off by the chain-link fences and everything when we first got here."

The quietest woman finally speaks up and says “it would be really nice if they could still go out, like she was saying they used to do before.”

“I really wouldn’t want to see them confined to any greater extent than they are here,” another woman interjects.

“Yeah,” the woman next to her is looking out at the platform where their session took place. “I still feel bad for these dolphins—they’re not free.”

Carolyn pipes in, “But they enjoy their life!”

“Would you be happy in a cage?” Belinda asks Carolyn good naturedly.

“But I don’t think they’re depressed,” Carolyn responds, and Belinda gives an *I guess* shrug. “And people need to know that dolphins have feelings. Education is the good part of captivity.” After a moment, she adds, “and humans really benefit from interacting with them—look at the special needs children” she offers, referring to a program offered at this facility. Rubbing her lips together, she concludes her thoughts by saying “And research is a good thing too.”

It is quiet for a moment, when Ray rests his hand on Belinda’s shoulder and enthusiastically says to the group she is now sitting with “we live on a canal—so we could definitely have our own dolphins!” Everyone is smiling, beginning to gather their things, and Ray adds, “I mean, who wouldn’t want to own a dolphin?” There are no objections—only amicable “well, of course” looks and a couple of nods.

The group all heads out the same way they came in, chatting about how the dolphins seemed eager to please their trainer. “I was really intrigued by their responsive behavior” Carolyn says.

“Yeah, but I think they were doing those interactions for the fish,” Belinda responds. After a moment she adds, “but I like to think they enjoy interacting with me,” almost to herself. Then, more for the group, she says, “except maybe the baby, who threw a temper tantrum out there in the middle of our session!” Everyone is tickled by that, laughing as they crunch across the white gravel to their separate cars and say their goodbyes.

CHAPTER 7

PANAMA CITY BEACH, FLORIDA: A CONTESTED ENCOUNTER SPACE

The third case study is focused on Panama City Beach and surrounding waters. I chose Panama City Beach as an information-rich, politically important case study site to investigate how societal structures construct, maintain, legitimize, and resist dolphin–human encounters.[111] Panama City Beach is a contested space; one where contemporary human–dolphin encounters are simultaneously encouraged and resisted. This tension is a result of the area's unusual geohistory and the varied interrelations—politics, in the broadest sense—between stakeholders interested in such encounters, including commercial wild swim-with-dolphins operations, the captive dolphin display and interaction industry, animal advocates, local commerce interests, the dolphins themselves, and governmental dolphin protection policies. Through investigation of its geohistory and place-bound dolphin-related politics, my aim in this chapter is to describe the social and policy dimensions that affect dolphin–human encounter spaces in Panama City Beach, Florida.

Geohistory of Panama City Beach, Florida: Tensions in Dolphin–Human Encounters

Feeding Wild Dolphins

In the late 1980s, several boat-based commercial tours known as *feed-the-dolphin* cruises emerged in the Southeast (Bryant, 1994). This new form of tourism became fashionable after dolphin-watching cruise operators began providing enthusiastic patrons with fish to give to the dolphins; feeding allowed for a better look at the dolphins, and encouraged them to remain near boats for longer periods of time (Bryant; Colburn, 1999). Around Panama City Beach, Florida,

[111] By social structures I mean to include social, cultural, economic, political, or environmental structures. My intent is to "balance a fine line between the examination of structures and processes on the one hand and of individuals and their experiences on the other" (Winchester, 2000). The experiences and perspectives of individuals are used here "in a generalisable sense to illuminate structures" (Winchester, 2000) and how those structures affect human–dolphin encounter spaces in Panama City Beach.

commercial dolphin-feeding tours began in 1989 (B. Gorman, personal communication, August 19, 2004).

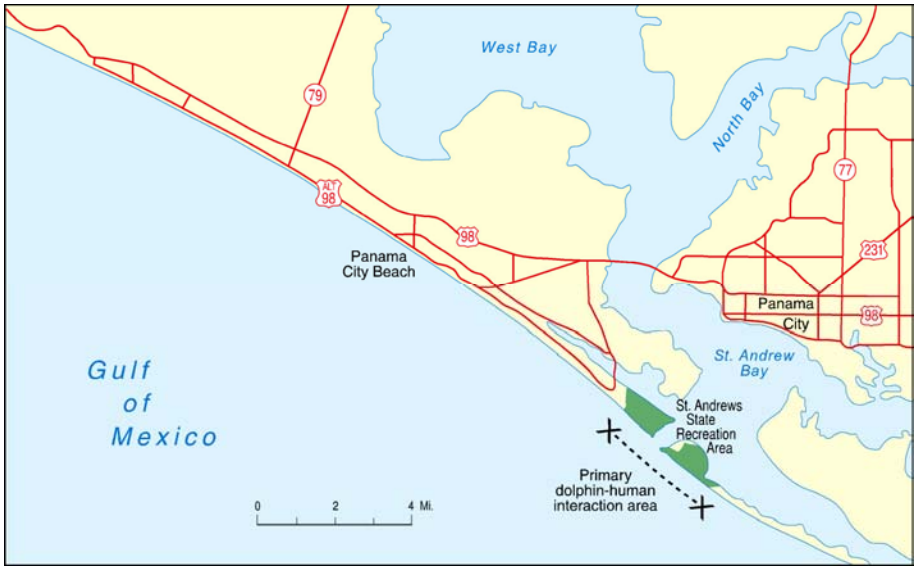

Figure 7.1 Dolphin–Human Encounter Spaces around Panama City Beach, Florida

As the popularity of these new dolphin-feeding cruises increased, the issue of feeding dolphins in the wild became controversial. Some marine mammal scientists suggested that feeding free-ranging dolphins might be harmful, just the way feeding other wildlife is thought to result in problems and dangers (Bryant, 1994).[112] At that time, giving dolphins food in the wild was not defined as *harassment* (or, therefore a *taking)* in violation of the MMPA.[113] But NMFS officials were concerned that such activities did amount to harassment under the Act, so commercial feeding tours were advised to stop their dolphin-feeding activities (Bryant).

Along with giving warnings to commercial operators, in the late 1980s NMFS considered issuing regulations that would essentially define feeding as a taking under the MMPA, therefore outlawing any further dolphin-feeding cruises (Bryant, 1994). The atmosphere around the commercial feeding operators consequently became tense, as cruise operators felt uncertain about the continued viability of their dolphin-feeding cruises, and because many did not believe

[112] In a NMFS report to congress, Bryant (1994) provided a comprehensive review of the effects of feeding dolphins in the wild.

[113] For a more thorough discussion of the MMPA, see Chapter 2.

that they were harassing dolphins by feeding them (B. Gorman, personal communication, August 19, 2004).

It was in that contentious climate that Atkinson—a boat operator out of Corpus Christi, Texas—applied for a public display permit to conduct dolphin-feeding cruises (Bryant, 1994). He understood that public display facilities and photographers were eligible to obtain permits that exempted them from the MMPA's rules against takings, so he reasoned that dolphin cruise operators should also be allowed such permits. Panama City Beach operators watched and waited to see how NMFS would react (B. Gorman, personal communication, August 19, 2004).

In June 1990, Atkinson's application was denied. Soon after, NMFS published a policy statement in the Federal Register announcing that it would no longer accept public display permit applications seeking authorization to feed dolphins in the wild (Bryant, 1994). By the following year, NMFS had published a final rule in the Federal Register amending the definition of the term take under the MMPA to include feeding or attempting to feed marine mammals in the wild (56 F.R. 11693, March 20, 1991).

The matter still was not settled, however. The day the regulations were to take effect, another dolphin-feeding cruise operator in Texas brought a lawsuit asking the court to invalidate the new law or compel issuance of a permit (Woolsey, 2002). The cruise operators were initially successful, prevailing at the District Court level, and NMFS was permanently enjoined from enforcing the feeding ban (Woolsey). Not surprisingly, dolphin-feeding operations in Panama City Beach continued (B. Gorman, personal communication, August 19, 2004). But NMFS appealed the *Strong* decision, and in 1993 the 5th Circuit Court of Appeals overruled the lower court and ultimately upheld the regulation ("Strong v. United States," 1993). Thus, the debate over whether feeding dolphins in the wild constituted harassment under the MMPA was finally settled.

Settled, But Not Over. In spite of clarified regulations regarding feeding dolphins in the wild, court validation of the regulations, and NMFS' efforts to inform the public that dolphin-feeding was illegal and potentially harmful, commercial feeding activities reportedly *increased* in some parts of Florida (Colburn, 1999). Panama City Beach was an area of particular concern as dolphin-feeding apparently continued unabated (Bryant, 1994; Spradlin, personal communication, August 9, 2004). In 1999, however, NMFS successfully prosecuted a case against a Panama City Beach tour operator for violation of the MMPA (Spradlin et al., 1999).

Hathaway's Boat Rentals, Inc. and the vessel captain were charged with five counts of harassing or attempting to harass wild dolphins by feeding or attempting to feed them, and was ordered to pay civil penalties of $4,500 for violating the MMPA[114] and taking tourists to feed wild dolphins (*In the Matter of Thomas E. Rainelli and Hathaway Boat Rentals, Inc.*, 1999 NOAA Lexis 10(1999)).

As a result of the well-publicized enforcement and prosecution of the feeding-ban, the level of feeding activity in Panama City Beach seemed to diminish a great deal (Porter, 1998), at least temporarily.[115] In any case, in the waters near Panama City Beach where resident dolphins had grown accustomed to being hand-fed by tourists, the dolphins continued to seek out passenger boats looking, presumably, to be fed by the people on board. Often, dolphins would behave like those in captivity with their trainers—approaching people with their heads fully out of the water and their mouths open displaying what, for many, probably resembled a big, welcoming grin. But with feeding clearly outlawed, and enforcement measures indicating that dolphin-feeding activities would no longer be tolerated in Panama City Beach, dolphin-feeding cruises were no longer advertised by operators. In their place, refashioned wild swim-with-dolphins programs emerged, promoting close, in-water interactions with the dolphins who were already predisposed to approach boats and familiar with human interaction (B. Gorman, personal communication, August 19, 2004).

Figure 7.2 Dolphin Approaches Boat near Panama City Beach

[114] NMFS charged Hathaway's Boat Rentals, Inc. and vessel captain Thomas E. Rainelli, with five counts of harassing or attempting to harass wild dolphins by feeding or attempting to feed the animals cigar minnows during a June 17, 1998 parasail boat trip. Additional charges were brought against Rainelli in a separate proceeding for the violations since he was acting under the authority of his Coast Guard license (see *In the Matter of Thomas E. Rainelli and Hathaway Boat Rentals, Inc.,* 1999 NOAA Lexis 10 (1999).

[115] Even so, although no commercial operators in Panama City Beach today include any reference to dolphin-feeding aboard their wild swim-with-dolphins promotional material, it still is thought to regularly occur (if covertly) at some level (D. Richard, personal communication, August 16, 2004; T. Spradlin, personal communication, August 9, 2004).

Figure 7.3 Humans Swim Near Mother and Calf at Panama City Beach

Swimming with Wild Dolphins—Continuing Controversy over Harassment

Although the question of whether feeding was harassment under the MMPA was finally settled by its definition as such in 1991, a broader question of *what else* may constitute harassment was far from established. As such, controversy over the term continued, especially in Panama City Beach.

In 1994, the definition of harassment was clarified in the amendments to the MMPA, and that is the current definition today. The term is separated into two levels. Level A harassment is defined as "any act of pursuit, torment, or annoyance which has the potential to injure a marine mammal or marine mammal stock in the wild." Level B harassment is defined as

> any act of pursuit, torment, or annoyance which has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns, including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering. (16 U.S.C. §1362 18(A))

This two-tiered definition of harassment is complex and somewhat ambiguous. As a practical matter, NMFS has therefore had a difficult time addressing issues of (what it considers) harassment under the amended definition. According to the recent testimony by a NMFS representative given to the U.S. Senate on Reauthorization of the MMPA:

> NOAA has experienced difficulties with interpretation, implementation, and enforcement of the current MMPA harassment definition. First, the definition is limited to acts

> involving "pursuit, torment, or annoyance." Second, the definition is overly broad and does not provide a clear enough threshold for what activities do or do not constitute harassment. Third, the definition does not provide an adequate mechanism to address activities intentionally directed at individual or groups of marine mammals that disturb the animals. (*Testimony of Dr. Rebecca Lent, Deputy Assistant Administrator for Fisheries*, 2003)

The question of harassment has been particularly difficult as it applies to the increasing number of wild swim-with-dolphins operations in Panama City Beach and elsewhere (see Spradlin et al., 1999). Wild swim-with-dolphins operators in Panama City Beach vehemently maintain that they are not harassing the dolphins with whom their customers interact, and they have no intention of shutting down their current businesses (e.g., D. Richard, personal communication, August 9, 2004). But NMFS' position on the matter is plain—they consider all wild swim-with-dolphins activities to be harassment under the MMPA. NMFS' policy with regard to close human–dolphin interactions states that:

> Interacting with wild marine mammals should not be attempted and viewing marine mammals must be conducted in a manner that does not harass the animals. NOAA Fisheries does not support, condone, approve, or authorize activities that involve closely approaching, interacting, or attempting to interact with whales, dolphins, porpoises, seals, or sea lions in the wild. This includes attempting to swim with, pet, touch, or elicit a reaction from the animals. (Office of Protected Resources, 2005)

Still, the ambiguities associated with the current two-tier harassment definition suggest enforcement of "harassment cases" would likely be difficult if challenged in court (T. Spradlin, personal communication, August 9, 2004). This perspective is not lost on NMFS officials, especially given their experience with litigation related to court challenges brought by commercial dolphin tour operators against the no-feeding regulations in the 1990s.

To discourage in-water human–dolphin encounters in Panama City Beach and other places, the NMFS created marine mammal viewing guidelines.[116] These guidelines include minimum approach distances for observing dolphins and other marine animals, and limited observation time (67 F.R. 4379).

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[116] All five NMFS regions also developed viewing guidelines to inform the public how to view dolphins without causing what NMFS considers harassment (NMFS Regional Wildlife Viewing Guidelines for Marine Mammals are available online at http://www.nmfs.noaa.gov/pr/education/viewing.htm).

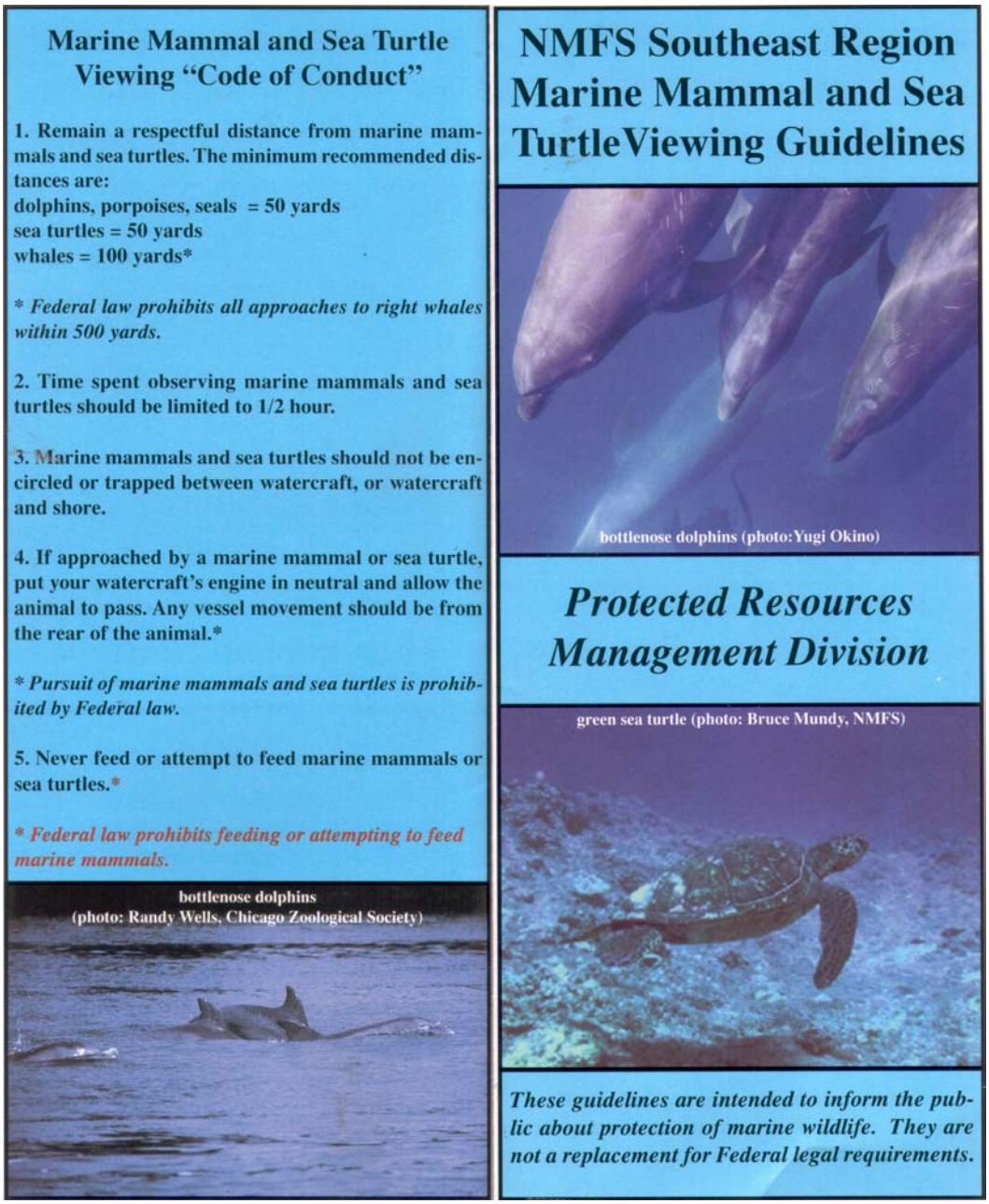

Figure 7.4 NMFS Viewing Guidelines

Along with the development of viewing guidelines, NMFS also initiated a nationwide education and outreach campaign to make the public aware of the guidelines and to encourage compliance (T. Spradlin, personal communication, August 9, 2004). The program was expanded in 1997 to include the Protect Dolphins campaign that continues today. As part of the Protect Dolphins campaign, official brochures, public service announcements, posters, and signs warn the public to keep their distance. The brochure states that dolphins are "not water toys or pets"

but wild, potentially dangerous, animals and that "the Flipper myth of a friendly wild dolphin has given us the wrong idea," because "truly wild dolphins will bite … [and] can get pushy" (NMFS, 1997). Moreover, dolphins are described as potentially "aggressive and threatening," so much so that people have been pulled under the water, bitten, and injured so badly that they had to go to the hospital (NMFS, 1997).

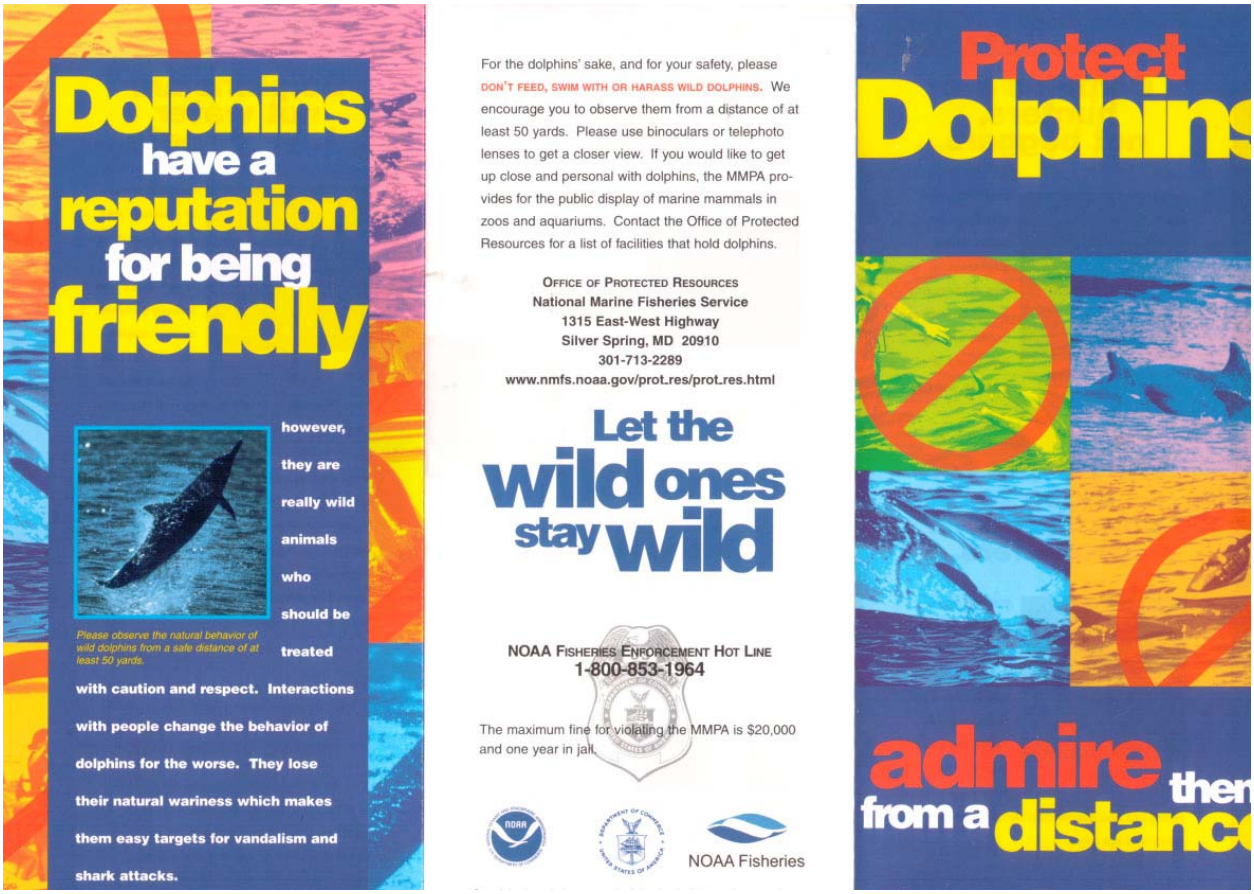

Figure 7.5 NMFS Protect Dolphins Campaign Brochure (Open, Front and Back)

The guidelines, the Protect Dolphins campaign, and NMFS policy on marine mammal interactions generally are meant to promote *viewing* dolphins from a distance of at least 50 yards. Given the minimum approach recommendations, the guidelines do not allow for any of the activities generally associated with Panama City Beach wild swim-with-dolphins operations, as those programs are meant to involve very close in-water encounters with dolphins. Nevertheless, wild swim-with-dolphins operations have continued to increase in Panama City Beach and elsewhere.

Figure 7.6 NMFS Protect Dolphins Campaign Brochure (Open, Inside)

Notwithstanding the continued increase in swim-with activities, NMFS has not prosecuted a "harassment case" since the 1999 dolphin-feeding case in Panama City Beach. The ambiguity of the current harassment definitions and related enforcement issues may be the reason. And whether or not the viewing guidelines and other promotional campaigns directed at limiting harassment are educational, they are not enforceable. Thus, in 2002 NMFS published an Advance Notice of Proposed Rulemaking (ANPR) in the Federal Register suggesting that it might develop additional regulations that would in effect codify the viewing guidelines and essentially define wild swim-with activities as harassment under the MMPA (67 F.R. 4379).

NMFS received over 500 comments to the ANPR from various people affected by the potential regulations, including experts in the marine mammal community, commercial wild swim-with tour operators, the captive dolphin display and interaction industry, animal advocates, citizens who wished to continue swimming with dolphins in the wild, and others (T. Spradlin, personal communication, August 9, 2004). A range of viewpoints was expressed, but what was clear from the comments is that the ANPR related to swim-with activities is at least as

controversial as was the feeding-ban, if not more so. It has elicited voices that range from hotly contesting any additional regulations to arguing that even stricter regulations are needed (T. Spradlin, personal communication, August 9, 2004). NMFS has not yet implemented the proposed regulations, and the policy dispute continues.

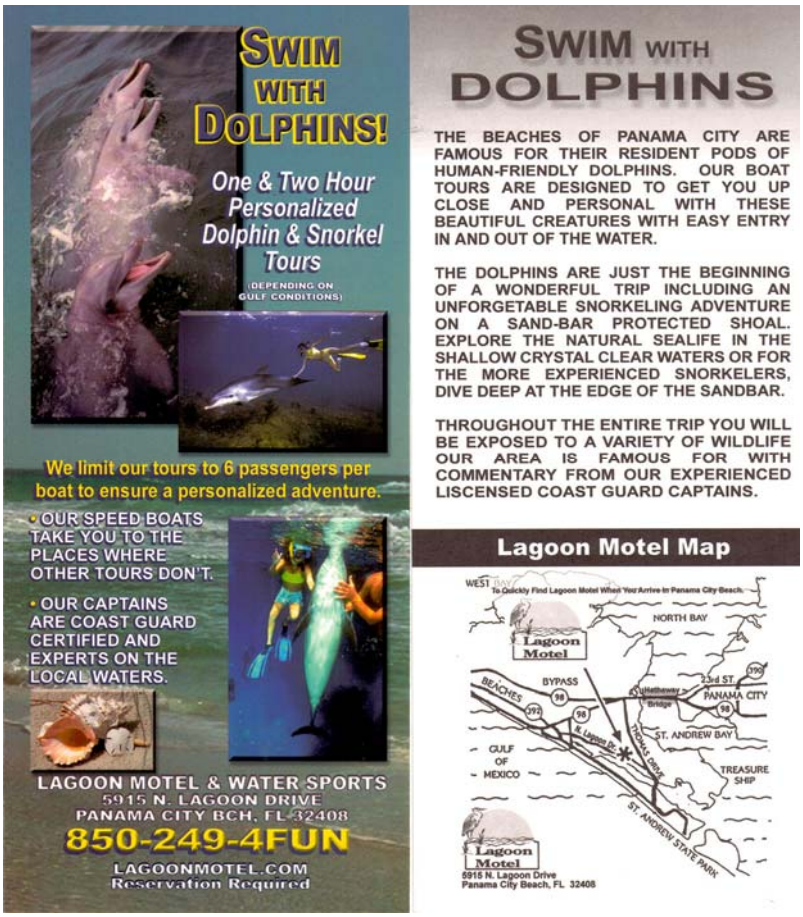

Figure 7.7 Example of a Panama City Beach Wild Swim-With-the-Dolphins Flyer (Front and Back)

When the ANPR was published, most of the wild swim-with-dolphins operators in Panama City Beach were nervous that their businesses were at imminent risk for being shut down (D. Richard, personal communication, August 9, 2004). Some considered contesting any future regulations through litigation, similar to the way that the Texas operator challenged the feeding-ban in court when it first went into effect in the 1990s (T. Davison, personal communication, August 18, 2004). During 2002 and 2003, at least one boat tour operator (who stated that he represented a group of Panama City Beach boat tour operators, dive stores, and resort owners) attempted to make contact with government officials to talk more about the implications of the ANPR for those in Panama City Beach (D. Richard, personal communication, January 27, 2003). First, the tour operator contacted his district congressional office seeking both support from his Congressman and help with making personal contact with someone from NMFS (D. Richard, personal communication, January 27, 2003). A representative from the district office responded to the request and the two exchanged email messages occasionally throughout the year in 2003 (B. Pickels, personal communication, November 21, 2003; D. Richard, personal communication, July 31, 2003).

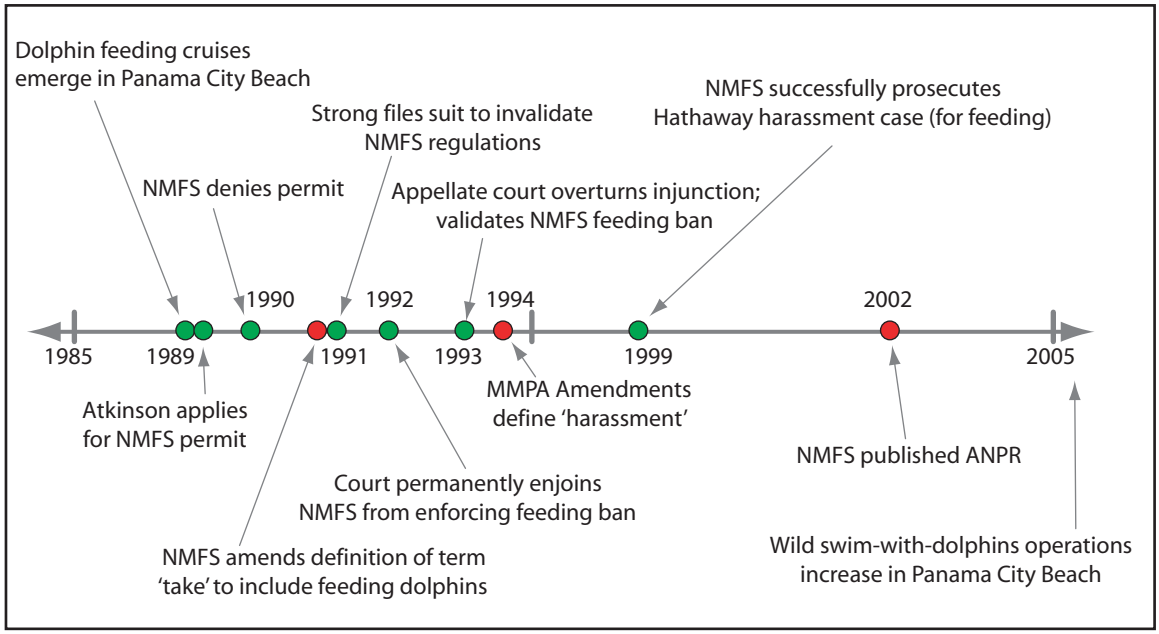

Figure 7.8 Timeline of Human-Wild Dolphin Encounter Politics Since 1985

With the help of the district representative, the tour operator was able to arrange a meeting on March 24, 2003 in Panama City Beach with several local wild swim-with-dolphins tour operators and representatives from NMFS. I was present at the informal meeting—the first time anyone from NMFS had spoken directly with local dolphin tour operators about harassment and the wild swim-with-dolphins activities. Held in the back room of a Panama City Beach dive shop, those present discussed the current definition of harassment, commercial dolphin interaction activities in Panama City Beach, and the ANPR (a detailed narrative relating to the discussion during the meeting is presented below.)

Several months later, the tour operator who had been instrumental in getting the parties together for the March 24, 2003 meeting expressed frustration that nothing substantial had come from the meeting. In an email to the district representative seeking help to again make contact with the unresponsive NMFS representative, he said:

> The very reason I had first contacted you was to avoid a repeat of the last 7 years during which, even though we had requested it, we never really got [NMFS'] attention. I hope that I am mistaken when I feel that we are not getting the attention and the follow up we have been promised. Is the dynamic climate of cooperation promoted by [the NMFS representative's] visit going to revert to the usual indifference, lack of concern and even cynicism of our local industry? Was it not the very cause of the problems NMFS is pretending to address? (D. Richard, personal communication, November 21, 2003).

In response to the email, the district representative sent a brief reply indicating that the NMFS employee who had attended the meeting was no longer working with NMFS and that he was "working on the problem" (B. Pickels, personal communication, November 21, 2003). In subsequent communications, the first meeting organizer indicated interest from other local dolphin tour operators in having another meeting.

Figure 7.9 Protect Dolphins Campaign Sign at Shell Island, Panama City Beach

On March 11, 2004, I was present at a second meeting about dolphin protection policy, harassment, and swim-with activities in Panama City Beach. The 2004 meeting was attended by some of the same boat tour operators as had been at the first meeting and the district representative. It lasted a short time as compared to the first meeting and was less formal, consisting of similar topics of concern by local tour operators but without novel recommendations for action and with no final resolution. Since then, commercial swim-with-wild-dolphin operations continue in the waters around Panama City Beach. In the summer of 2004, five new wild swim-with-dolphins operations opened for business in the area (D. Richard, personal communication, August 9, 2004). The Protect Dolphins campaign remains intact as well, with signs posted around Panama City Beach that urge tourists not to feed or harass wild dolphins and to "observe dolphins from a safe distance." No further action has yet been taken with respect to the ANPR.

Human–Dolphin Policy Discussion Roundtable

To fully describe and contextualize the various positions, viewpoints and justifications of those who have an interest in wild swim-with programs in Panama City Beach, I provide a narrative account of an informal roundtable policy discussion. It is akin to the approach used in chapters five and six; however, in this case the narrative is a conversation about swim-with-wild-dolphin programs in Panama City Beach and related policy matters. Each discussion participant represents many complimentary informant perspectives folded into a few distinct stakeholder characters. The roundtable discussion is grounded solely in the data, and used to both fully

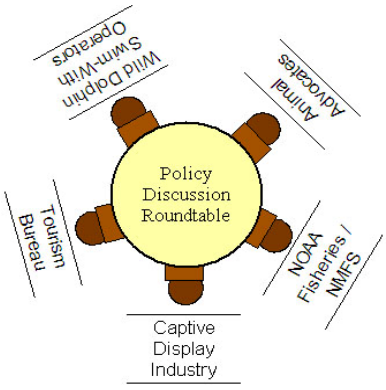

Figure 7.10 Stakeholders

express the various interrelated, sometimes complex, issues and to simplify the many positions and justifications articulated during my field investigations. (see Boufoy-Bastick, 2003; Manen, 1900; Richardson, 1990). The result is a coherent discussion that incorporates some seemingly superfluous issues, sentiments, and off-shoots that are nonetheless important to elucidate a complete context with which to describe the policy dispute under investigation.

Wild Swim-With Programs in Panama City Beach: In-Danger … Or Not?

The meeting attendants all arrive at the small, informal meeting room in Panama City Beach within a few minutes of each other. Each takes a seat around a large, round table and settles in as they prepare to address all of the issues they feel are important in this dispute over whether swim-with-wild-dolphin program activities in Panama City Beach are *harassment*, and therefore violate the MMPA. More urgently, all present are concerned about whether the regional guidelines pertaining to marine mammal viewing—particularly the part of the guidelines that requires any person to stay at least 50 yards away from marine mammals in the wild—should be incorporated into new regulations. If they are, as an ANPR introduced by the NMFS suggested they could be, there will be no room for questioning. By definition, then, swim-with-wild-dolphin programs here in Panama City Beach and all over the United States will be as much as defined as harassment and, as such, clearly violate the MMPA. "I knew that ANPR was going to bring a lot of controversy" thinks Noah, the representative from NMFS who is at the meeting today.

John, who works with the Representative from Florida's 2nd Congressional District, was contacted by one of the wild swim-with program operators not too long ago, and helped to organize the meeting. He is serving as an informal moderator. John begins the meeting with some opening remarks to the group as a whole: "Welcome to this meeting to talk about people and dolphins in Panama City Beach. I don't know if we all know each other, so let me take this opportunity to introduce those present today. Since we would all like to keep this as relaxed and congenial as possible, I thought we could address one another by first name. Is that all right for everyone?"

With no obvious disagreement, John continues. “Noah [NOAA] is here representing the NMFS. And seated next to Noah, I think most of you know Cap [Captive Display Industry], from the local marine park. Next to Cap is Tori [Tourism Bureau] who will be speaking for the tourism community and other local economic interests. Will [Wild Dolphin Swim-With Operators], who is an owner-operator of a swim-with-wild-dolphin tour, is here to represent those who currently offer commercial in-water dolphin encounters in the area. And finally, Anna [Animal Advocates] is here to speak for a group we’ll loosely call animal advocates—those who are mostly nongovernmental organizations interested in conservation and animal protection issues”

With some exchanged hellos and head-nods toward one another, John suggests that they keep the conversation as natural and free-flowing as possible. He will just be here to guide the interactions and be sure everyone has an opportunity to be heard.

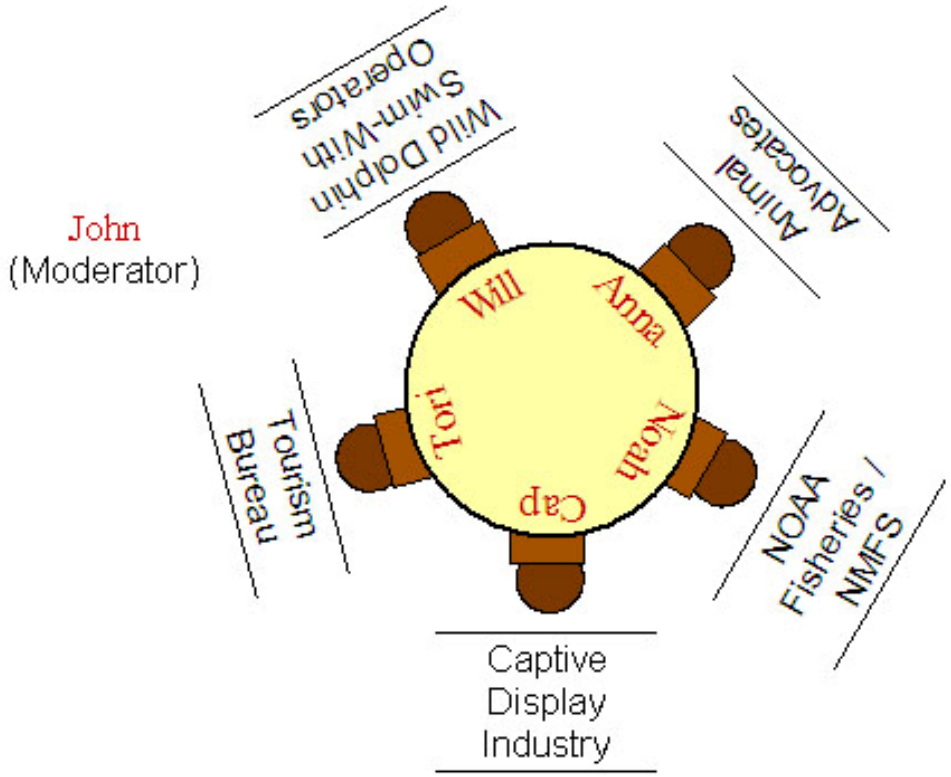

Figure 7.11 Representatives Present at Roundtable Discussion

Will, the swim-with tour operator, indicates that he would like to begin and directs his first question to Noah in an even-tempered, conversational manner: "Noah, the first thing I want to address is this definition of harassment and how it pertains to what we are doing on a daily basis out here. There is a lot of confusion over the harassment question, and the regional guidelines. Some of the swim-with tour operators think that NMFS has already declared every swim-with tour out here illegal. Others think that harassment just means that we can't take people out to feed the dolphins, but that swimming with them—just swimming along with them, not grabbing, not even touching—is perfectly legal. Basically, my understanding is that these guidelines are not law, but more like recommendations." Will slides across a blue brochure titled *NMFS Southeast Region Marine Mammal and Sea Turtle Viewing Guidelines*. Continuing, Will says "and we believe that our businesses are not doing anything illegal by taking people out to swim with dolphins. That's right, isn't it?" Everyone shifts their attention to Noah, who responds in an equally congenial tone.

This is an issue Noah was expecting to address, and he is prepared with NMFS official statement on the matter: "Our stance on in-water interactions with dolphins is just this: Interacting with wild marine mammals should not be attempted, and viewing marine mammals must be conducted in a manner that does not harass the animals. We cannot support, condone, approve, or authorize activities that involve closely approaching, interacting, or attempting to interact with dolphins in the wild. This includes attempting to swim with, pet, touch, or elicit a reaction from the animals." Continuing, Noah says, "we believe that such interactions *do* constitute harassment as defined in the Marine Mammal Protection Act (MMPA) since they involve acts of pursuit, torment, or annoyance that have the potential to injure or disrupt the behavioral patterns of wild marine mammals."

"That is a little bit different from what we've heard from other law enforcement people, like the Florida Marine Patrol," Will responds defensively, "and even other people from your office. According to them, if the dolphins approach *us*, then there is nothing wrong with swimming with them" Will manages, trying to clarify himself.

"I know there has been a lot of confusion about the definition of harassment under the Act, especially out here," Noah starts, but Will continues, taking advantage of Noah's momentary pause.

"And that our swim-with tours are considered harassment, well," Will says quickly, "that is just NMFS' policy, right? It's not entirely enforceable?" he says, more as a question than a statement.

"Well Will, frankly," and Noah looks to each of the stakeholders at the table when he responds, "that's always been a struggle for us. That is one of the reasons we are trying to prioritize education and outreach. It's more effective than law enforcement, first of all. And the law enforcement folks at NMFS don't like dolphin harassment cases because," he continues, with an admitting tone and a shrug, "they are very hard to prosecute."

"Enforcement is really important though, isn't it?" Will says, rising up in his chair a little. "I mean, look, another thing that we are really concerned about is lack of enforcement of existing laws" he says, drawing out the word *law*, "like the regulation against feeding. *That* is an actual regulation, not just policy, and it just isn't enforced. We see people feeding dolphins out here all the time. We have documented numerous violations of the existing MMPA and it has become sort of an accepted fact around here" he says, softening his tone a little as he continues "that NMFS does not have the resources to enforce the feeding ban." The other members at the table who have been sitting quietly are starting to nod their heads. "And look," Will continues with urgency, "*that* is the real harassment problem—the feeding."

Nodding his head, Noah responds by saying "we absolutely agree. Feeding is still a huge problem. And when the feeding stops, the interaction will stop."

"Or slow down, yes, I think so" Will adds quietly, not saying all that he is thinking—that the dolphins are very sociable and might approach you or hang around for a little while, but once they find out that there are no fish on board, they are going to take off.

"So that is why we went forward with the regulations that define feeding as illegal under the Act" Noah continues, "and that's why we initiated the Protect Dolphins campaign, to educate people about the dangers of feeding. It is an ongoing effort, and one that we take very seriously."

Will continues, raising his voice just a bit and apparently addressing everyone at the table: "And actually, it doesn't even matter what NMFS does with the regulations that affect the Marine Mammal Protection Act." To that, the group looks confusedly to Will with a "huh?" expression. "It's not going to solve the problem because it has no influence on the sports fishing industry, and that is where the real problem starts. And the commercial fishermen, too" he adds. Continuing, he says "for example, we're having to throw back 80% of the snapper we catch—12

inches? Got to throw it back! And dolphins are everywhere around those fishing boats, so the fishermen end up throwing them to back to the dolphins who are just waiting for them. It's like a smorgasbord for them. The dolphins also exploit the commercial fishing boats too—when they toss stuff overboard as they go through their shrimps" he finishes, looking a bit more satisfied.

"Uh, yes, that's a big problem and it's another up hill battle," Noah starts again, looking around and finally settling on John, the self-designated mediator.

"Let's try and keep this limited to the topics we came here for, okay Will?" John says, trying to keep things from heating up. Will doesn't say anything, but gives a "go ahead" nod to Noah.

"In Panama City Beach, most of the swim-with activity is correlated with illegal feeding. We know it is" Noah says, trying not to sound accusatory.

"We are not feeding, Noah" Will says sincerely. But he also knows that many of the other swim-with tour operators are still feeding, even if covertly.

"And I know, Will, that some of you aren't feeding, and I believe you. But all the swim-with operations are certainly taking advantage of the fact that others *are* feeding them. That's why most of these guys started their swim-with tours. Even when feeding was outlawed, the dolphins still go boat to boat looking for a hand out. That is the only way that swim-with operators could get the dolphins interested in swimming with their customers."

"Which brings me back to the enforcement issue," Will says with some urgency. Those who are out on the water breaking the existing law" he continues, speaking more quickly now and placing emphasis again on *existing law*, "we can't compete with them. My group will be out there with some dolphins—in a respectful way, not harassing them" he adds, miming two quotations marks around the word *harassment* for emphasis, "and then another boat will pull up just a few yards away, or a group of jet skiers, and steal our dolphins by bringing out the food! So we're obeying the rules, and they come along, doing illegal feeding, and interfere with our business which is *not* harassing the dolphins!" he finishes, a look of confidence on his face directed at Noah.

"Well," Noah responds, "I understand the frustration. But again, I must make clear that any swim-with operation, in our opinion, also involves harassment."

Will takes a quick breath in and opens his mouth to respond, but John is quicker to interrupt this time: "Will, okay." John quips, putting up one hand in a "stop" motion. Then

turning to the whole group John says, “Look, let’s get back on target, shall we? We haven’t heard from anyone else yet, and as I understand it, we all want to talk about the ANPR. If the guidelines you mentioned before Will become rules, then swim-with operations will be defined as illegal harassment just like feeding is now. Is that right, Noah?”

Noah nods, avoiding eye contact with Will, who remains quiet.

Anna, who is there to speak for marine mammal conservation and protection groups, joins the discussion with a nod from John. “Our main concern is that in-water interaction with wild dolphins is harmful, or at least potentially harmful, for the dolphins. There are tons and tons of dangers associated with these swim-with programs.”

Noah responds by saying, “this type of interaction with the animals is a relatively new phenomenon and it absolutely is not consistent with the MMPA. We have lots of evidence that shows that these animals are disturbed by these swim-with tour activities.” Noah continues, “The dolphins at Panama City Beach are being reinforced to come to Shell Island, to go boat to boat to boat looking for a handout, and so they’re not foraging for food or socializing with other dolphins.”

Will tries to keep from rolling his eyes, thinking “not the ‘they’ll forget how to feed themselves’ argument. Come on guys, these dolphins feed themselves just fine in the winter months when no tourists are out on the water. And if the feeding ban was *enforced”* his thinking trails off, but he remains quiet.

Noah persists, and to this statement Will has no objection: “These dolphins are at risk for ingesting inappropriate or contaminated food items; we have photos of them being fed bologna, junk food, and people dangling keys over the side of the boat as if they were food! These are clearly health risks to the individuals—and to their social units because they are being disturbed and not acting like normal dolphins.”

Anna picks up where Noah pauses, “sick people feed them fish with hooks in them and that kind of stuff. That’s a very strong welfare argument for why it’s a bad thing. Even if 90% of the people mean well and just feed them perfectly decent fish, they become habituated and they will take fish from anybody. And then you get the sicko who will feed them something really dangerous.”

Looking toward Will, Anna says “Will, we share your concerns about enforcing the feeding ban. Clearly, the enforcement is extremely poor, for whatever reason—the money would

probably be the main reason and they just don't have the staffing to enforce the ban" she concludes with a shrug turning to Noah.

"In any case," Noah continues, "the dolphins here are approaching boats, right?" Everyone gives one version or another of silent affirmation, from enthusiastic "yes!" nods to head and shoulder movements that convey more of a "well, yeah" message. "The dolphins are getting hit by boat propellers because they are following these boats with their motors engaged, and they're getting tangled in fishing gear," Anna is continuing to nod vigorously in agreement.

Will now interjects. "Overall, these dolphins here in Panama City Beach are thriving," and before Noah can respond, he continues with the exceptions: "Although its true that I have a photo of one dolphin with a fresh propeller cut in his head—but nothing like that chopped up dorsal fin I've seen pictured in the NMFS brochures, though. And over 14 years I have seen some dolphins show up with hooks in them—but this is because they go from fishing boat to fishing boat and try to take the bait off of their lines. It's the sport fishermen that are causing those problems." With one more point, he finally sits back in his chair, "if any of the actions we are taking on these swim-with tours are harmful to dolphins, we'd want to know and we'd want to work with NMFS because that affects our livelihoods too—we have shared goals."

Anna tries to turn the conversation back to the interaction issue, saying "any time you interact with wild animals you are putting them at risk. What is the justification for doing it when there is always a risk of potential disease and habituation?"

Will sits back up in his chair and speaks directly to Anna, shifting his eyes and body occasionally between her and Noah as he speaks: "The dolphins really seem to like the interaction. I sincerely believe that the dolphins are just as interested in us as we are in them. Dolphins are highly intelligent, highly evolved beings—they *enjoy* the interaction."

"Look," Noah responds, "the scientific literature confirms that these swim-with activities put dolphins at risk, bottom line. I have a report that the Marine Mammal Commission put together that shows that there is clear evidence of harassment by these swim-with activities."

Will riffles through some papers and, pulling a couple of what look like photocopied journal articles, says "yeah, I know about those studies. I don't think what is clear evidence is really that *clear*. And that one about Panama City Beach specifically was ridiculous. A couple of researchers came out here for 5 days. Five days, max! And then they say, *scientifically*"

he makes quotation marks with his fingers again to stress his point, "that there is clearly harassment here?"

After a deep breath, Will regains his composure and begins again, "There isn't any consistent published research that specifically addresses the impacts of regular, sustained in-water interactions with humans on these dolphins who, by the way, approach swimmers of their own free will." Continuing, Will says "they haven't made an effort to come and talk to us. No one came to me or wrote to me about the situation. We have been running tours out here for, like, 30 years, and we could offer a lot of experience about this area and these dolphins. But instead, they send people out here for a couple of days and they report back and that is what all of this *evidence* is based on" he finishes, clearly frustrated.

Adding one more thought, Will says "and the dolphins here are not dying off, they're not all torn up and scarred up and injured."

To this, Noah thinks to himself "you say that but no one knows—all the dolphins probably look the same to you, no one is tracking them," and his train of thought is interrupted again.

Will continues eagerly, "I have been working on a photo identification catalogue for a couple of years now. And I've also been tracking the feeding violations. I tried to give a copy of my report to John, but" and John waves the comment away. "It's like no one wants to hear from us, and we're the ones who've been out here the whole time," Will says more quietly now, seeming a bit defeated.

For the first time, Tori—representing the local economy and tourism community—interjects her thoughts on the matter. "If I understand this right, we are talking about NMFS making swim-with tours basically illegal here in Panama City Beach, right?" Tori says, directing her question to Noah.

"Well, that's one of the things we are looking at," Noah starts to respond.

Tori continues, "these guidelines," pointing towards the brochure that Will pulled out a few minutes ago, "they say that wildlife viewing should be done from at least 50 yards, and the ANPR suggests incorporating those guidelines into federal law, correct?"

Noah gives a head shake that indicates "basically, right."

"Okay," Tori says. "Our job here is to promote tourism. We attract over four million leisure visitors annually. Having things for these visitors to do here when they arrive is very,

very important to us. More and more visitors want more exciting adventures, like these dolphin swim-with tours. If they are not feeding them, I can't see why these activities would be a problem, myself, as long as they're not harming the animals in any way. And this is obviously something that people enjoy doing, so someone would have to convince me…"

Just then, Tori's attention splits and she turns to face Will, "and by the way, no one from the government or anywhere else has contacted us about this issue until now, either."

Returning her attention to Noah and the others, Tori continues, "somebody would have to give me the facts to support that what is going on with the swim-with tours is dangerous or hazardous to dolphins or people. If it's not compelling enough evidence, then I'm certain a lot of people with businesses in our area are going to have something to say."

Noah doesn't seem to take offense at this, but does respond with a hint of defensiveness. "We are not trying to limit commerce at all, let me make that clear. We definitely support ethical dolphin watching. We have no problem with that." Then he adds, "but if people want to be hugging and touching dolphins, they can go to places like SeaWorld or Cap's place."

Will starts again with what seems like renewed energy, several points surfacing in his mind that he wants to address—"not the least of which is the fact," he thinks, "that NMFS opposes wild swim-with tours, but condones them in captivity." He decides to save that topic and says, "But have you ever been out there and seen it?" directing the question to no one in particular at the table. "It really makes people happy. It brings out their inner child. It is *always* a very positive experience! And the interaction can extend healing and understanding between species. Some people believe—and I don't want to get all new-agey here—but many people really value interspecies communication and believe that dolphins are teaching humans ways of peaceful, harmonious social interactions through these encounters. People come to Panama City Beach from all over the world to have healing experiences—children with disabilities gain so much from the experience!"

This last statement makes Noah especially uncomfortable, even angry—he thinks to himself that there is something very, very unethical about those kinds of swim-with programs in the wild.

"But people have been bitten and people have been attacked," Anna cuts in.

Noah follows her statement with a much longer one of his own, sure to be heard on this: "There are lots and lots of reports of people being bitten by these animals, and we've had people

who have had to go to the hospital because they have been bitten or rammed by dolphins. People think of dolphins as all friendly and, well, we call it the Flipper Myth—it just isn't true. People have been injured and sent to the hospital. People have broken bones. Thankfully no one has died yet."

And with another breath Noah continues, not allowing any interruptions. "These are *wild* animals, and they will bite if they get angry or frustrated. Wild dolphins can get aggressive and," he pauses, pulling out a blue, yellow, and red NMFS brochure that reads *Protect Dolphins* on the top and explains "that is one of the main messages of our Protect Dolphins campaign." Reading from part of the brochure, Noah quotes "Dolphins have a reputation for being friendly, however, they are really wild animals who should be treated with caution and respect."

"Wait a minute," Will says, "there haven't been any injuries here in Panama City Beach. None of the swim-with operators has ever witnessed an injury to any customers, or even friends they have known to go out and interact with them apart from a commercial tour." Will continues, "and in that Protect Dolphins brochure it says," Will reaches across the table, nonverbally asking to hold the brochure Noah pulled out a moment ago, and reads "dozens of bites have been reported." Looking up, he repeats himself, "there have not been any injuries—bites or otherwise, here in Panama City. None. Not one."

After a moment's pause, Cap—from the local marine park—voices his own opinion for the first time: "But if there is a serious injury here in Panama City Beach, we'd all be in trouble."

Will cuts in, "Noah, with all due respect," Noah doesn't answer and Will continues, not really giving him the opportunity to answer even if he wanted to, "do you know of any injuries to people from dolphins in Panama City Beach?"

Noah responds, "um, yeah, no. I mean, it's been one of those kind of difficult things to really nail down here in Panama City. I wouldn't be surprised if people aren't reporting them because they obtained the injuries when they were involved in illegal feeding activities—maybe people are sweeping them under the rug."

"That's not been my experience, even with taking thousands and thousands of people out to swim with the dolphins over many, many years" Will says shortly. "What about you, Cap? You've been here for a lot of years. Have you ever heard of incidents of people being hurt when swimming with dolphins in the Gulf?"

Cap hesitates and says simply "I haven't heard of any."

Tori now joins the discussion again, saying "The Convention and Visitors Bureau is the place, I can tell you, where everybody calls when they've had any kind of bad experience in Panama City Beach. We have had no complaints or reports of any injuries." Will sits a little taller, feeling somewhat supported.

"Look," Anna offers, "I've done quite a bit of research on human–dolphin interactions myself, and work with other people who have too. Noah is not exaggerating in the slightest about dolphins being wild and potentially aggressive. People *have* been bitten and attacked—and dolphins can get very aggressive when they're expecting to be fed and then they aren't."

Now Noah is sitting quietly and nodding along with Anna's speech. "Actually, my views about swimming with dolphins in the wild has changed over the years, because of my experience. I have been exposed to very responsible swim-with programs, in terms of the way the operators behaved—no feeding, no pursuing or touching—and there was a time that I thought some swim-with dolphin activities in the wild, under the right circumstances, were not necessarily harmful, but," Anna hesitates, and offers an aside to clarify herself: "My colleagues might disagree with me on that—I'm just telling you from my own perspective, let me be clear on that," she says. Resuming her last thought, she continues, "but the things I've seen in my travels around the world have changed my mind that *any* swim-with program could possibly be positive. It has turned into a huge industry now, and it's just too much pressure on the dolphins" Anna finishes.

Cap adds, "I grew up in this area, and the situation out here is out of control! When 30 jet skiers surround a couple of dolphins, it's a really bad situation."

Will starts to say something because he absolutely agrees, the jet skiers who corral the dolphins like cattle *are* out of control and that, he thinks, is certainly harassment by anyone's definition.

But Cap speaks before Will can get his thought out: "it's sad, you know," he looks around the table, "but it would probably take a major injury to get people to change. We try to educate people at our facility about the issue," and now he seems to be avoiding Will's gaze, which has settled on him. "We are all active in this effort to control swim-with programs in the wild" and now he turns to Noah, "I mean the marine parks and the Alliance of Marine Mammal Parks and Aquariums."

Will is no longer hiding his animosity when he says, “yes, Cap, and is it any coincidence that your captive facility offers its own swim-with-dolphins program? *Guaranteed Interaction*, that’s what your billboards say, right?” Cap apparently isn’t surprised at Will’s accusation that the marine parks just want a monopoly on swim-with customers.

“I mean, you have been very active—have actually been working together with NMFS on this, haven’t you?” Will says, looking at both Cap and Noah now, who are seated next to one another.

“We work with NMFS,” Cap starts, “because NMFS understands that we reach 36 million people a year just in our facilities.”

Noah continues Cap’s line of thought: “And I think a lot of these public display facilities that do swim programs are in a position—have a responsibility—to educate their guests about the difference between captive dolphins and dolphins in the wild, and that what they are doing with the captive animals should never be mimicked in the wild.”

Anna sits a little higher in her seat now and interjects, “but don’t you think that, regardless of what you say to customers, the act of them going to a captive facility and seeing the trainers feed and interact with the dolphins—and especially if they then participate in a swim program!—don’t you think that is going to justify in the customers’ minds that they *should* be able to do it in the wild?” she asks urgently.

Noah quickly responds “that is why education is the key. I mean—and maybe this isn’t the best analogy—but people who have cats and dogs, those people would never go up and frolic with wolves or wild cats.”

“What?” Anna thinks to herself, “*all* dolphins, whether captive or free-ranging, are *wild* animals—captive dolphins are not domesticated like cats and dogs,” but she doesn’t want to interrupt Noah as he is speaking. And she is pretty sure he understands that.

“So I think that these facilities have a fundamental responsibility to tell people that these animals are trained, they are in human care 24/7, they have been conditioned to interact with people and they in no way reflect what you would experience or should expect to experience in the wild,” Noah finishes.

Tori adds, looking towards Cap and Noah, “when I look at programs like they do at Cap’s place, that proves to be a very valuable thing for our visitors. And I know marine parks are very,

very successful. People love to view marine animals. Based on that, it is a major component of our tourism industry."

Shifting in her seat, Tori now looks briefly up at John the moderator and adds, "I'd like to go back for a minute, if I could?" John nods at Tori, and she continues, "it concerns me that if there is some question of whether it is dangerous for people to interact with dolphins in the wild," but before Tori can finish her sentence, someone cuts her off.

Anna interjects, not being able to help herself: "I'm sorry, I have to say something—there are *far* more documented injuries from swim-with programs in captivity than from those with free-ranging dolphins, that is for certain! That I *have* seen, over and over. I must make very clear that we do not support swim-with programs in captivity."

John catches Anna's eye and, with a look everyone recognizes as "hold on, you'll get your turn," waves Tori on to continue with her thought.

"I was saying," Tori continues, "I want to reiterate that if there is some strong measurement that says we are endangering these dolphins—if they are dying, if they are getting sick, or whatever it is—if there is a provable measurement, I agree that somebody ought to be approaching our office and giving us some kind of report. But if our people are telling us" she motions towards Will, "that they go out there every day, encounter dolphins every day, that 'the dolphins love us, we love them, we have zero incidents of injury,' then what is the problem?"

Tori continues without waiting for an answer from Noah. "And this is something that people enjoy doing, and the dolphins seem to enjoy it too, so somebody is going to have to convince me that what is going on is hazardous for either people or dolphins for us to support anything that would interfere with the wild swim-with tours. I mean, if the evidence isn't compelling enough, then it's no different from how we handle shark attacks. Worldwide, what, there are maybe six or seven shark attacks per year, and only a few fatalities. The incidents are so low that they do not present a problem for us."

There is a moment of quiet at this, and Anna looks to John for a go ahead and speak. John doesn't seem to get any objection from the rest of the group, so he says "Anna, you wanted to say something?"

"Thanks John," Anna replies. Looking towards Noah, Anna says "first, let me say that we do agree with NMFS that there are some activities of concern that should be heavily regulated

and we are in favor of restrictions that limit—if not eliminate—intentionally swimming with, touching, posing with, or otherwise acting on or with a marine mammal. I agree that these swim-with tours in Panama City constitute harassment, but I have to say, I am also concerned about the enforcement issue. There are some schools that say if you can't enforce a rule you shouldn't make it, and of course, I'm sure we all want to work on better enforcement of existing regulations."

Everyone at the table nods their head in agreement.

Ann continues, "what I started to say before was, we oppose captive swim-with programs just as much as we do those tours offered in the wild. It is not just a question of individual animal welfare, it is a conservation issue as well. Because of the ever-increasing demand for swim-with programs—particularly in captivity—more and more dolphins are now being caught from the wild to meet the increasing demand. New programs are popping up all over the Caribbean. There were around 200 bottlenose dolphins captured recently from the Solomon Islands, all at the same time. And we know very little about that population of dolphins, or others where dolphins are being captured for interaction programs. Most of those captured dolphins from Solomon Islands died, and those were from a population that has already been negatively impacted by other known environmental problems."

With another breath, and body language that indicated she was not quite finished, Anna continues, looking at Noah. "Now, I know I've made this argument before, and I don't expect you to be able to speak to it, Noah, because others I've talked to at NMFS just shake their heads when I bring it up to them. NMFS' interest in protecting dolphins from harassment just doesn't square, in our opinion, with condoning that they are kept in captivity. I mean, it's even on the back of the *Protect Dolphins* brochure," and she reaches for the colorful brochure and reads from the back page, "don't feed, swim with or harass wild dolphins. We encourage you to observe them from a distance of at least 50 years. Please use binoculars or telephoto lenses to get a closer view." After a pause and a quick look at Noah, Anna continues reading the brochure, "If you would like to get up close and personal with dolphins, the MMPA provides for the public display of marine mammals in zoos and aquariums." Anna looks up again and says "and then it gives you a phone number where you can call to find out where your closest captive facility is located!" There is another brief pause, and Anna says simply, "Keeping them captive. That is the ultimate form of harassment, in our opinion."

Before Noah could answer, Anna says "I know, I've heard it from others: 'You have to go to Congress and eliminate public display from the Marine Mammal Protection Act. The Act gives public display standing as legitimate and we can't' blah, blah, blah" she trails off, looking mildly defeated.

Continuing, Anna adds "and again, as we see it, marine parks are encouraging people to interact with dolphins, and encouraging them to feed and touch too, just by way of example. But then there are government activities trying to reduce those types of activities in the wild. I just see it as a major incongruity. And I bring it up every chance I get with NMFS, but it's really an uphill battle. I mean, SeaWorld is owned by Anheuser-Busch."

Will interjects once more, "exactly! Exactly what I was saying."

Then Cap steps in and says "Wait a minute. What we need to remember is that when people come to my facility they get a safe interaction," placing emphasis on the word *safe,* "and a good interaction for both humans and dolphins. And we have done studies showing that our parks are very educational, and when people do interactive programs, they learn even more."

Turning to Cap, Anna says "it's not that I think that public display can't be educational, I think it can be. But I think that still doesn't justify it," thinking that those studies he is talking about were biased, and did not really show that the facilities were educational—just that people said they *thought* they were educational.

"When people are up close and interacting with dolphins," Cap continues, "they are really inspired by the animals and just want to learn all they can about" Cap did not get to finish his sentence.

Will interrupted him by saying "and you're saying that people do not get inspired by dolphins and want to learn about them when they swim with them in the wild? Keeping them in pools, *that* is harassment," he quipped, nodding towards Anna. "If anything, people will be *more* inspired by swimming with free dolphins in their natural habitat. I mean, they see the dolphins in their own habitat, in a real world scenario living free and wild—not living artificial lives. So people do actually get to see them as they are, and that they're not Flipper. It's very different from a marine park where the dolphins are there just for the people's pleasure!"

Before Cap can reply, John has everyone stop and take a few minutes' break.

After about ten minutes, as people resume their seats at the table, John again starts the conversation by saying "obviously, everyone here has different perspectives and this is a pretty

hot issue. I want to be sure everyone is heard, though, and to keep the conversation flowing in a respectful and positive manner. Will, you said during the break that you had a few new points you wanted to bring up before we call it a day?"

"Yes, John, thanks."

Referring to a notepad Will had brought with him to the meeting, he begins by saying, "first, we cannot help but notice that captive dolphin programs benefit large corporate interests, whereas wild dolphin excursions offered in our area are small owner-operated businesses." Pausing for just a moment, consciously not returning the look from across the table in Cap's direction, he continues, "and also, the rule that is being considered here separates humans from dolphins, and it is my experience that separation breeds apathy and ignorance, paving the way for continued abuse."

Looking around the table, Will continues, "there are several more reasons we, the operators of wild swim-with tours here in Panama City Beach, think the proposed rule is too broad and unfair. And we think there are better alternatives." Partly reading, and partly speaking without the aid of his notepad, Will proceeded. "The viewing guidelines for marine mammals are based on terrestrial animals which do not generally approach people or moving vehicles or vessels as dolphins do. We think that more appropriate guidelines would be site specific and animal specific."

Continuing, he says "next, like I said before, the current regulations should be recognized and enforced before new ones are made." Noah nodded with a tired look on his face. "And we want to stress that there is a lot of harassment going on that we see out there on the water every day that is not addressed. Like the jet skiers someone mentioned before. We think a better rule than the one being considered would distinguish between motorized vessels, like boats and jet skis, and people. I mean, if a dolphin doesn't want a human around in the water, they will not hang around. Even with fins on, no human could possibly keep up with a dolphin who wanted to get away!"

"Also," Will keeps on, "maybe we could limit the number of operators in an area, and operators could watchdog each other. Operators could keep detailed logs, then there would be on-site research going on at the same time. These are all alternatives we'd suggest to the current rule that is being considered."

Will can see Noah is about to respond, so he puts up his hand with an apologetic, "one more thing" look about him.

"And," he says over top of whatever it was Noah is attempting to say, "the most important thing, we think, is that swimming with endangered West Indian manatees is a practice that is accepted and encouraged by the U.S. Fish and Wildlife Service at Crystal River in Florida. Crystal River's tourist industry is booming due to the government approved wild manatee interactive programs, and the community really relies on it. We know manatees are protected by the MMPA just like dolphins are. So, really, in all fairness, why is one government agency promoting and encouraging in-water interactions of humans with marine mammals—and ones that are endangered species at that!—while another part of our government, NMFS, is preparing a ban on any interaction with another marine mammal species that is not endangered or threatened?"

Noah has heard this argument before, but thinks "what am I suppose to do about what the U.S. Fish and Wildlife Service does?" to himself. It is similar to his thinking about the captivity issue—"NMFS has virtually no control over captive dolphins," he thinks, "that task belongs to another agency altogether too." Finally, Noah says "Will, U.S. Fish and Wildlife are in control of that. You know NMFS doesn't have anything to do with manatees, so we can not say anything about that. It's the same way with the captive dolphins—the Animal and Plant Health Inspection Service has the control there." After a brief pause he adds, "and besides, unlike manatees, dolphins have teeth and can bite!"

Before allowing the same arguments to resurface, John steps in and, in a fatherly tone says, "Okay everyone. It seems like we've covered most of the bases on this issue. Does anyone have anything new to add?"

"I just want to say," Will starts, "that I'm all for *no harassment*. But what some people consider harassment and what I consider harassment are two different things. The jet skiers, the people still feeding—including the people on the fishing boats—those are examples of harassment. But just going out and anchoring up, having customers put a life jacket on and get in the water—not even touching—we just don't think that is harassment."

Noah looks to John for an indication of whether he should respond, or if it's time to wrap things up. "It's not as if we're going to end up agreeing on any of this" he thinks to himself.

"And besides," Will begins again, now frantically shuffling some papers in front of him, "I want to just add that swim-with tours are benign interactions compared to other things that are allowed by NMFS and by the MMPA. For example," Will looks down at some notes and raises his index finger as if to count: "one, permitting *takings* to the US Navy on their SUTASS/LFAS program, which has proven harmful to cetaceans and other sea life. US Magistrate Judge Elizabeth LaPorte recently found that the NMFS and the NAVY were likely to have violated a number of federal statutes, including the MMPA, the ESA, NEPA, APA."

Without breaking his stride, Will continues reading his list, "also, there are current sanctions approved by NMFS that allow for massive killing, harassment, and enslavement of dolphins. NMFS permits wholesale slaughter of dolphins by the Tuna Industry. And, there is also the use of dolphins by U.S. military testing and use of dolphins as actual weaponry." Raising his head from his notes, Will concludes that "these are more critical issues than our swim-with tours in any case, and NMFS should worry about them." With that, Will settles back in his seat and stacks his papers in front of him. Everyone understands that this meeting was called for that purpose, not to solve all the issues brought up. With an exchange of email addresses and cordial goodbyes, the meeting is over.

Summary of Stakeholder Positions and Justifications

The table below (Table 7.1) summarizes the various positions and justifications of stakeholders concerned about human–dolphin encounter policy.

Dolphin–Human Interaction Policy Networks and Power Flows

As the situation currently stands, NMFS has expressed its position with regard to harassment, and that they consider the activities promoted by the wild swim-with-dolphins operators to meet the definition of harassment under the MMPA and, therefore, to be illegal. But enforcement of such policy matters is difficult, largely because of the resources such enforcement would require, and also, according to NMFS, because prosecuting a harassment claim in court may prove difficult given the current ambiguity in the definition of harassment. Thus, there are competing (human) claims as to just what constitutes *harassment* and the wild swim-with operators continue to offer their commercial tours to customers interested in swimming with wild dolphins.

Table 7.1 *Positions and Justifications of Stakeholders*

	NOAA (NMFS)	Captive Display Industry	Tourism Bureau	Wild Dolphin S/W Operators	Animal Advocates
Position re: Swim-with Tours in the Wild	Opposed to swim-with tours in the wild	Opposed to swim-with tours in the wild	In Favor of swim-with tours in the wild	In Favor of swim-with tours in the wild	Opposed to swim-with tours in the wild
Justification	Harmful to dolphins			No compelling evidence it is harmful to dolphins	Harmful to dolphins
Justification	Harmful to humans	Harmful to humans		No compelling evidence it is harmful to humans	Harmful to humans
Justification				Swim-with tours are positive for people and dolphins if done "properly"	
Justification			Enjoyable for tourists	Regulations proposed are overbroad and unfair	
Position re: Feeding	Opposed to feeding	Opposed to feeding		Opposed to feeding (but some operators still feed, even if covertly)	Opposed to feeding
Position re: Enforcement	Enforcement is important issue	Enforcement is important issue		Enforcement is important issue	Enforcement is important issue
Position re: Captivity and Captive Swim Programs	Condones captivity	Pro-Captivity	Pro-Captivity	Anti-Captivity	Anti-Captivity
Justification	Captive programs educational and provided for by the MMPA	Captive programs educational	Tourists enjoy marine parks	Captivity is harassment; captivity encourages harassment in the wild	Captivity is harassment; it is an individual animal welfare issue, a conservation issue, and encourages harassment in the wild

Making sense of the current state of human–dolphin interaction policy and practice in Panama City Beach requires an appreciation of the geohistory of the area, the political struggles involved, and the dynamic alignment of humans and nonhumans affected by dolphin–human encounters. The dispute over human–dolphin encounter spaces can be illustrated with a network metaphor (Figure 7.12). The notion of networks points towards links of connections between human and nonhuman stakeholders (e.g., Castree & MacMillan, 2001). Figure 7.12 maps the various actors most interested in human–dolphin policy and practice in Panama City Beach in a network that also indicates the flow of influence or control each has in relation to the other.

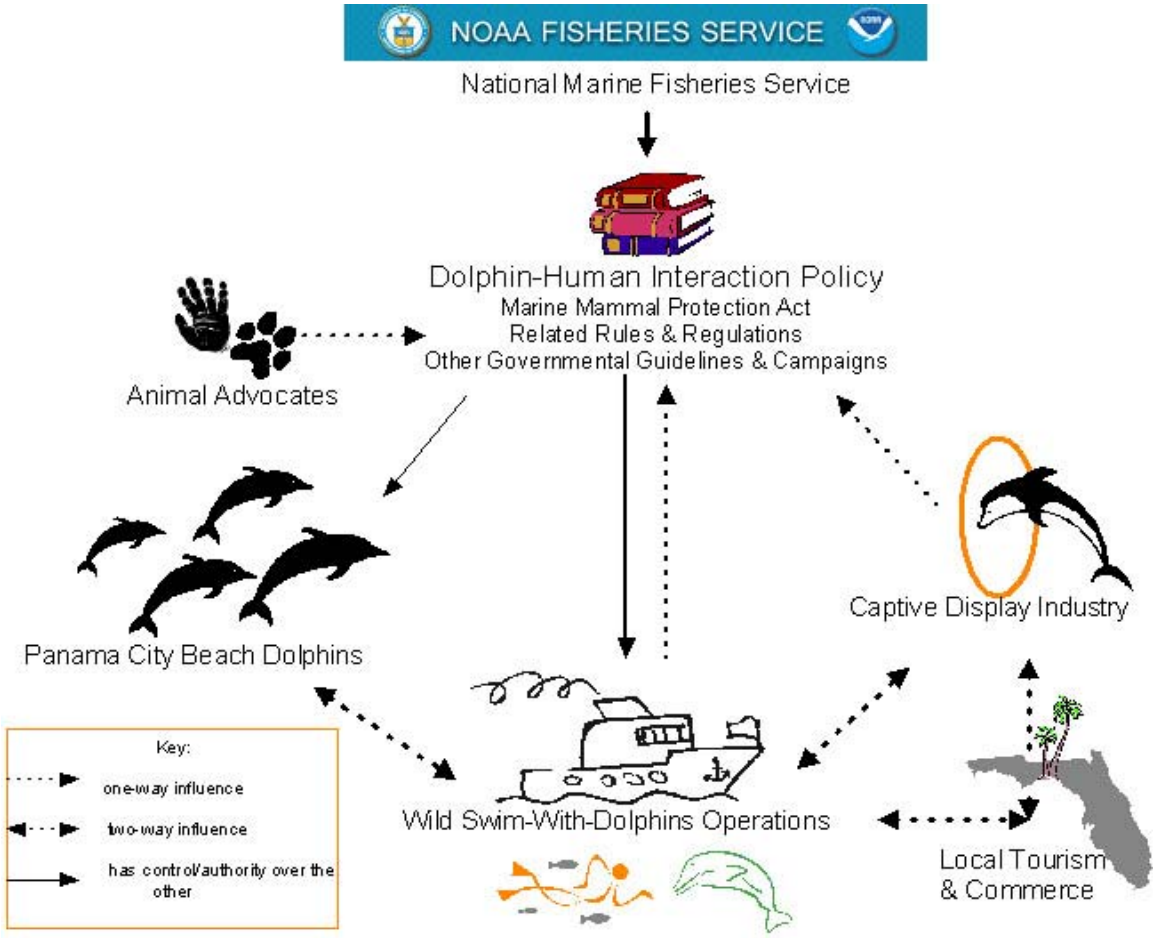

Figure 7.12 Dolphin–Human Interaction Policy Networks

National Marine Fisheries Service has the statutory authority and responsibility to implement the MMPA as discussed above. The solid, one-way arrow in Figure 7.12 signifies that NMFS controls dolphin–human interaction policy in the wild, including the rules, regulations,

guidelines, official statements, and campaigns that are related to the MMPA.[117] Although absent from the roundtable discussion above, Panama City Beach dolphins are featured in the network because they are the actors who are most significantly affected by the issues surrounding the current dispute. Because they are literally unable to attend policy discussions, they rely on human voices to speak on their behalf when it comes to policy discussions.[118] A solid, one-way arrow extends from dolphin–human interaction policy to the dolphins in the network because such policy directly affects the dolphins' material, every day lives—whether they may be taken from the wild for scientific or other purposes, for example. There is no arrow from the dolphins to the policy because the dolphins, having no human voice in this very human process, are not able to directly influence or control policy outcomes.

The solid, one-way arrow to the wild swim-with operators indicates that the policy also has direct authority over dolphin tour operators in Panama City Beach. In other words, the operators' livelihoods depend upon NMFS' decisions with regard to dolphin–human interaction policy. However, there is also a dotted arrow extending from the tour operators to the policy, representing the influence wild swim-with-dolphins operators have on the policy. For example, although current policy suggests swim-with related activities amount to harassment, NMFS has yet to prosecute such a case. This is due to anticipated resistance by the tour operators, and because they expect enforcing the case would be difficult if challenged by a swim-with operator in court.

If, however, NMFS decides to implement regulations that essentially define swim-with activities as harassment, as they did with those concerning people who fed dolphins, commercial wild swim-with-dolphins operators would have little choice but to close down their businesses. If they continued, enforcement and prosecution of such harassment claims would no longer be

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[117] Figure 7.12 is not meant to suggest that NMFS has control over the MMPA, but that its control extends to the rules, regulations, guidelines, and campaigns that are related to the MMPA, to the extent that it is given authority by the MMPA.

[118] It may seem that the animal advocates are the natural "voice" of the dolphins. However, some swim-with tour operators might suggest that they are better able to speak for the dolphins as they have the most experience with them and "know" them best. On the other hand, the captive display industry might claim they represent the dolphins when they suggest that they are best suited to educate people about the needs of dolphins in the wild. Also, the government, with its mandate to protect the dolphins, may consider itself the most valid dolphin voice in the conversation. No one can tell what the dolphins would say were they able to attend the roundtable discussion and express their own viewpoints, positions, and justifications.

difficult (aside from resource concerns). With all ambiguity erased, at least in terms of close, in-water interactions, such activities would be defined as harassment with the regulatory changes.

Animal advocates are indicated as having some influence over dolphin–human interaction policy (whether by way of research, position papers or lobbying for particular policy provisions), but they do not control or have authority over the policy or its makers. The captive display industry also has some influence on interaction policy, by way of partnering with NMFS in order to share an educational message in this case. Also, given that it is a multibillion dollar industry, the captive display industry has the resources available to influence regulation and law making in many venues, if not specifically the one under current investigation. But there is no arrow—solid or otherwise—extending from NMFS or its policies to the captive display industry. That is because NMFS has virtually no authority over dolphins in captivity or the facilities that hold dolphins for public display or captive swim-with programs.[119]

The two-way dashed arrow between the captive display industry and the wild swim-with-dolphins operations indicates that both entities influence one another. The captive industry, or in this case, the local marine park that offers captive swim-with-dolphins programs, may influence the number of wild swim-with tour customers that operators are able to recruit, assuming that at least some of their customer base is shared. If potential wild tour customers are given no guarantee of interactions with dolphins in the wild (due to weather, timing, or any number of other considerations), they may choose to patronize the marine park where interactions in the captive swim-with programs guarantee close interaction and touching. On the other hand, the more successful wild swim-with operators are, the greater the potential for the marine park to lose potential customers to their competition.

Wild swim-with dolphins operations also connect with the Panama City Beach dolphins with a two-way dashed arrow, indicating that they have influence upon the dolphins, and vice versa. If there were no dolphins in the waters around Panama City Beach, there would be no wild swim-with tours at all. Similarly, if the dolphins did not approach boats in the area, there would be no wild swim-with tours. And if the local dolphins were inflicting severe injuries upon many wild swim-with customers, the wild swim-with operations would presumably suffer. The commercial tours also influence the dolphins, as do other humans who share space with the free-ranging dolphins. The feeding that apparently still continues in the area (by some operators, not

[119] For a more detailed explanation see Chapter 2.

all)—regardless of whether it is now defined as harassment and therefore illegal under the MMPA—is one obvious influence on the dolphins who live in the waters around Panama City Beach. Dangling food items, pretending to hold food over the side of a boat, leaning over the boat, banging on the side of the boat, touching the animals, getting into the water and swimming near or around the animals—I observed all of these activities while aboard various commercial swim-with tours. Not all tours allowed customers to do all of these activities, but all tours and tour customers, to some degree, directly influenced the behavior of the resident dolphins (whether or not one would be inclined to define one or more of these activities as harassment).

Local tourism and commerce is defined by two-way, dashed arrows to both the captive display industry and the wild swim-with-dolphins operations. The main goal for those promoting tourism and the local economy is to offer vacationers to the area as many opportunities to involve themselves in local commerce as possible. The local tourism office offers brochures and maps to visitors with suggestions of what they might like to do on vacation. Both wild swim-with brochures and local marine park brochures are present in large number at the visitor's center. The influence could flow the other way if vacationers have a bad experience with either of these two commercial activities, as they may complain to the local office and perhaps perpetuate a negative image of the local area that could be harmful to the entire local economy. In each case, influence and authority in one area of the network indirectly affects the other areas as well.

A Descriptive Network

The visual network offered above to describe the current political process regarding human–dolphin encounter spaces is meant to resonate with Actor-Network Theory (ANT), to the degree that such perspectives challenge dualistic, categorical thinking. The practice that NMFS suggests in its Protect Dolphins campaign of "keeping the wild ones wild" for example, might seem easily explained by natural realists who would argue that preventing further interaction between people and dolphins at Panama City Beach is about getting "back to nature." A social constructionist, however, might claim that the government's interest in erecting a more clearly defined 50-yard barrier between people and dolphins is about social actors controlling the interactions to conform with their culturally produced image of what nature or "wild" is supposed to look like (i.e., "wild" means no human contact) (see Bingham, 1996; Castree & MacMillan, 2001; Whatmore, 2002). The network represented above in Figure 7.12 cross-cuts

this social/nature binary, and highlights the multiple, enduring links between the swim-with commercial operators, NMFS, the dolphins, the captive display industry, the local economy, animal advocates, and the different associations that weave this policy dispute network together as a *process* (see Castree & MacMillan).

But although ANT helps to visualize and describe the network involved in the policy dispute, Figure 7.12 is not meant to suggest that, as ANT proponents urge, power is "thoroughly *decentered"* in this network (Castree & MacMillan, 2001, p. 214). On the contrary, the different types of arrows (some suggesting influence while other indicate authority) represent that NMFS is the single entity with control over the policy that in turn has authority over human–dolphin interactions in the wild. Other actors may influence NMFS, but power rests squarely with that government agency. The Panama City Beach dolphins, on the other hand, have no influence or control over NMFS, but are subject to NMFS' authority.[120]

For ANT proponents, one can overstate the *power* of power, and power is not a wholly human attribute (Castree & MacMillan, 2001, p. 214). But in practice, with respect to the current network at least, power is absolutely vested in humans.[121] Human social structures control law and policy—a thoroughly human endeavor created, maintained, enforced, and disputed by *humans.* Of all the actors represented in Figure 7.12, the dolphins have the greatest stake in the dolphin protection policy decisions, as such outcomes directly impact their lives—physically, socially, and otherwise. But they have no native voice in the conversation, regardless of whether they have "agency" without human language (see Callon, 1986; Whatmore, 1999). It is only through human representatives that their interests are voiced in the dispute over how they are to be approached (or not) by other humans.

Encouraging Encounters, Resisting Encounters

The tensions in Panama City Beach, and the related policy dispute, are a result of the area's unusual geohistory and the varied interrelations between stakeholders interested in such encounters. These include commercial wild swim-with-dolphins operations, the captive dolphin

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[120] As another example, NMFS may allow permits for one or more of the dolphins to be captured, studied, or released back to the wild after having been sick or stranded on land.

[121] Nor am I willing to discount (as ANT would encourage) the significant power residing in more far-reaching social structures affecting this matter, such as capitalism (see Castree & MacMillan, 2001). D. Harvey (1996) recognized that the common thread between socioecological and political economic projects (and between environmentalists and socialists specifically) is the valuation of nature through capital. I agree that environmental matters can not be fully understood without careful attention to political economy (D. Harvey, 1996).

display and interaction industry, animal advocates, local commerce interests, the dolphins themselves, and governmental dolphin protection policies. Dolphins lived in the waters around Panama City Beach long before there were any commercial dolphin tours. The history of feeding dolphins in the area and the subsequent pressure to switch to something equally compelling for customers but not blatantly illegal, led area tour operators to create wild swim-with-the-dolphin operations in Panama City Beach. In this way, the geohistory of the area set the stage for the current policy dispute.

Dolphin tour operators literally construct opportunities for dolphin–human encounters in the waters around Panama City Beach, and their success, promotion, and advertisement, along with the growth of their industry more generally, maintains and legitimizes swim-with-dolphin programs in the wild. Local dolphin behavior serves to encourage encounters in the wild as well, as does the practice of local fishing parties who, intentionally or not, toss by-catch or other unwanted fish into the water where dolphins are swimming-by. Along with tour operators, local commerce and tourism interests further maintain and legitimize the encounters as enjoyable, valid, educational, and/or environmentally inspired activities for people to engage in.

At the same time, however, human–dolphin encounters in the wild are determinedly resisted by governmental influence, including NMFS policies, campaigns, and guidelines for interacting with marine mammals in the wild. Captive display and interaction interests stand with the federal government in doing what they can to also resist wild encounters, as do animal advocates who agree that human–dolphin encounters may be harmful for both humans and dolphins.

Moreover, the policy dispute over wild encounters in Panama City Beach is nested within a larger contested space where human–dolphin encounters with *captive* dolphins are also simultaneously encouraged and resisted. For instance, while actively resisting wild swim-with-dolphins activities, the captive display industry (not surprisingly) encourages dolphin–human encounters in captivity. The success of that billion-dollar industry, along with its promotion and accessibility, serves to maintain and legitimize viewing and interacting with dolphins in captivity. But animal advocates (who stand with the captive display industry in opposing swim-with-dolphins operations in the wild) also resist swim-with-dolphins programs in captivity, suggesting that captivity itself is among the most egregious forms of dolphin harassment. Tourism interests encourage both captive and wild programs, as long as both are commercially

beneficial for the community. NMFS, on the other hand, opposes wild swim-with activities, but also encourages—or at least condones—captive activities.

Human–Dolphin Encounter Values

Whether wild swim-with-operators, the captive display industry, animal advocates, and local commerce representatives encourage or oppose wild encounters or dolphins in captivity makes sense intuitively. What these stakeholders value—in other words, what they believe is "good, right, just, or desirable" (Lynn, 1999, p. 82)—is relatively straightforward. For tourism interests, it is very simple: Profits for the local community are highly desirable, and the dolphins—captive or wild—are a profitable tourist draw. A representative from the tourism board in Panama City Beach suggested what he thought fuels the customer draw: "Dolphins are wonderful animals—they're beautiful, they're smart, they're fun to encounter. I think giving the opportunity for a visitor to interact with them [provides a] great experience."

Wild swim-with-dolphins operators in Panama City Beach certainly rely on the local dolphins as means to the ends of making their tour businesses profitable. In this way, the free-ranging dolphins are commodities and, as one tour operator put it, "valuable resources." Wild dolphin tour operators also indicated during interviews, however, that they value dolphins as more than mere resources, identifying them as beautiful, intelligent, gentle, playful, interested, social, independent animals that "can extend understanding" between humans and dolphins and "heal and repair" people by interacting with them. Thus, while dolphins are seen as potential playmates or healers, wild swim-with operators also value their freedom and autonomy—their *wildness*—and suggest that it is good to "see dolphins in their natural environment. [Then] people see they're not Flipper like at SeaWorld, where the dolphins are there just for the people's pleasure!"

Captive dolphin facilities also commodify dolphins as their primary customer draw, but they are valued just as all other animals are in the park, including turtles and fish. Recognizing the popularity of dolphins and that "everybody loves dolphins," one marine park representative expressed that dolphins "are exactly the same as other animals," and said she makes a point of this when communicating with park customers. "I compare them to squirrels," she told me during one interview. For marine parks, dolphins too are valuable *resources*, serving both to

draw customers to the park, and—they suggest—as important educational tools and/or "ambassadors" for dolphins in the wild and their habitats.[122]

Captive dolphins are often identified as beautiful, intelligent, and playful, just as they are by wild dolphin tour operators. The primary difference, when it comes to how they are represented in captive encounter programs, is the emphasis that captive dolphins are "under control" and therefore, "safe" as compared to free-ranging dolphins. Additionally, captive display industry representatives frequently suggest—whether overtly or by example—that captive dolphins require human caretaking. It is almost as if captive dolphins are no longer *wild*—an insinuation also promoted by wild tour operators. Thus, captive dolphins are not valued as complex self-sufficient entities; they are animals that need to be managed and taken care of. And using dolphins in public displays and/or interaction programs is valued as educational for human customers.

Animal advocates, on the other hand, are careful to make clear that all dolphins are wild animals—whether captive or free-ranging—not domesticated like dogs, cats, or horses. Generally, animal advocates value dolphins as wild, independent, self-sufficient beings. As such, they argue that dolphins deserve to live their lives free from human interference, and keeping dolphins in human care is antithetical to those values. Any activity that interferes with their independence or that could cause harm—as swim-with-dolphins activities in the wild might, they suggest—also runs counter to how they value dolphins. For animal advocates, recognizing dolphins as having intrinsic value supersedes other values that they might also recognize as important, such as the educational value of keeping dolphins captive, or the "wonderful experience" that swimming with dolphins in the wild might provide for humans, or even satisfying the curiosity of wild dolphins seeking out human interaction.

Although most stakeholder values are relatively straightforward, dolphin–human encounter law and policy, and NMFS' values with respect to dolphins, is less clear. On the one hand, NMFS actively opposes close in-water interaction between humans and dolphins, contending that such behavior is harassment and forbidden by the MMPA. Their nationwide Protect Dolphins education and outreach campaign features the phrase "Let the Wild Ones Stay

[122] I do not mean to say that all people associated with captive industries value dolphins merely as commodities; on the contrary, I met many dolphin trainers who valued the dolphins they work with as far closer to persons than property. Many of them seemed to have a deeply personal, even familial, relationship with the dolphins at the facility (see Chapter 6).

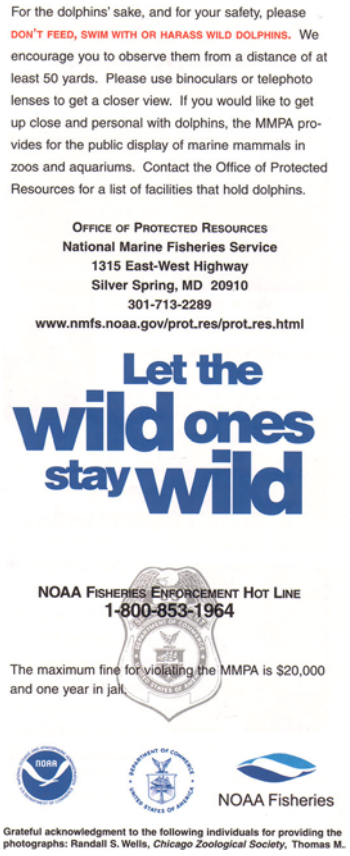

Figure 7.13 NMFS Brochure

Wild" and recommends that people stay at least 50 yards away from dolphins, reiterating that they are "really wild animals who should be treated with … respect." This suggests that NMFS' values—and those values inherent in MMPA and related human–dolphin encounter policy—resonate most closely with those of the animal advocates.

However, NMFS does not oppose keeping dolphins in human care as animal advocates do. NMFS officials work together with the captive display industry to inform marine park and interaction facility visitors about NMFS policies. Moreover, on the backside of the *Protect Dolphins* brochure, in a paragraph above the phrase "Let the Wild Ones Stay Wild," NMFS directs citizens who wish to interact with dolphins to patronize captive dolphin facilities. The brochure reads:

> If you would like to get up close and personal with dolphins, the MMPA provides for the public display of marine mammals in zoos and aquariums. Contact the Office of Protected Resources for a list of facilities that hold dolphins.

In this way, NMFS' seems to value dolphins as the captive display industry does—primarily as commodities properly consumed by the human public. From this perspective, although not necessarily articulated this way during interviews with NMFS representatives, it seems that the (human) educational value of displaying and/or interacting with captive dolphins outweighs the value of dolphins as *wild* animals.

Explaining Dolphin–Human Encounter Policy Incongruity

Whether or not a question of competing values, the government's campaign to prevent harassment of dolphins by keeping people away from them is at odds with a simultaneous invitation for those same people to patronize a facility that confines dolphins who live their lives under constant human control. These various policies suggest incongruity in NMFS' discursive representation of dolphin–human encounter ethics; in other words, what does NMFS say is the right or *just* way to interact with dolphins? How can this incongruity be explained?

David Harvey (1996) suggests that any discursive representation of justice should be critically scrutinized in relation to the larger material conditions in which it is found. Harvey argues that, like space, time, and nature, *justice* is a socially constituted set of discourses (and institutionalizations) that express social relations and contested configurations of power that in turn regulate and order material social practices (D. Harvey, 1996, p. 330). Although I strongly disagree that either justice or ethics is reducible to social constructions—or that David Harvey's (1996) relational concept of justice is appropriate to *evaluate* the ethics of human–dolphin encounter spaces—Harvey's exercise of examining the various discursive *representations* of justice offers great insight when explaining how societal structures legitimize, encourage, and resist human–dolphin encounter spaces.[123]

In the above described roundtable policy discussion, each actor was essentially seeking to impose the concept of dolphin ethics that best served their own material best interests (see D. Harvey, 1996; Kodras, 2002, pp. 194–195). All stakeholders are engaged in an ongoing negotiation over dolphin–human encounter ethics using the state and market in a complex power play for advantage and reward in the larger political economy (see Kodras, 2002, p. 192). One outcome of this negotiation at any given time is reflected in how dolphins are valued, what is considered appropriate interactions with dolphins, and how dolphins are regulated and commercialized. By using both discursive and material practices, each of the stakeholders also influences dolphin values and perceptions in the general public.

For example, marine parks shape public values and attitudes with promotions, programs, and their use of dolphins. Just the act of putting dolphins on display (in an enclosure or by way of performance) demonstrates the sheer power of one species over another. In addition, "those with the greatest control over these material processes also seek to justify their positions of power by deploying discursive practices" (Kodras, 2002, p. 193). For example, perhaps the most popular marine park, SeaWorld, uses powerful advertising to create consumer demand and also to shape perceptions about dolphins and how humans should interact with them. Their aim is to "share the magic" of being up close and personal with dolphins in a rich text that suggests many

[123] One important geographic contribution that Harvey attempts in *Justice, Nature and the Geography of Difference* (1996) is to build a discursive bridge between a radical politics of place, and an environmental movement (that Harvey suggests has been captured by bourgeois social forces) (D. Harvey, 1996). Creating a language and engaging a set of principles that considers environmental issues within a Marxist framework provides useful insights for explaining how social structures influence human-dolphin encounter policy.

specific ideas about the place of dolphins in contemporary American culture (Davis, 1996, p. 205). Furthermore, SeaWorld is "not only about seeing, exploring, and collecting; it is about relationships, feelings, and families" according to the sentiments expressed in its advertising (Davis, 1996, p. 210). The prevailing goal of profit maximization requires that marine parks like SeaWorld also justify their own relations with dolphins, thus resulting in an emphasis on values such as education and caretaking that ultimately serve to naturalize captive display environments for dolphins.[124]

As Jan Kodras (2002, p. 191) recognized, the market has great structural effect on society because it contains the apparatus (e.g., labor markets, capital markets, property markets) that in large part control economic resources (e.g., wages, profits, dividends, capital gains). The motive of the market (regardless of its various entities and sectors) is simply to generate profit and accumulate capital (D. Harvey, 1996; Kodras). The government also influences society through its various institutions and agencies (Kodras, p. 191). But the government's role, unlike the single role of the market, is generally two-fold in our liberal democracy: it both assists the market (through providing the conditions necessary for capital accumulation) and, in a sometimes competing role, assists civil society by providing services (like education and emergency services or health and safety regulations) in an effort to gain legitimacy from citizens, and thus ensure a stable society (Kodras, p. 191). Kodras explains how the two roles may contradict one another: "The state is under constant pressure to balance these two … roles in ways that simultaneously bolster the power of capital and yet protect the interests of citizens." In effect, "the state either reinforces or counters [societal conditions], depending on the primacy of its accumulation or legitimization roles" (Kodras, pp. 191–192).

One explanation of NMFS' incongruent discourse about dolphins and human–dolphin encounters is that it is a result of the tension between its dual roles. In this case, the government is assisting civil society on the one hand (by creating law and policy designed to protect dolphins and people) while simultaneously assisting the market on the other. Although both the wild tour

[124] Similarly, government agencies like NMFS also have and use resources (including the public information systems) to legitimize their dolphin–human encounter policies. This is not to say that each actor is not doing what they believe is *right*, as "powerful actors in both private firms and public institutions seek to assure …that the best interests of the market and the state are also and always the best interests of consumers and citizens" (Kodras, 2002, p. 193). However, "the powerful have disproportionate control over this societal discourse, imposing versions of the world that serve their own best interests, thus structuring perceptions of reality for others and framing the sense of what is possible" (Kodras, 2002, p. 193).

operators and the captive display industry are market forces, marine parks have far greater resources (and thus power) to influence the government than do the limited number of small, owner-operated wild swim-with-dolphins operations. In any case, because economic and political power are intertwined, in the United States, capital always has an advantage in aligning the government with its interests (Kodras, 2002, p. 196).

Aiming Past Description and Explanation

The human–dolphin encounter policy dispute is a result of complex social and political interactions that both encourage and resist encounters in Panama City Beach. This complexity is reduced to a simple policy network (Figure 7.12), which shows an unequal flow of power and influence. Although interrogating values and discursive representations of encounter ethics is useful to explain stakeholder policy positions, and the network is useful to visualize the power flows (suggesting that those resisting encounters will ultimately prevail in the dispute given the resources available to various stakeholders and their respective influence), these descriptive and explanatory efforts are not sufficient. Such efforts remain ethically detached and fail to reach the heart of that which is under investigation: how *should* we interact with dolphins?

CHAPTER 8

UNDERSTANDING HUMAN-DOLPHIN ENCOUNTER SPACES

A thorough understanding of human-dolphin encounter spaces encompasses description, experience, explanation, and evaluation. The foregoing case studies provide a foundation of concepts, meanings, and contextual interpretations to inform a fully situated understanding of particular encounter spaces. Taking all of the case studies together, the lessons are fundamentally geographical: As encounter spaces change, so do views and experiences change, as does the essential nature of what it means to *be* dolphin (see e.g., Peet, 1998, Tuan, 1975, Whatmore & Thorne, 2000).

A process of evaluation is essential to a situated understanding of encounter spaces. It allows us to make discriminating judgments about our ethical responsibilities in concrete sites and situations and to adjudicate better and worse ways of sharing space with dolphins. Deliberating on a practical ethic for human-dolphin encounters involves both critique and vision (see Lynn, 2005a). Criticisms are aimed at those positions that detract from the well-being of humans and/or dolphins. At the same time, I imagine how to install positive changes that maximize the well-being of both humans and dolphins and suggesting alternatives to current material circumstances. My primary aim is to encourage dialogue; not to settle on *correct* interpretations, but to reach a more enriched and perhaps better understanding of human-dolphin encounter spaces in the marketplace today.

Encounter Insights: Same Planet, Different Worlds

Varying Views of Dolphins

Human-dolphin encounter customers' views of dolphins varied considerably depending upon the context of the encounter space. The diverse perspectives may have been, in part, a result of the kind of person who was drawn to participate in one type of encounter over another. For example, someone who was strongly opposed to dolphin captivity in any form probably would not have chosen to participate in a captive swim-with-the-dolphins program. In other

words, customer views were likely an amalgamation of their particular human-dolphin encounter experience(s) and their preconceived ideas about dolphins.

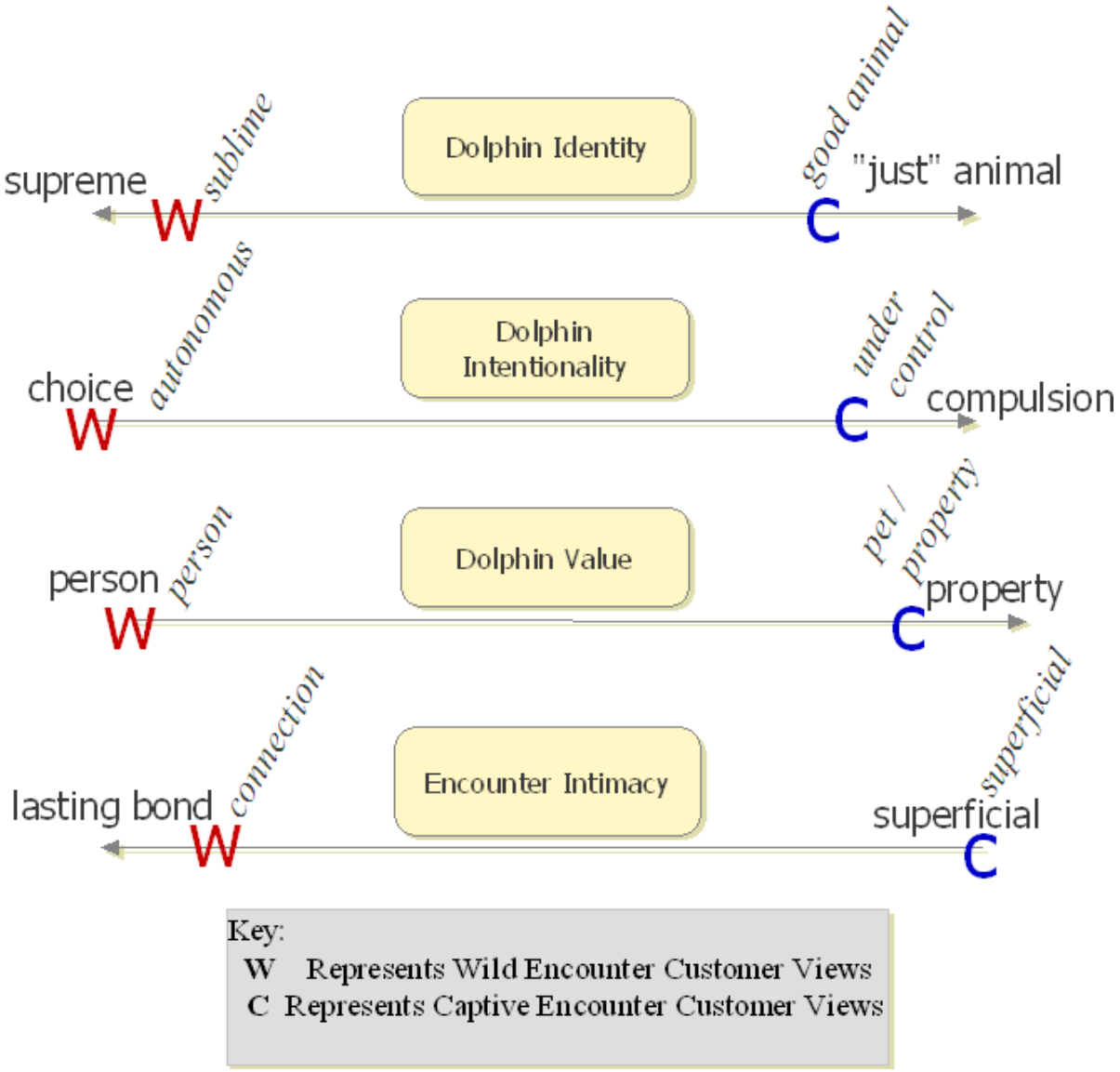

Figure 8.1 Comparison of Wild and Captive Encounter Experiences

A visual comparison along previously identified theme spectrums demonstrates the diversity of customers' views (Figure 8.1). On the whole, wild encounter customers valued dolphins as autonomous persons, rather than things or property. Dolphins were also viewed as sublime, intentional creatures with whom wild encounter customers made deeply personal connections. Captive encounter customers generally fell on the other side of the spectrum. For

them, encounters were generally superficial, and the dolphins were identified as (good) animals that were under the control of their human trainers. For captive encounter customers, dolphins were valued as something closer to a pet or property as opposed to a person.

It was not that captive encounter customers disliked or were ambivalent about dolphins. On the contrary, these customers were generally thrilled to be able to closely interact with the dolphins at the facility and expressed themselves as having had "fun" and considering dolphins their "friends." An overwhelming number of people interviewed told me that they "love dolphins." Like me, they were a few of the countless people throughout space and time who have been curious about, enamored with, or somehow drawn to dolphins. But if *love* means to value dolphins as sentient, sapient individuals who are intrinsically valuable and therefore worthy of respect, autonomy, and freedom, captive encounter customers did not love dolphins any more than I did as a girl on the beaches of the Atlantic Ocean. They thought of them as playful, friendly, gentle, and even intelligent, but captive encounter customers ultimately valued dolphins as pets or property—commodities—that were properly situated in a space made by and for humans. These views are consistent with an anthropocentric perspective.

Interestingly, during my time aboard the *Gulf Stream Eagle*, I did not hear any wild encounter customers say that they "love dolphins." However, all of those customers indicated that they valued dolphins as self-sufficient individuals with complex inner worlds. Everyone also expressed, in different ways, that they considered dolphins morally considerable beings. Such views resonate with a more inclusive value paradigm such as geocentrism, which acknowledges moral value and standing of people, animals, and the natural world (see Lynn, 1999).

Varying Ways of *Being* Dolphin

The case studies revealed more than just diverse human *ideas* about dolphins. The dolphins involved in the varying encounters were, to a significant degree, different animals. Whatmore and Thorne (2000, pp. 201–202) observed how elephants who lived in different spaces (one in a zoo and others in an African park) "may be kindred under the same taxon *Loxodonta africana*, but in many other senses … are worlds apart." The zoo elephant's experiential range and social bonds, which included sharing a concrete-floored enclosure with one other Indian elephant and depending upon humans for sustenance and care, was vastly different from the African park elephants', who still led nomadic, socially rich lives in a natural environment (Whatmore & Thorne). Similarly, dolphins in human care have become habituated

to a more impoverished repertoire of sociability, movement, and life experiences that set them worlds apart from free-ranging dolphins living in their natural environment.

The dolphins' experiences surely vary according to their particular captive lifestyle as well. I would suggest, for example, that life in a natural sea pen environment is far more enriching for dolphins than living in a concrete pool enclosure. Once captive, however, no dolphin is any longer a self-sufficient, autonomous individual with unfettered choices. Instead, they become constant subjects of caretaking under the watchful—if even compassionate, respectful, and personally invested—scrutiny of their human caregivers.

Shared Bonds between Captive Dolphins and Trainers

Dolphin trainers demonstrated the most intense encounter intimacy with dolphins, indicating that they had familial, lasting bonds with the dolphins. I did not anticipate these findings; I expected that people affiliated with captive facilities would be likely to objectify the dolphins under their control. Some dolphin trainers indicated that other facilities and people who are not in constant daily contact with the dolphins may do just that—thinking of them as revenue-making parts of a larger commercial machine (to varying degrees). That was also my impression when I made day-visits to other captive facilities in Florida. But the trainers I interviewed and observed at Dolphins Plus considered the dolphins to be their family. Trainers had intensely close, intimate relationships with the dolphins and respected them as extraordinary individuals deserving the very best care.

It was not a one-way relationship. The dolphins also seemed intimately connected with their human caregivers. More than merely dependent, obedient, or wanting to please them, the dolphins demonstrated trust, affection, and loyalty towards their trainers. For example, dolphins responded positively and enthusiastically when their trainers spent time with them at the dock or (especially) swam in the water with them, and would show signs of mourning and depression when long-time trainers left their position at the facility. Trainers also expressed feelings of mourning and regret at having left the facility before or thinking about the potential of leaving in the future. The familial bond that captive dolphins can have with their human caretakers is another way that they are very different from most free-ranging dolphins.

A Cosmopolitan Approach and a Practical Ethic for Human-Dolphin Encounters

When geographers like David Smith (1994), David Harvey (1996), and Jan Kodras (2002) discuss the importance of social justice for people—especially for those who belong to

vulnerable populations—the justification for such protection is rooted in the dignity and worth of human beings. People have *moral* or *intrinsic value* because, as self-aware (sapient), feeling (sentient) creatures, we have a responsibility to treat one another with care and respect. When it comes to other animals, however, our society does not agree whether moral value should be extended beyond humans. In other words, the moral community is limited, for many people, to humans. This kind of moral exclusion is characteristic of anthropocentric value paradigms (see chapter 3).

Sound evidence confirms that dolphins too are complex, sentient, and sapient creatures with personalities and emotions (see chapter 2). They are the authors of their own actions, have significant intellectual capabilities, and—given the ways dolphins interact with us—they seem to recognize that other beings (humans) share their cognitive and affective abilities. Dolphins also exhibit a host of extraordinary capabilities that humans do not share or fully understand (see chapter 2). For these reasons, dolphins too have intrinsic value and we have a responsibility to treat dolphins with care and respect.[125] This more inclusive approach suggests the *cosmopolis* as an interpretative frame for understanding the ethics of being human in a world that is predominantly nonhuman (Shepard & Lynn, 2004). The cosmopolis paradigm challenges a privileged placement of any one group or species over another in ethical and political thought and practice, and allows for the exploration of justice and well-being for *all* members of the mixed human and nonhuman community (Lynn, 2002a; Shepard & Lynn, 2004).

A cosmopolitan sensibility about contemporary human–dolphin relationships suggests a situated moral understanding of the needs and values of humans and dolphins in various encounter spaces. In Panama City Beach, Florida, a contested space where human–dolphin encounters are simultaneously encouraged and resisted, the question of human–dolphin interactions is in dispute (see chapter 7). It is a contentious sociopolitical issue; but it also begs an essentially moral question: How *ought* humans and dolphins interact with one another? Not at all, some animal advocates say. Others argue that people and dolphins should be able to interact

[125] I have been explicit about my position in chapter 3. I recognize the inherent value of nonhuman animals (dolphins included). Recognizing that all animals have moral standing means that their well-being is taken into account just as human well-being is considered—but it does not necessarily mean that different individual animals or groups of animals should be treated in exactly the same way. When there is a conflict between species, for example, a process of moral inquiry and judgment is unavoidable, as in the hypothetical case I suggested in chapter 3, which pitted the fate of dolphins against single-cell algae.

with each other without restriction, or that encounters should be allowed only when they occur in one context (wild vs. captive) but not the other. Although there is no definitive list of principles to guide moral thinking or behavior, a practical ethic[126] for human-dolphin encounter spaces will respect the moral standing and integrity of all participants (including individuals, populations, and ecosystems), avoid harm while seeking mutual benefit, and promote the well-being of both humans and dolphins.

Toward an Ethical Understanding of Encounters in the Wild

The moral issues to consider with respect to current United States policy regarding human–dolphin encounters in the wild include dolphin and human well-being, as well as our responsibility to ensure that free-ranging dolphins do not suffer harm as a result of anthropogenic activities like commercial swim-with-dolphins programs. It is not enough to argue, as tourism interests in Panama City Beach do, that such programs promote tourism and economic growth and therefore ought to be allowed to continue. At its extreme, this perspective values human (economic) gain to the exclusion of dolphin well-being, and is therefore inadequate. Most positions and justifications for or against wild dolphin interaction programs are more complex, however.

Dolphins and their seascapes deserve our care and respect. This is a common value expressed by most involved in the policy dispute that is the subject of chapter 7—everyone is opposed to dolphin *harassment*. The difficulty is in defining what amounts to harassment. Those opposed to close, in-water interactions between humans and dolphins in the wild claim that such activities are (at least potentially) harmful to both humans and dolphins. Those in favor of such programs argue that human–dolphin encounters are beneficial. The evidence supporting the various positions is limited.

Although dolphin researchers Amy Samuels, Lars Bejder and Sonja Heinrich (2000) provided ample evidence that uncontrolled food-provisioning can be harmful to dolphins, their findings with regard to swimming with free-ranging dolphins (in the absence of feeding), were less clear. In an exhaustive review of scientific literature related to wild dolphin swim-with activities commissioned by the Marine Mammal Commission, the authors found that "there is

[126] For a more thorough discussion of practical ethics see chapter 3.

virtually no research that specifically addresses short- or long-term impacts of regular swim-with operations on the behavior and well-being of" dolphins (Samuels et al., 2000, p. 17).[127]

With regard to how dangerous encounters may be for people, available evidence is also uncertain. In another report to the Marine Mammal Commission by researchers Samuels and Bejder (1998)—later published in a scholarly journal (Samuels & Bejder, 2004)—the authors conducted a short study in the waters around Panama City Beach to evaluate the potential harm of human-dolphin interactions. The 1998 study involved five days of quantitative field research,[128] during which the researchers focused on one dolphin that was thought to have had habitual interactions with humans (Samuels & Bejder, 1998). Samuels and Bejder found that "humans in the water were at risk of injury by the dolphins" (2004, p. 74). "Risky behavior" was defined as activity "that may cause injury, illness or death," and humans were said to have been at risk whenever they were in close proximity or had physical contact with a dolphin (Samuels & Bejder, 1998; 2004, p. 71), By these standards, most commercial swim-with tour operators who promote close, in-water dolphin encounters repeatedly place their customers at risk for injury or death. Still, according to local reports, no person has ever been injured (or killed) by encounters with dolphins near Panama City Beach. Tour operators insist that there have been no injuries over all the years that in-water interactions have taken place, and tourism officials confirm that no reports of injuries have been made to their office. NMFS officials and others opposed to wild dolphin interaction tours can not dispute their claims. However, they do have evidence of dolphins becoming aggressive and harming people in other areas, and thus rely on the argument that it *could* happen in Panama City Beach as well.

All things considered, the risk of a person being injured while swimming with dolphins seems remote, especially when compared to other potential injuries to human swimmers in open waters. For example, shark attacks are considered rare, but they happen with much greater frequency[129] than any estimate of dolphin-related injuries (American Elasmobranch Society,

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[127] Interestingly, Samuels et al. nevertheless came to the conclusion that "even in the absence of more specific information … available data indicates [*sic*] that swim-with activities *clearly constitute 'harassment'* as defined in" the MMPA (p. 17, emphasis added).

[128] Samuels and Bejder (2004, p. 69) acknowledged that the study was "of limited duration," and originally (1998) called the research a "pilot study" that was to be followed up with several phases of more in-depth research to occur over several years. No further research has yet occurred.

[129] Florida averaged more than 30 unprovoked shark attacks per year from 2000 to 2003 (American Elasmobranch Society, 2005; J. C. Miller, 2005). The risk posed by shark attack has been compared to all sorts of things, including death due to lightning, bee stings, injuries caused by domestic dogs, and falling coconuts, but risk of death or injury

2005). NMFS warns in its *Protect Dolphins* campaign brochure that "dozens of bites have been reported." However, no comprehensive report of dolphin-related injuries is available, and my research confirmed fewer than ten (mostly minor) injuries in the United States. All of these occurred near Nokomis, Florida between 1992 and 1999 and were thought to have involved one or two particular dolphins who, because of their insistent begging behavior, were called Beggar and Moocher, Grinder and Grinda, or Mooch and Mrs. Mooch (Angilella, 1993, 1995; Broad, 1999; Brooks, 1996; Villano, 1999). Outside the United States, the few accounts of free-ranging dolphins behaving aggressively towards humans typically involved lone, sociable dolphins and only occurred when the dolphins were in highly stressed, or unusual situations resulting from inappropriate human behavior (Frohoff & Packard, 1995; Lockyer, 1990; Santos, personal communication, March 4, 2005; Santos, 1997; Shane, 1995; Shane, Tepley, & Costello, 1993).

The risk to people involved in close interactions with dolphins in Panama City Beach may be arguable, but the threat of harm to the dolphins involved is clear-cut. Wild dolphin tour operators, NMFS officials, and empirical research findings agree that Panama City Beach dolphin behavior (approaching and lingering around boats) has resulted in dolphins being snared by hooks in their mouths, injured by boat propellers, and fed a wide range of inappropriate food and nonfood items (Colburn, 1999; Samuels & Bejder, 1998; 2004; Spradlin, personal communication, August 9, 2004). Furthermore, unscrupulous people are able to manipulate local dolphins by pretending to dangle food over the side of their boat, encouraging dolphins to approach, and making them vulnerable to inappropriate behavior such as sticking foreign objects into their blowholes. This activity is undoubtedly related to the history of feeding in Panama City Beach. However, as one NMFS official suggested, the history of (and continuing) feeding activity—whether or not encouraged by swim-with tour operators—provides the opportunity for such close interactions to continue near Panama City Beach, and commercial dolphin encounter businesses trade on those opportunities.

For NMFS, the answer is as simple as a 50-yard boundary between species. I hesitate to accept any solution that demands a strict barrier between humans and animals. It is a literal solidification of the human–animal divide. As a mode of thinking, such barriers are problematic because they resonate with an anthropocentric value paradigm—a worldview that conflicts with

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due to shark attack is far less than any of these (American Elasmobranch Society). According to a study by the Centers for Disease Control, 4,406 people drowned in America during 1998. That is about 550 times as many deaths

a practical ethics approach and is anathema to moral understanding from a cosmopolitan perspective. Furthermore, the discursive portrayal of dolphins as (potentially) dangerous and aggressive animals in NMFS' *Protect Dolphins* campaign bolsters a divisive approach. In its laudable eagerness to protect people and dolphins, NMFS labors against thousands of years of association with and admiration for dolphins. It is the overwhelming popularity of dolphins—what motivates so many people to say they "love dolphins"—that, in large part, led to their *protection* through the enactment of law and policy, including the MMPA. Attempting to dismantle the "Flipper myth" by denying the positive associations people have with dolphins, and organizing humans and dolphins into discrete, severable spaces ignores the validity of some human-dolphin relationships and may ultimately prove counterproductive to the project of promoting dolphin well-being.

Proponents of wild swim-with-dolphins tours contend that the programs actually benefit people and dolphins. Certainly, the increasing popularity of dolphin swim-with programs indicates that people enjoy the experience (e.g., Samuels et al., 2000). Some research also suggests that swimming with dolphins can be a positive, even therapeutic, experience for people (Nathanson, 1989; 1998; Rowan, 1994), but others consider such studies—at least as concerns dolphin-assisted therapy—dubious (Parsons, personal communication, February 4, 2006). And how might the dolphins benefit from the encounters? Dolphins in Panama City Beach seem to approach boats because they are looking for hand-outs, but when no fish are offered by the people aboard the dolphins typically lose interest and leave the area. Sometimes, however, even when no fish are present, dolphins will swim near people for a brief time—they seem to be interested in the people in those cases, if only for a few minutes. Other than satisfying the dolphins' curiosity, there may be indirect benefits to dolphins and their habitats because people who have positive encounter experiences may behave in a more ecologically friendly way, or be inspired to work or volunteer in ways that help wild dolphin populations or their habitats (Duffus & Dearden, 1990).

But do the potential harms to dolphins outweigh the potential benefits that are gained (both for them and for humans) from participating in such programs? A *precautionary principle* is useful here, primarily because it helps to clarify that the burden of justification for actions causing potential harm to others belongs to the advocates of that action (Lynn, 2005b). In this

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as caused by sharks in an average year.

case, the wild dolphin tour operators want to continue offering in-water interaction opportunities to their customers, so they have the burden to prove that their actions do not harm dolphins. In my estimation, it is a burden they have failed to meet—even if other activities are (rightly) blamed for harming dolphins, including the continued illegal feeding activities, lack of enforcement of existing regulations, and sport fishing activities, as well as more global issues such as military use of dolphins, keeping dolphins for public display, and significant underwater sound pollution to name a few. To tour operators in Panama City Beach, it may not seem fair that NMFS is considering regulations to effectively criminalize their business when other activities can also be blamed for affecting dolphin well-being. Still, in every case we should strive to respect the psychological, physical, and social integrity of dolphins. Failure to do so in one sphere does not invalidate our endeavors in others.

Again, it is essential to remember the context within which we are considering particular moral questions. Human–dolphin encounters in Panama City Beach require different considerations than encounters like those taking place in the waters around the Bahamas, for example (see chapter 5). In that case, no evidence suggested that encounter programs were harmful in any way to humans. Nor was there any indication of the encounters being dangerous for dolphins. Furthermore, the dolphins controlled the pace and extent of the encounters there, and were not constrained by human participants in any way. Using a similar *harm–benefit ratio* maxim, the profound connection experienced by people who valued the dolphins as self-sufficient, morally considerable individuals outweighs the potential harm factor. Similarly, it seems the dolphins on Little Bahama Bank truly do enjoy the experience, spending long periods of time with groups of people and approaching people they recognize with interest and affectionate touching. Interacting with people may benefit dolphins as just another form of play, it may satisfy their curiosity, or perhaps there are significant intangible benefits that come from socializing with other sentient beings. In the case of dolphin encounters around the Bahamas, encounters seem to promote mutual benefits, and those outweigh the potential for harm.

Another maxim is important in the Bahamas case, however; all actions should specify humane and sustainable *end-points* (Lynn, 2005b). The apparent mutual benefits in human–dolphin encounters I witnessed during my first case study cannot continue in the face of ever-increasing demands for encounters. When the balance of people-to-dolphins is tipped, the harm ratio will shift as well. That balance is not necessarily one-to-one; it should be determined with

regard to the *moral carrying capacity* of that particular encounter space. The carrying capacity principle suggests that "people should live within an overall carrying capacity that protects the well-being of nonhuman individuals, biodiversity, and landscapes" (Lynn, 2005b, p. 13). Moreover, it recognizes that "there is a definite and negative impact of societal growth and consumption of the nonhuman world [and] [h]umans must take responsibility for limiting their use of the earth's carrying capacity" (Lynn, 2005b, p. 13). When there are too many boats in the Little Bahama Bank area, the dolphins and their environment will inevitably suffer. And when too many people go there seeking encounters with resident dolphins, the potential for multiple kinds of harms to the dolphins are certain to increase as well. Consequently, what may be a morally defensible activity today can change considerably when the circumstances change.

Toward an Ethical Understanding of Encounters in Captivity

A situated understanding of various wild encounter contexts suggests that some encounter spaces are ethically better than others. Nevertheless, most every wild encounter program will be more acceptable than those taking place in captivity. The ways that dolphins are captured, transported, and kept in various types of captive spaces raises many ethical concerns (e.g., Bekoff, 2002). Family groups are broken up when one or more dolphins are taken from their home waters in traumatic takings, and the effects of changing the social structure of the wild population once those individuals are removed from the community are unknown. Many captive dolphins display physiological and behavioral indicators of stress such as elevated adrenocortical hormones, stereotyped behavior, self-destruction, self-mutilation, and excessive aggressiveness towards humans and other dolphins (Carter, 1982; Defran & Pryor, 1980; Pilleri, 1983). To be sure, captive dolphin facilities fall at different points along a continuum; some provide more enriching daily experiences for dolphin residents than others. In every case, however, the decision to keep healthy dolphins in human care disregards the moral value of dolphins and fails to honor a duty to avoid harm.[130] Captivity denies dolphins their psychological, physical, and social integrity, inflicts untold kinds and amounts of stress, and drastically alters the fundamental life experience of *being dolphin*.

[130] As discussed in chapter 6, I found during my field work at one captive facility that those who work directly with dolphins can, and often do, value dolphins as much more than commodities or property. But they did not make the decision to keep them captive in the first place. For the dolphin trainers I spoke with, they were resigned to the inevitability of dolphin captivity and, in that light, devoted considerable personal energies to taking care of the dolphins and "giving them the best life possible" (H. Byerly, personal communication, May 9, 2004).

Well-intentioned people often suggest that captive dolphins can live higher quality lives than they otherwise would in the wild. In human care, they argue, the dolphins are free from the stress of predation, disease, ever-increasing pollution, and other hazards of unpredictable life in the wild. This argument resonates with the sentiment expressed by James Boswell (1740–1795) about the human slave trade less than 250 years ago: "[Abolishing the slave trade] would be extreme cruelty to the African savages, a portion of whom it saves from massacre, or intolerable bondage in their own country, and introduces into a much happier state of life" (cited in Spiegel, 1996, p. 73). Today, most people would find such thinking repugnant. This is an example of a longstanding process (first thought to be used by Aristotle) that justifies subjugation and domestication of animals (and some humans) (Spiegel). For the rationalization to be successful, animals are transformed in the minds of their captors from oppressed beings to thankful underlings who needed protection and care (Spiegel).

Beyond the harm caused by keeping dolphins in enclosures, encounter programs can also be dangerous for humans who take part in such activities. Although aggressive behavior by free-ranging dolphins toward humans is rare, it is not unusual among captive dolphins (Defran & Pryor, 1980; Frohoff & Packard, 1995). Aggressive or sexual behavior (including biting, ramming and fluke-slapping) toward interaction customers has resulted in serious injuries during interaction programs in captivity (NMFS, 1990). Both dolphins and humans have been found to be at risk during captive encounter programs. Men were more likely to put dolphins at risk for harm, whereas women and children more likely to be at risk for injuries caused by dolphins (Frohoff & Packard).

Bottlenose dolphins, those most often found in public display facilities, are not members of endangered or threatened species. Thus, unlike the complicated arguments that can come with keeping extremely vulnerable species in zoos as part of a greater species survival plan (great apes, for example) there is no reason to think that we can benefit dolphins, ensuring the survival of their species, by keeping them in captivity. On the contrary, the demand for the capture of more wild dolphins to support increasing numbers of captive encounter programs[131] has the potential to harm dolphin populations and is therefore a conservation concern as well as a question of individual animal welfare.

Proponents of captive dolphin encounters argue that captive interaction programs, as well as the public display facilities themselves, offer a great educational benefit to their (human) customers. Indeed, it is the educational value of public display facilities that essentially exempts them from the provisions of the MMPA against harassment. That is, the MMPA generally prohibits the taking of marine mammals (see chapter 2). However, NMFS can authorize the capture or importation of marine mammals for public display purposes "as long as [such a facility] offers a program for education or conservation purposes that is based on professionally recognized standards of the public display industry" (16 U.S.C. 1374 §104(c)(2)(A)(i)), even if their bottom line centers on commercialization and profit.

The Alliance of Marine Mammal Parks and Aquariums (AMMPA), an organization that represents marine parks, aquariums, zoos, and other captive dolphin facilities, contends that such facilities offer customers great educational benefit (M. Maynard, Alliance of Marine Mammal Parks and Aquariums [AMMPA], personal communication, August 16, 2004). According to AMMPA, a "Roper poll shows that Alliance member marine life parks, aquariums, and zoos successfully teach visitors about marine mammals and, additionally, serve to inform visitors about environmental issues that may have an impact on the animals." They also surmise that "[r]esults of the Harris Interactive® and Roper polls indicate that visitors are coming away from their marine mammal experiences with a heightened overall environmental concern and additional interest in taking environmental action." These conclusions are based on data posted to the AMMPA website, such as: "ninety-four percent (94%) of the park visitors interviewed for [a] poll agreed with the statement: 'I learned a great deal about marine mammals today.'" They also suggest that "seeing living marine mammals enhances the educational experience for the visitors to these zoological parks and aquariums" because

> [a]lmost everyone (97%) interviewed said their experience with living marine mammals had an impact on their appreciation and knowledge of the animals. The impact was greater for those visiting facilities where they actually had an opportunity to interact with marine mammals. (AMMPA, 2004)

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[131] A recent opinion poll indicated that 81% of U.S. adults aged 18 to 34 would be interested in swimming with dolphins "in a safe, legal and permitted environment at a marine life park, aquarium or zoo." The poll was released by the Alliance of Marine Mammal Parks and Aquariums (n.d.).

The two AMMPA sponsored surveys do not, in my estimation, support their conclusions that marine parks "successfully teach visitors"—these surveys only assessed whether visitors *thought their visit was educational*. Sociologist Susan Davis conducted research at SeaWorld theme parks, examining the role of commercial entertainment in shaping public understandings of nature and the environment, and found that marine parks like SeaWorld make a great deal of their educational value (WGBH, 1997). In her experience,

> you can get about the same level of education from a reasonably good library book aimed at a third grader at your public library…**.** I think the kinds of [and] amount of information and the sophistication of the information maybe even is not as good as that third grade level library book. (WGBH, 1997)

As for the impact captive encounter programs have on customers' behavior, Frohoff (2003, p. 67) remarked, "I doubt that most people will be any more inspired to work for marine animal protection after participating in [interaction] programs than people will become vegetarians after visiting a petting zoo."

There has been no study to date that has tested what, in fact, customers to marine parks learn as a result of their visitation, or what information is retained that helps animals in the future. Nor has there been any investigation as to whether marine park visitors have more accurate or in-depth knowledge about marine mammals as compared with those who do not attend marine parks. Furthermore, when it comes to attitudes about animal welfare, conservation, and the environment, there is no empirical evidence to support whether marine park visitors are more (or, indeed, *less*) environmentally sensitive or knowledgeable about marine mammals and/or their environment. Moreover, there is a dearth of information related to the question of how marine parks influence perceptions and opinions about the ethics of captivity and how humans ought to interact with marine mammals, in captivity or in the wild. In short, there is no evidence to support that marine park displays and interaction programs are any more educationally valuable than other, less invasive (for the animals) educational alternatives.

Be that as it may, the MMPA provides for captive display facilities because of their presumed educational value. If we agree that *both* education and the respecting of dolphins are moral goods in this case, then we have a conflict of principles to resolve (see Lynn, 2005b). Multiple values are a fact of life and frequently require a balancing act to determine the better course of action. For example, as a society we are often called to balance individual civil liberties

against questions of public safety or national security (see Lynn, 2005a). How much value must be allocated to the educational benefits of public display to outweigh the moral obligation to respect the freedom and integrity of individual dolphins?

For those who do not accept that dolphins are conscious beings, or who hold a utilitarian view of nonhumans (even if they value animal welfare), the educational value of dolphin captivity might prove more significant than dolphin freedom and integrity. That is the ethic apparently embodied in the MMPA and related policies. It was probably the same kind of latent balancing of values that drew delighted people to the New York Zoological Park in the Bronx to see an African Pygmy exhibited behind a locked cage in the monkey house in 1906 (see Bradford & Blume, 1992), or white Californians to see "the lone survivor of the Yahi Indians" living in an anthropology museum in San Francisco in 1911 (Rodriguez, 2001). However, in our society today all human beings are generally included in the circle of moral concern. Recognizing that people are conscious and inherently valuable, their public display would no more be tolerated today than human slavery—regardless of how well they were treated in captivity, and no matter how entertaining, profitable, or educational such exploitation might prove to be. The greater weight of scientific evidence and practical experience suggests that dolphins too are conscious beings and, I have suggested, deserving of inclusion in our moral community. As such, in my view dolphin captivity is morally indefensible and ought to go the way of other societal norms that our ethical sensibilities have radically revised, such as human slavery.

An Alternative to Captive Dolphin Display

After years of researching how SeaWorld represented nature, sociologist Susan Davis (1997, p. 235) proclaimed in her field journal, "They won!" and concluded that "what SeaWorld has is authority." When Davis (1997) returned to the park, she "found it harder than before to imagine an alternative to it" (p. 235), as SeaWorld "takes up ever more psychic and social space, [and is] ever more skillful at packaging consumption as a form of public action" (p. 244). Nevertheless, I refuse to abandon all hope for alternatives.

Marine parks and other captive dolphin facilities may seem as natural as they are ubiquitous in today's landscape, but the public display industry has only existed since the opening of Marine Studios in the late 1930s. Their success does not necessarily require their continued existence. For example, in the United Kingdom and around Britain over 60 captive

dolphin facilities existed in the 1970s and 1980s (Hughes, 2001). By the end of the 1980s, however, only four facilities remained in business (Hughes). Large nongovernmental organizations like Greenpeace, Zoo Check, and the Whale and Dolphin Conservation Society monitored and lobbied for dolphin welfare, and the government responded by mandating larger pool enclosures and educational elements to dolphinarium shows (Hughes). In addition, a grassroots animal rights movement launched a large, successful campaign against dolphin captivity, which ultimately ended with the voluntary closing of all captive dolphin facilities in the United Kingdom (Hughes). This is one startling example of an ethical argument gaining public support and leading to widespread structural changes in the marketplace. It also demonstrates that regardless of how institutionalized or natural they seem, marine parks and dolphinariums are not necessarily permanent fixtures.

Dismantling all captive dolphin facilities will likely entail a lengthy, complex transition process. My primary concern is for the well-being of the dolphins subject to movement and alternative placement. Where will the dolphins live if not in their current environments? Some dolphins may be physically and psychologically fit to be released back to the open sea. Others may require continued human attention and care. I offer the following proposal as an alternative to current modes of dolphin captivity. The proposal for a set of dolphin sanctuaries and semirelease programs incorporates the insights learned from the foregoing case studies and honors the individuality of dolphins and the authentic relationships they often have with human companions and caregivers.

Dolphin Sanctuaries and Half-Way Bays

A widespread movement of captive dolphins to alternative living spaces will require careful planning. It is not a simple matter of "setting them free" or returning dolphins "to their natural homes." This research has shown that captive dolphins are in many ways very different from their free-ranging cousins. A practical transition from captivity requires sensitivity to captive dolphins' current needs, which are often different from most free-ranging dolphins' needs. I therefore propose a number of permanent sanctuaries dedicated to giving quality lifetime care to retired or rescued dolphins that have lived some or all of their lives in a captive environment.

I envision each sanctuary as a natural habitat refuge that provides resident dolphins with large, deep living areas in pristine environments with minimal water pollutants. Expansive sea-

pens will provide for the readaptation of previously "pooled" dolphins to the natural rhythms of the sea, the tides, the currents, and a living marine environment. In addition to the therapeutic value of living in a natural refuge, I suggest that sanctuaries embark on a program of "rehabilitation" for these dolphins, many of whom may be candidates for release to the wild.

For those who demonstrate the capacity to thrive in the open waters, I propose a *semirelease* program, featuring a concept similar to a half-way house for humans who are reentering society—they might be called a *half-way bays*. In the sanctuaries, I imagine a separate area where regular care, feeding, and enrichment activities continue (just as they do in other areas of the sanctuary). The half-way bays, however, are not contained by barriers to the open sea, thus allowing particular dolphins the opportunity to venture unimpeded into surrounding waters.

It will be important that every decision regarding the sanctuaries is made out of concern and respect for all who will be influenced by the sanctuaries' presence in the community. Those affected include individual animals at the sanctuary as well as individuals who live wild in the areas around the sanctuary (humans and other animals), regional marine species, populations, and ecosystems. Decision making should be based on a sound scientific approach, but also guided by principles that recognize the moral standing of dolphins, highlight the moral significance of wildlife and ecosystem management, and emphasizes the practical value of ethics in all its endeavors.

My vision requires that commitment to animal care and rehabilitation be top priorities at the dolphin sanctuaries. *Care* and *rehabilitation* means more than providing the very best in veterinary attention and living facilities for the dolphins: it means that the sanctuaries are committed to the physical, mental, and emotional health and well-being of every animal in their care. Most captive dolphins, for example, develop strong bonds with their human "trainers" or caretakers. I respect the relationship between human and dolphin and thus (although there will be no need for training "show" behaviors), there will always be human caregivers and/or companions to continue to work and play with the resident dolphins as long as they remain residents of the sanctuaries. In addition, human caregivers/companions will provide rehabilitation, when appropriate, to enable individuals to become acclimated to a natural lagoon environment, learn to forage for food, and to encourage socialization with other dolphins.

Releasing previously captive dolphins can be hazardous if it is not conducted with appropriate safeguards in place (Brill & Friedl, 1993). On the other hand, biologists Reynolds et al. (2000) believe that "scientific, carefully controlled release programs can be quite successful" (p. 6). The sanctuaries' semirelease programs will be conducted in ways that ensure the health and welfare of each dolphin and the community overall. A strict protocol that maximizes every dolphin's chance of success (should they choose to leave the sanctuary) and provides for long-term follow-up monitoring and emergency contingency plans should be developed.

In addition, I recommend an ongoing information campaign for local residents and the general public who may come into contact with the dolphins in the open sea. In addition to educating people about the sanctuaries' dolphins, I envision sanctuary managers becoming involved with locals to provide education about the local marine environment and wildlife generally. Moreover, sanctuary managers should patrol the water and the beaches to ensure that dolphins are not fed, pursued, or harassed in any way. I further suggest that sanctuaries establish research partnerships with scholars studying local wild dolphin populations so that each party may document and learn from resulting interaction between the wild animals and previously captive ones.

In all, the goal is to provide the dolphins with quality of life, autonomy, and choice. Thus, dolphins living in half-way bays may choose to stay in the sanctuary (remaining on a fixed food, medical, and interaction schedule with their human caregivers/companions), or they may choose to leave and venture unimpeded into open waters. They may choose to visit the wild and return to the sanctuary at their discretion—the food, care, and interaction will always be available to them. They may decide to leave the sanctuary and live the remainder of their lives in the open ocean with other wild dolphins. The choice is theirs. In a perfect world, I envision the sanctuaries serving the dolphin community so well that their continued existence is ultimately rendered obsolete.

Future Research

Exploring human-dolphin encounter spaces calls many rich, varied and important questions to be investigated in future research. Other kinds of encounter spaces that were outside the scope of the current project require further attention; they include the commercial tuna industry's impact on dolphins, military use of dolphins, dolphin-assisted therapy, and human interactions with lone-sociable dolphins. In addition, because the encounters discussed here

involved primarily white, upper-middle class customers, trainers, and crew members, there were several unexplored questions of socioeconomic class. Moreover, media played an important role in each of the encounter spaces I considered. What does it mean that customers were so eager to capture their encounter experiences on film, or willing to spend more money (after they have completed their encounter programs) to purchase pictures or videos of their experiences from encounter organizers? Viewing encounters through a media lens, and all that that entails, provides another worthwhile line of investigation.

The third case study begs a particularly important question regarding the educational efficacy of marine parks. There is virtually no research addressing whether marine park visitors are any more educated about dolphins and other marine mammals than other people, or what marine park visitors are learning from their visits to captive display and/or interaction facilities. Because the Marine Mammal Protection Act essentially exempts marine parks from its provisions based on their educational value, immediate and reliable research on the educational efficacy of marine parks is even more urgent.

Conclusions

By exploring interactions between dolphins and humans in various encounter contexts, I found that human-dolphin encounters can be a positive experience for both participants. However, I do not endorse dolphin encounter programs generally. A practical ethic of human–dolphin encounter spaces suggests that interactions should only take place when people can engage in responsible, respectful, and limited contact with dolphins who freely choose to partake of the interactions in their natural environment.

Balancing and integrating multiple values in ways that are good for dolphins and people is not an easy task, and what works in one place may not be appropriate for another. One Florida community's unique geohistory, for example, set the stage for an acrimonious, place-bound policy dispute. Panama City Beach, Florida is a contested space resulting from complex social and political interactions. The historic (and continued) practice of feeding dolphins in the area encourages unusual dolphin behavior, which in turn encourages people to engage in (often irresponsible) interactive behavior with them, including commercial swim-with-wild-dolphins tours. Enforcement of newly created laws against feeding is historically lax, thus encouraging continued feeding, which fuels the cycle of interactions.

Unfortunately, there is a lack of communication and trust between government officials and wild dolphin encounter tour operators in Panama City Beach. Top-down regulatory efforts to control (or terminate) wild dolphin encounter tours are thus likely to be met with significant resistance. Instead, a program of increased communication between stakeholders, better enforcement of existing regulations against feeding, and self-regulation (with strict codes of conduct, limited numbers of tours allowed and policing of feeding violations) among wild dolphin encounter tour operators would prove most practicable and beneficial to human and dolphin well-being.

A practical ethic of dolphin–human encounter spaces does not lead to any indisputable position that flows from the principals recommended above. Making judgments as wisely as I thought possible, given the preponderance of evidence and the characteristics of site and situation, I have suggested some insights and applications of principles to further our understanding of human–dolphin relations. But there is never only one way to view the ethical landscape; nor is there only one correct answer that informs moral understanding. Still, we can and should distinguish better outlooks and positions from worse ones (even when those positions are complicated by multiple ethical, social, and ecological values). My sincerest hope is that such efforts encourage thoughtful conversation about human–dolphin encounter spaces, extend practical and intellectual horizons, and ultimately advance the well-being of dolphins, humans, and the spaces we share.

APPENDIX A

HUMAN SUBJECTS COMMITTEE APPROVAL

Florida State
UNIVERSITY

Office of the Vice President
For Research
Tallahassee, Florida 32306-2763
(850) 644-8673 · FAX (850) 644-4392

APPROVAL MEMORANDUM

Human Subjects Committee

Date: 10/21/2003

Kristin Stewart
1114 Maldonado Drive
Pensacola Beach, FL 32561

Dept.: **Geography**

From: **David Quadagno, Chair** DQ/ph

Re: **Use of Human Subjects in Research**
Dualisms, Hybird Spaces & Human-Dolphin Encounters

The forms that you submitted to this office in regard to the use of human subjects in the proposal referenced above have been reviewed by the Secretary, the Chair, and two members of the Human Subjects Committee. Your project is determined to be exempt per 45 CFR § 46.101(b) 2 and has been approved by an accelerated review process.

The Human Subjects Committee has not evaluated your proposal for scientific merit, except to weigh the risk to the human participants and the aspects of the proposal related to potential risk and benefit. This approval does not replace any departmental or other approvals, which may be required.

If the project has not been completed by **10/20/2004** you must request renewed approval for continuation of the project.

You are advised that any change in protocol in this project must be approved by resubmission of the project to the Committee for approval. Also, the principal investigator must promptly report, in writing, any unexpected problems causing risks to research subjects or others.

By copy of this memorandum, the chairman of your department and/or your major professor is reminded that he/she is responsible for being informed concerning research projects involving human subjects in the department, and should review protocols of such investigations as often as needed to insure that the project is being conducted in compliance with our institution and with DHHS regulations.

This institution has an Assurance on file with the Office for Protection from Research Risks. The Assurance Number is IRB00000446.

Cc: Tony Stallins
HSC No. 2003.584

APPENDIX B

APPROVED INFORMED CONSENT FORM

Research Participant Agreement
for the project called
Dualisms, Hybrid Spaces & Human-Dolphin Encounters

Investigator: Kristin L. Stewart
Ph.D. Student
Geography Department
Florida State University
Tallahassee, Florida 32306

mobile tel: 850.221.5562
email: KLS @ArkEthics.com
website: www.ArkEthics.com

Kristin L. Stewart has requested your participation in a research project she is engaged in as part of her graduate work at Florida State University. The research is designed to discover the meanings people attach to their experiences with dolphins.

The research involves person interviews.

Your participation in this project is completely voluntary. You may refuse to participate or stop participating at any time during the interview. You may also refuse to answer any specific questions, at any time, without prejudice, penalty or loss of benefits to which you are otherwise entitled.

Interviews may be recorded by video or audio recording device(s). All records will be kept confidential, in a locked file cabinet, and used only for Ms. Stewart's academic work. Records will be kept exclusively by Ms. Stewart, as private files, and only she or her graduate professor(s) will have access to the records. All records will be destroyed on or before May 1, 2013.

There will be no cost to you for participating. If you have any questions about the research or would like to be in touch after the interview, please contact Ms. Stewart at the information provided above. You will be given a copy of this form.

If you have any questions about your rights as a subject participant in this research, or if you feel you've been placed at risk, you may contact the chair of the Human Subjects Committee at Florida State University, Institutional Review Board, through the Office of the Vice President for Research, at (850) 644-8633.

I have read and understand the above Research Participation Agreement. I understand that I may be tape recorded or video taped and that all tapes and records will be kept by researcher for the use and period described above. I hereby freely and voluntarily give my consent and agreement to participate in research project described herein:

Signature _____ **Date** _____

Name _____

Address _____ Phone _____

APPENDIX C

CONTINUED RESEARCH APPROVAL BY HUMAN SUBJECTS COMMITTEE

Florida State
UNIVERSITY

Office of the Vice President For Research
Human Subjects Committee
Tallahassee, Florida 32306-2763
(850) 644-8633· FAX (850) 644-4392

REAPPROVAL MEMORANDUM

Date: 9/13/2004

To:
Kristin Stewart
1114 Maldonado Drive
Pensacola Beach, FL 32561

Dept.: **Geography**

From: **John Tomkowiak, Chair** John Tomkowiak M.D.

Re: **Reapproval of Use of Human subjects in Research:**
Dualisms, Hybird Spaces & Human-Dolphin Encounters

Your request to continue the research project listed above involving human subjects has been approved by the Human Subjects Committee. If your project has not been completed by 10/20/2005 please request renewed approval.

You are reminded that a change in protocol in this project must be approved by resubmission of the project to the Committee for approval. Also, the principal investigator must report to the Chair promptly, and in writing, any unanticipated problems involving risks to subjects or others.

By copy of this memorandum, the Chairman of your department and/or your major professor are reminded of their responsibility for being informed concerning research projects involving human subjects in their department. They are advised to review the protocols of such investigations as often as necessary to insure that the project is being conducted in compliance with our institution and with DHHS regulations.

Cc: Tony Stallins
HSC No. 2004.617-R

APPENDIX D

PERMISSION TO USE NAVTEQ MAP DATA

Date: Thu, 12 Jan 2006 20:23:52 -0800 (PST)
From: Christy Agness <christy_agness@yahoo.com>
Subject: NAVTEQ Copyright Permission
To: kristinlstewart@yahoo.com

Kristin,
I wanted to let you know that NAVTEQ grants you permission to use our digital maps data.

When you show a map generated from NAVTEQ's map data, you need to use the following copyright information "(c) 2005 NAVTEQ." on the map (as you have done). However, you also need to include our NAVTEQ ON Board logo with a trademark in the lower right-hand corner of the map. Please see the hi-res and lo-res versions attached.

I will be out of the office until Jan. 18th, so if you have further questions, please contact Kellie Bourdage at kellie.bourdage@navteq.com.

Thanks again for your patience.

Regards,
Christy

Christy Agness
NAVTEQ
Phone: (312)894-7061
Fax: (312)894-7150
christy.agness@navteq.com

APPENDIX E

PERMISSION TO USE MAPQUEST MAPS

From: Permissionteam@aol.com
Date: Tue, 1 Nov 2005 16:19:55 EST
Subject: Copyright Question-PHD Student to use maps in dissertation-Kristen Stewart
To: kristinlstewart@yahoo.com

Dear Ms. Stewart:

Thank you for your request for permission to include MapQuest, Inc. maps of the Panama City Beach, the waters north of Grand Bahama Island and Key Largo, Florida areas in your dissertation document on the exploration of human-dolphin encounter spaces, at Florida State University. We are pleased to approve your request, provided you agree to the conditions listed below. Note that I am unable to sign off on any NavTeq content, including the copyright/attribution line on the street level maps of most areas. Permission from NavTeq should be requested for use of their property. They can be reached as follows:

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312-894-7050 (fax)

Please reply to this email with agreement to the terms by stating "We agree" or other similar wording. This permission will be valid once we receive your reply.

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Please let me know by return email if you agree to the above.

We appreciate your interest in MapQuest.

Regards,

Renee Kibbler

Permission Team

APPENDIX F

PERMISSION TO USE GLOBEXPLORER IMAGES

Subject: RE: inquire
Date: Fri, 4 Nov 2005 10:30:07 -0800
From: "Stefan Patashvili" <stefan@globexplorer.com>
To: <kristinlstewart@yahoo.com>,"inquire" <inquire@globexplorer.com>

Hello Kristin,

Feel free to use our imagery as long as you give us credit, example: "aerial imagery provided by GlobeXplorer". If you could, could you please send us a copy of your dissertation, because it sounds fascinating?

GlobeXplorer LLC
Att: Stefan Patashvili
3021 Citrus Cir., Ste 150
Walnut Creek, CA 94598

Thank You,
Stefan
925 280 5279

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BIOGRAPHICAL SKETCH

Kristin L. Stewart was born March 28, 1968 in Fairfax, Virginia. She earned a Bachelor of Arts in International Studies from George Mason University in 1991. In 1994, Kristin was awarded a Juris Doctor with honors from Loyola University School of Law, where she served as a member of the moot court team and the law review, and spent her last year as an Editor for the Loyola Law Review. She was admitted to the Florida Bar in 1994, and practiced as a trial attorney in Pensacola until returning to graduate school at Florida State University in 2000. Kristin earned her Master of Science degree in Political Science with a focus on wildlife law and policy in December 2001, and went on to pursue her Ph.D., expanding on her interest in human-animal relations and animal ethics in the Geography Department at Florida State University. She lives with her husband, Ben Clabaugh, in Pensacola Beach, Florida.