

Teaching Notes

Luna / Tsu-xiit the “Whale”: Governance Across (Political and Cultural) Borders

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Learning Outcomes:

- 1) Students will be able to explain how divergent and multiple worldviews impact governance and inter-organizational and inter-governmental decision-making. Students will be able to list at least three examples of divergent worldviews found within this case.
- 2) Students will demonstrate an understanding of the importance of place.
- 3) Students will be able to explain the dilemmas that First Nations and tribal communities often face while working with cultural and natural resource issues.
- 4) Students will be able to describe the importance of prior consultation with First Nations / tribal communities in natural resource decision making.
- 5) Students will be able to list the scientific and cultural considerations in this natural resource and endangered species issue.

Intended Audience

This case is appropriate for students at any college-level class or with advanced high school students. It is appropriate particularly for classes in environmental studies, sociology, education, public and tribal administration, and Native American studies.

Reflection Points and Follow-up Questions

Although this case deals specifically with orcas, the lessons learned from their changing role in modern discourses can be applied to wider discussions by opening intellectual space to blur nature-culture binary oppositions. Part of the messiness of Luna’s story is the overlapping of worldviews coexisting in such close proximity. Just as Luna existed in-between worlds, so does the Mowachaht/Muchalaht First Nation, whose members exist both a part of and separate from dominant Western culture. The multiple identities of Luna as an animal and a human, as a whale and a chief, and as a victim and a victor, illustrate the complexity of the issues.

Implementation:

Two approaches to using this case are described below. The first approach is with small groups working on discussion questions and role play. Ideal group size is 4-7 people. With larger groups, multiple groups can work on the questions using either different questions for each group or the same set. Using this approach, it is ideal to have the small groups work together and make a poster for presentation to the larger group. It

takes 2-3 hours to run a class this way. Students can read the case ahead of time or in class.

Group Discussion Questions

Group 1 - Mapping the Territory of the Case

1. What are the most important points you took away from the Luna Case?
2. Develop a timeline for the case and identify the critical turning points.
3. Who were the major players in the case and what were their interests and concerns? Did these issues change over time? How? Why?
4. What factors promoted collaboration *vs.* non-collaboration among the important players? How might this have been done differently?
5. Why did the DFO decide to move Luna? Why did the Mowachaht/Muchalaht First Nation oppose this move?
6. Come up with at least five questions to ask the Mowachaht/Muchalaht leaders.

Group 2 - The Decision Making Process

1. What are the most important points you took away from the Luna Case?
2. What were the most important factors influencing the early decision making in this case?
3. What factors complicated the decision making process?
4. Were there any factors that predisposed the decision making process in a specific direction for each of the major players? Explain.
5. What were the costs of the earlier non-consultation in this case?
6. Come up with at least five questions to ask the Mowachaht/Muchalaht leaders.

Group 3 - Scientific considerations

1. What are the most important points you took away from the Luna Case?
2. Identify all of the points in this case where scientific decisions and questions were raised and explain what the decisions and questions were.
3. What were the scientific conclusions? Were any flawed? Which ones? Why?
4. What role did science play in this decision making? What role did environmental policy play?
5. What does this case tell us about how “nature” and “science” are culturally relevant?
6. How does power factor into the difference between Western and non-Western based scientific tradition.
7. Come up with at least five questions to ask the Mowachaht/Muchalaht leaders.

Group 4 - Serving the Public Interest

1. What are the most important points you took away from the Luna Case?

2. How do large agencies like the Canadian Department of Fisheries and Oceans and the U.S. Environmental Protection Agency protect the public interest in natural resource related issues?
3. How does the presence of political borders (Canada-U.S. and British Columbia-Washington) and cultural borders (Western – non-Western) influence the governance of flow resources (such as marine life, water, and air)?
4. Who were the stakeholders interested in “protecting” Luna and how were there specific needs met?
5. How was consultation built into the process? Where did it succeed and fail? What factors are most critical in making any consultation process effective?
6. Come up with at least five questions to ask the Mowachaht/Muchalaht leaders.

Additional Discussion or Reflection Paper Questions:

1. This case illustrates how the Mowachaht/Muchalaht First Nation was able to keep Luna in his traditional territory despite tremendous political (and physical) pressures. What do you see as the major lessons that resulted from the failed transfer? How did these lessons vary depending on the perspective of the actor (i.e. DFO and Mowachaht/Muchalaht First Nation)
2. What scientific issues does this case raise?
3. This case involves the coordination of multiple governing bodies at multiple political scales (federal, provincial, state and First Nation). What lessons can we learn about the coordination between jurisdictions and across borders?
4. What are some of the problems associated with managing flow resources (such as marine life, water or air) that do not stop at political borders?
5. What does the “social construction of knowledge” mean? What are some of the alternative views of knowledge in the world? Do the views of the different players differ in terms of their world views? In what ways?
6. Does the social construction of knowledge inevitably make power a critical issue in cross cultural exchanges?
7. How did the power bases differ among the major players in this case? Where did it come from?
8. Why did the Luna case get so much media attention? Was the media portrayal balanced? What would “balanced” mean in this situation? (This question requires additional research).

Debate / Role Play Exercise

This case illustrates how Luna, a singular “whale,” can hold multiple meanings for multiple people. In this exercise, assign students the role of different actors involved in this case, for example: Mowachaht/Muchalaht First Nation member, DFO officer, environmental activists, U.S. Environmental Protection Agency representative, recreational boat user, commercial fisherperson, media, and tourist. Have each student prepare a three-to-five minute speech outlining his or her perspective of the proposed move. Then have the students engage in a round-table discussion or debate as to how to

resolve this issue. An alternative for a larger class is to assign a small group of students to each role. This exercise can also be enhanced by having the students do research first on each of their roles to gather additional information prior to the actual role play.

Additional Research Suggestions:

This case lends itself to having students conduct additional research on various topics, including: First Nations governance and consultation, animal behavior, endangered species, the history and culture of the Mowachaht/Muchalaht First Nation, the role of the media, or the social construction of knowledge.

Supplementary Material:

Watch the documentary, *Saving Luna* in class and write a reflection paper outlining some of the key points raised by the film. In your opinion, does the film accurately portray the complexities of tribal governance?

Chisholm, Suzanne, and Michael Parfit. 2008. *Saving Luna*. In *Mountainside Films Ltd.* Canada: ICM. 92 minutes.¹

Further Reading:

Belanger, Y.D. (2008) *Aboriginal self-government in Canada: current trends and issues*. (3 rd ed.) Saskatoon, SK: Purich Publishing

Demeritt, D. (2002). 'What is the 'social construction of nature'? A typology and sympathetic critique. *Progress in Human Geography*, 26(6), 767-790.

Moore, D., Kosek, J., & Pandian, A. (2003). The cultural Politics of Race and Nature (Introduction). In *Terrains of Power and Practice: Race, Nature, and the Politics of Difference* (pp. 1 - 70). Durham and London: Duke University Press.

Newhouse, D, Voyaguer, C.J., Beavon, D.J.K. (Eds) (2005) *Hidden in plain sight: contributions of Aboriginal peoples to Canadian identity and culture*. Toronto: University of Toronto Press.

Posluns, M. (2007) *Speaking with authority: the emergence of the vocabulary of First Nations self-government*. New York: Routledge.

Proctor, J. D. (1998). The Social Construction of Nature: Relativist Accusations, Pragmatist and Critical Realist Responses. *Annals of the Association of American Geographers*, 88, 352-376.

¹ For information on obtaining the documentary *Saving Luna* contact: Peter Trinh, ICM ptrin@icmtalent.com or Suzanne Chisholm and Michael Parfit, Mountainside Films Ltd. P.O. Box 2781, Sidney, British Columbia V8L 5Y9, Canada e-mail: SavingLuna@gmail.com

Wilkinson, C. & American Indian Resources Institute (2004) *Indian Tribes as sovereign governments*. (2nd ed.) Oakland, CA: American Indian Lawyer Training Program.