Briefing Note

The Right Not to be Indigenous: Seal Utilization in Newfoundland

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The discussion surrounding the commercial seal hunt has for many decades revolved around the well-being of individual seals and claims of cruelty have long been the centrepiece of opposition towards the hunt. This opposition stands in contrast to the acceptance of Inuit or indigenous seal hunts irrespective of the numbers of seals hunted and animal welfare considerations. This is based on the high cultural and utilitarian value a seal represents in Inuit society and culture and this narrative has equally found its way into political processes and legislation, such as the recent ban on trade in seal products on the European internal market, Regulation 1007/2009 on Trade in Seal Products.

This Briefing Note claims that the utilization of seal stemming from commercial hunts in Newfoundland, where the largest commercial seal hunt is conducted, goes beyond the notion of commercialisation and represents a cultural, utilitarian and identity-giving means while being an important element in the social cohesion of the island's coastal communities. It claims that the discourse on seals and sealing is biased as it does not consider cultural and social elements of the hunt and the industry. Results stem from fieldwork conducted in April, May and November 2013 in the communities of Woodstock, Blaketown and South Dildo, Newfoundland.

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Seal Utilization in EU Political Discourse

The preparatory works leading to the adoption of the EU seal products trade ban have been well documented and shall not be reproduced here (see De Ville 2012; Sellheim 2013a; Wegge 2013). The underlying motivation for the European legislative to adopt a ban on trade in seal products was to reduce the suffering of seals by decreasing demand for seal products through blocking the EU's market for products stemming from commercially hunted seals. While the Commission Proposal from 2008 still saw a potential opening of the market for products from hunts in which certain animal welfare standards were met (EU Commission, 2008: Recital 11), the adopted regulation, Regulation 1007/2009 on Trade in Seal Products (basic regulation), no longer provides for such derogation from the ban. Instead, all seal products that stem from commercial seal hunts are banned from the European markets, unless they are in the personal property of a traveller. Moreover, non-commercial dispersion of seal products is granted when the products stem from marine management initiatives while the trade in products from Inuit or other indigenous hunts is also not prohibited.

It is especially this so-called 'Inuit exemption' and its application in non-indigenous contexts which is the centrepiece of this note. Enshrined in art. 3 of Commission Regulation 737/2010 (implementing regulation), seal products are still allowed to be traded in when they 1) stem from hunts conducted by Inuit or other indigenous communities that have a tradition of seal hunting; 2) are at least partly used, processed and consumed in the communities; and 3) when the hunts contribute to the subsistence of the community. These three exemptions stem from the inchoate will of the European policy makers not to affect the socio-cultural integrity of Inuit communities, as expressed throughout the crafting process of the legislation and responding to the adverse effects of the 1983 Directive banning the trade in products stemming from seal pups (Council Directive 83/129/EEC or 'Seal Pups Directive') (see Wenzel, 1991).

On the other hand, socio-economic effects of a ban for commercial sealing communities or communities in which the sealing industry is located are by and large not considered (Sellheim 2013a: 422, 423). *Argumentum a contrario*, throughout the legislative process of the ban, adverse effects on commercial sealing communities are silently accepted.

Seal Utilization in Newfoundland

I have argued elsewhere that these three characteristics are equally applicable in non-indigenous communities and therefore pose empirical problems in the exemption's applicability and feasibility beyond ethno-cultural considerations (Sellheim 2014: 8-10). In a similar manner as in the whaling context, the cultural importance of sealing and the commercial sealing industry is closely linked to ethnos although similar traits of utilization between indigenous and non-indigenous resource users exist (see Sowa, 2013). Although also discursively the utilization of seal skins for clothing is recognised, it is predominantly located in a context of 'luxury' as high-quality seal skin products such as boots, jackets or mittens are sold for very high prices on the domestic and global markets. In Newfoundland's capital St. John's at least two fur stores sell these products.

This, however, is a difficult claim to uphold as it inevitably raises the question on the limits and definition of luxury: while, for example, some claim high prices for e.g. seal skin jackets are an

indication for luxury, others claim that the high prices are an indication for the life-long lasting quality of the product and should therefore be considered an investment.

Notwithstanding the debate surrounding luxury and the pricing of seal products, the following paragraphs present a snapshot of selected historical and current small-scale seal products utilization in Newfoundland which represents the identity-giving value of their production beyond the notion of luxury.

Historical

Historically, and with the advent of the commercial sealing industry in the late 18th century, it was primarily the skin and the fat of the seal which were used for making clothes for the domestic and European markets as well as for rendering fat into oil as a cheap alternative to whale oil (Ryan 1994: 70). Here lies the core of the tradition of the sealing industry in Newfoundland – the commercial exploitation of the seal – around which subsistence elements have developed. Thus, it is not the resource *per se* recognized in the tradition, but the captains, vessels and events that have shaped the history and societal construct of Newfoundland's villages and cities – best reflected in the numerous songs and poems surrounding the hunt and hunters (Ryan & Small 1978) and in the erection of the Sealers' Memorial 'Home from the Sea' in Elliston, Newfoundland, in 2014. But even within the large-scale seal hunts of the 19th century, sealers and their families benefitted from the hunt on a non-monetary basis when seal flippers and carcasses were brought home as an additional food source (Ryan 1994: 239, 240).

Sealing knife in wooden sheath. Photo: Nikolas Sellheim, 2013.

But apart from the larger scale utilization, also small-scale skills developed based on the seal hunt. One, only briefly documented skill, was wooden sheath-making for sealing knives when the men were on the ice skinning the animals and which were "almost works of art" (Wright, 1984: 43). This skill, while still prevalent in the 1980s, has largely disappeared from the hunt since seals are now skinned on the boat where the knives are no longer the personal property of the individual sealers. While sheath-making was a spin-off skill of the hunt, Newfoundland's northern tip at the Street of Belle Isle was home to the emergence of a skill relating to seal skins. Since the region's settlement in the early 1800s a long-standing tradition of making resilient seal skin boots had developed which is believed to have merged skills from Inuit and First Nations with European boot making (Bock 1991: 19).

Permanent settlement was significantly supported by the sale of seal skin boots when the funds generated through the trade were used to establish an Anglican Mission in Flower's Cove in 1849

and ultimately to build the St. Barnabas Anglican Church in 1920, which is also referred to as the 'Skin Boot Church' (ibid.: 47-54).

Current

The current utilization of seal products is manifold and begins with the landing of the seal hunting vessel in its home harbour. Prior to the hunt, villagers ask the hunters to save specific seal parts, such as whole carcases, ribs, hearts or flippers for them. Upon arrival of the vessel from the hunt, these parts are given to those having ordered them. This occurs without monetary exchange, but payment occurs through other goods and services (Field notes April 2013).

Apart from the meat of the seals, it is especially the furs which are of interest for small-scale users in Newfoundland. As shown above, the skill to make seal boots has been historically embedded in the settlement of the Northern Peninsula where now the skill has been revived (Bock 1991: 58-63) and seal skin products can also now be ordered through the internet. But apart from the small business approach of the Northern Peninsula, also on the Avalon Peninsula, in the south-east of the island of Newfoundland, seal product processing can be found – both large-scale processing in the last processing plant in South Dildo, *Carino Processing Ltd.*, whose workers are significantly affected by anti-sealing sentiments (Sellheim, in press) and home-based handicraft.

Seal skin mittens. Photo: Nikolas Sellheim, 2014.

In the seal processing plant where waste products such as damaged and therefore unsellable skins are generated, these products do not go to waste and are used for further processing by private individuals. Hand-made hats, mittens or bags are then either sold in convenient stores in the vicinity of the plant or by private citizens who point to their products with self-made road signs. Interview partners revealed that the skill to make these products has been in their families for generations and that the style of making mittens, for instance, is the same as three generations ago (Field notes November 2013).

Apart from the utilization of furs, seal meat is a common good to be found all over the island. While pickled or brined seal heart is a delicacy in seal hunting communities and constitutes a commodity arising out of generations-old tradition (Field notes April 2013), also other forms of seal meat for private consumption and commercial sale are commonly found in Newfoundland: Shortly after the sealing season when seal flippers are either directly given to the people waiting on shore or later on sold to the public in the central squares of the communities or in the centre of Newfoundland's capital St. John's. Seal meat, which is processed by small-scale meat processing facilities, is consumed in various forms, such as seal flipper pie, seal sausages or

marinated. The interest in seal meat is also documented in Wright (1984: 82) while the traditional social and cultural significance of seal flipper preparation and consumption is highlighted by Ryan (1994: 387, 388).

Subsistence, Market or Relay Economy?

As Ryan (1994) shows in his treatise on the emergence of the sealing economy in Newfoundland, the traditionality of the sealing economy is by and large built on commercial interests and driven by commercial factors. Yet, to dismiss the seal hunt as purely commercial, leaves out the subsistence elements described above making it rather difficult to distinguish clearly between immediate-return (subsistence) and delayed-return (market) economies (see Ingold 2011: 66; Barnard 2002: 7).

In general, the sealers on board *Steff & Tahn* - the boat which this author joined to conduct field research – considered their hunt a subsistence seal hunt as it directly generates food as well as monetary income later on. This was particularly true in 2009 when the prices of seal products were extremely low (Sellheim 2014: 11, 12), making a larger hunt unfeasible. In that year therefore a few speedboats from the community of Woodstock engaged in the 'landsmen hunt' - day-trips to the ice to hunt seals - generating direct supplies for the community while the pelts were sold to the market, thus turning the incentive to hunt seals to become subsistence, rather than market-based (Field notes April 2013). It needs mentioning that Greenlandic hunts are to a large extent essentially commercial, because a government-owned tannery processes and sells the same products as in Canada to the world's markets (Government of Greenland 2012). But since Greenlanders are originally of Inuit descent, heritage protection is a common part of the discourse on seal hunting and they therefore fall under the so-called 'Inuit exemption' in the EU ban.

As in the whaling debate and in the International Whaling Commission (IWC) where subsistence is equivalent to aboriginal, small-scale non-aboriginal hunts for community consumption is generally not considered a subsistence hunt irrespective of the same characteristics, i.e. sharing and community processing, of these products (see for instance Freeman 2001). Leaving the ethno-cultural considerations aside, an interesting picture emerges as the economic circumstances on the market for seal products drive the degree of subsistence activities in Woodstock: with a declining market for commercial seal products, the landsman hunts gain importance and the consumption of seal products stemming from hunts conducted primarily for community consumption increases with fewer products being sold commercially. It is therefore difficult to draw a clear-cut line between commercial and subsistence drivers of the seal hunt in Woodstock as the incentives to engage in the hunt are mixed. Yet, while the industry itself is framed predominantly by commercial characteristics, changes in the markets shape the degree to which subsistence-based seal hunts are conducted. This type of economy can be termed "relay economy", describing the increase of subsistence usage of a given resource by the same users that engage in its commercial utilization. It is thus that the driver of resource usage shifts with varying market conditions. Although sealers in Woodstock are part of the commercial sealing industry, one Woodstocker stated that "as long as we in Woodstock know how to hunt [seals] and fish, we won't have any problems" (April 2013 Field notes), thus indicating a subsistence use in case of collapsing markets.

Through a decline in the sealing industry as well as a declining fish industry in Newfoundland in combination with other factors, outmigration is a common concern for small coastal communities (Sellheim 2013b: 3, 4). The primary constant in the times of change is the notion of the 'sea as the provider' for communities like Woodstock. All life is based around the sea and community cohesion is shaped by the sea to provide while markets drive the feasibility of economic opportunity. The seal hunt as well as fisheries are the only economic opportunities in Woodstock and social ties are directly linked to the possibility to engage in these activities. Thus, increasing pressure on the exertion of the seal hunt contributes to a significant weakening of the socio-cultural fabric in seal hunting communities, thus in turn accelerating community dissolution. At the same time, also knowledge about the sea, its resources and its characteristics is no longer transmitted to the next generation putting local knowledge with regard to subsistence activities in jeopardy.

Discussion and Conclusion

Although the seal hunt is not the only element holding the community together, it is primarily the loss of knowledge and identity that indicates the important role of seal hunting in coastal communities in Newfoundland. The stereotypical depiction of the commercial seal hunt as merely an economic activity, the recognition of the cultural role of seals and sealing in Inuit societies, and the non-consideration of any socio-cultural aspects of the hunt in the discourse surrounding the sealing industry in Newfoundland points towards a bias in the debate. This bias appears to be based on ethnic rather than activity-based considerations, best exemplified by the fact that the socio-cultural role of the sealing industry has played a significant part in shaping Newfoundland's identity, while it is discursively recognized as being of relevance for Inuit communities only. The 'Inuit exemption' in the EU seal products trade ban stands exemplary for this.

A question that must therefore be asked is: do only indigenous peoples have the right to culture, resources and traditions and can it be acceptable to neglect those of non-indigenous people? Indeed, this question must be answered negatively. As these lines have shown, also the commercial seal hunt should be located in a discourse on tradition, culture and knowledge and it seems unfitting for secular societies to grant discursive rights to one group of people while denying others the same rights.

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