

Close Call: Sagan's Humpbacks and Nonhuman Politics

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In 2010, an association called The Helsinki Group published 'The Declaration of Rights for Cetaceans', calling for an international order in which the rights of individual cetaceans to life, freedom from captivity, and an ecologically stable living environment are fully recognised by all governments. It hangs on the idea of personhood, and declares that, based on the principle of equal treatment of all persons, cetaceans have the right to life, liberty, and wellbeing.¹ The Declaration does not argue for cetacean personhood, and rightly so: by the time someone's claim to personhood is intelligible, said personhood probably goes without saying. But clearly, the notion of personhood operative here is grounded entirely in the human rights paradigm. We are talking, in a sense, about granting human rights to whales, on the same grounds

¹ The Helsinki Group, 'Declaration of Rights for Cetaceans: Whales and Dolphins', 22 May 2010, <https://www.cetaceanrights.org>.

on which they are granted to humans – not because they are *Homo sapiens*, but because they are a kind of people.

The idea that whales are people is hardly news to those indigenous societies whose lifestyles put them in close contact with whales in many different respects. However, personhood in this context is not reducible to an abstract definition of or catalogue of rights. That whales are people means nothing more than that humans can communicate with them, and vice-versa. An article in *Hakai* magazine that went viral, ‘When Whales and Humans Talk’ by Krista Langlois, reported that Arctic indigenous societies have always – since time immemorial – understood themselves to be communicating with whales.

While Westerners domesticated and eventually industrialised the animals we eat – and thus came to view them as dumb and inferior – Arctic cultures saw whale hunting as a match between equals. Bipedal humans with rudimentary technology faced off against animals as much as 1,000 times their size that were emotional, thoughtful, and influenced by the same social expectations that governed human communities. In fact, whales were thought to live in an underwater society paralleling that above the sea. Throughout history, similar beliefs have guided other human-animal relationships, especially in hunter-gatherer cultures that shared their environment with big, potentially dangerous animals.²

The piece appears to be about the Arctic whale hunters’ claim to be able to talk to whales, but much of it is

² Krista Langlois, ‘When Whales and Humans Talk’, *Hakai*, 3 April 2018, <https://www.hakaimagazine.com/features/when-whales-and-humans-talk>.

actually about something else, namely the ways that these societies shaped their lives around ways to *attract* whales. From rituals of keeping quiet, so as not to scare the whales underneath the ice, to singing to them prior to the hunt, to carving amulets meant to flatter whales, to be placed at the bottom of the boat, facing down into the water, these cultures had elaborate traditions that took seriously the power of attraction, and of the special role that hearing plays in that process. Their survival depended on the whales actually being interested in them.

We learn from Lacan that there is no sexual rapport,³ but tell that to the Arctic whale hunters whose lives depended on their ability to attract whales and other large, intelligent, dangerous animals.

Today's argument for whale personhood seems to have put the dimension of communication between whales and humans at its periphery. Along with communication, we have deprioritized rapport as operative in the problem-space of what it means to be persons-in-communication. In contrast to the contemporary posthumanist trend of rejecting of language as a primary feature of personhood, I believe that language is absolutely primary, but not for the reasons we tend to think. Protection of the human is the protection of language, but not language understood as 'the already said' (or what we can understand). It is the protection of what we don't understand, or what has yet to be said. The human, in short, is coextensive with the place of hearing in political life.

³ Notably, '*il n'y a pas de rapport sexuel*'. Jacques Lacan, *Le Séminaire. Livre XVII. L'envers de la psychanalyse, 1969–70*, ed. Jacques-Alain Miller. (Paris: Seuil, 1991), 134.

We can say with ever more scientific certainty that cetaceans 'have' language. Analysis of humpback whale recordings show that humpback pods seem to be communicating in idiolects, unique sound patterns that do not get repeated. The whales in one pod sing the same song, which changes over time in pitch and sometimes volume. Whales in the same area tend to sing one song, but other humpbacks in other locations sing completely different songs, and patterns are not revisited over time, as one 19-year-long study has shown.⁴ It seems as if humpbacks have discrete, shared songs that evolve over time, just like human language does.

Unlike humpbacks, who live in loosely knit, transient groups, orcas live in very stable pods, each of which has a discrete dialect. Although pods associate frequently, individuals never change pods and dialects are strictly maintained. In other words, there is no one 'language' that could be called 'orca', in a way similar to how there is no language that is called 'human', while behaviour and social organisation indicates that linguistic communication is taking place within particular groups. Sperm whales are now thought to exhibit similar diversity among dialects to orcas. As with orcas, we still understand almost nothing about how this works, but dialect is so central to sperm whale social life that scientists refer to the sperm whale social unit as a 'vocal clan', a group that can number in the thousands of individuals.

⁴ Katharine Payne and Roger Payne. 'Large Scale Changes over 19 Years in Songs of Humpback Whales in Bermuda', *Zeitschrift für Tierpsychologie*. 68 no. 2 (1985): 89–114. <https://doi.org/10.1111/j.1439-0310.1985.tb00118.x>.

Carl Sagan had a good sense of the political weight of this when deciding to include whale sounds on the Voyager Golden Records. Humpback sounds are currently hurtling through interstellar space, among the most important bits of information that humans in 1977 wished to communicate to whatever alien intelligences might intercept them in the distant future. It will be forty thousand years before they make a close approach to any other planetary system. The whale vocalisations are included as part of the 'Human and Whale Greetings' section, in which 'Hello' appears in sixty human languages spoken by U.N. delegates, as well as one whale language, humpback. Sagan could have included whale sounds in the 'Sounds of Earth' section, along with bird songs, or the music section, which inexplicably includes Chuck Berry. But he chose instead to present whales as speakers, the only non-humans included in the 'Greetings' sections.

At the same time that he demonstrated whale personhood by presenting them as speakers, however, Sagan insisted that the power of the Golden Record had nothing to do with what could be said in words. What set Voyager apart and made it a more exciting project than the preceding Pioneer probes was that for the first time '... we could send music. Our previous messages had contained information about what we perceive and how we think. But there is much more to human beings than perceiving and thinking. We are feeling creatures.'⁵

And yet, it wasn't about the actual music, either, but something else. The whole record itself was something

⁵ Carl Sagan et al., *Murmurs of Earth: The Voyager Interstellar Record* (London: Hodder and Stoughton, 1978), 13.

which demanded hearing, in the broadest sense: 'It is, as much as the sounds of any baleen whale, a love song cast upon the vastness of the deep.'⁶ The Voyager Golden Record may be seen as an appeal to hearing as the foundation of political life.

The idea that humans are animals is nothing new, of course. But in contrast to the received notion that our animality is the space in which nature takes over and we are off the hook concerning justice, perhaps questions of justice open precisely there where the animality of humans and the personhood of animals announces itself. And yet, what has come to be called Anthropocene theory seems to have the big, social, speaking animals last on its list, except when they provide an opportunity to theorise affect, social media, cinema, or environmental collapse. They threaten to pull us back into anthropomorphic projection, outdated discussions of subjectivity, agency, intelligence, and language, which in turn threatens to keep us stuck in voice, and finally, in hearing. And so, the post-humanities consistently point away from the big animals and towards packs, swarms, microbiomes, mushrooms, objects, and hyperobjects. New materialisms avow rapport and attraction but disavow subjectivity. Object-oriented ontology avows intimacy only if it arises from alienation.⁷ Animal studies goes to great lengths to avoid the language problem by steering us towards new paradigms like biosemiotics, which allows for aurality, but disavows language.

⁶ Carl Sagan, *Cosmos*. (New York: Random House, 1980), 287.

⁷ Timothy Morton, *Humankind: Solidarity with Non-Human People*. (London: Verso, 2019).

And yet, the problem of language haunts the production of the human, as it endlessly manages its animality, which announces itself vocally, where voice is not reducible to the carrier of the logos.

The problem may simply be that cetaceans are not a good Anthropocene subject. In *Wildlife in the Anthropocene*, Jamie Lorimer offers some reasons that megafauna are out of style among theorists: 'they are too sociological and sagacious to be objects, too strange to be human, too captive and inhabited to be wild, but too wild to be domesticated. There are multiple natures at play in these ecologies and valued ways of being that are more-than-human. There are long, fraught histories of interspecies exchange that precede the originary moment of the Anthropocene and trouble its epochal status.'⁸ This is his how he describes Sri Lanka's elephants, but it maps well onto any of the large animals who have historically lived in proximity to humans. Whales challenge the idea that the Anthropocene is a new era, not only because people have been around them for much longer than the Anthropocene has announced itself, but also – and more importantly – because there were always also 'other' people, namely whales.

In humans' ongoing overtures to whales, personhood is not only a legal construct, or a conceptual placeholder that can be discarded once we come up with something less anthropocentric. At its heart lives a complicated tangle of affects that points to everything about language that is not reducible to logos. In the end, that tangle itself is

⁸ Jamie Lorimer, *Wildlife and the Anthropocene: Conservation after Nature*. (Minneapolis: University of Minnesota Press, 2015), 20.

probably a sign that we are dealing not with a concept 'person', but with actual persons. Is it possible that, while we are busy theorising animal alterity, some animals are so like us that we cannot hear them?

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