

Prologue

Why does a philosopher study dolphins?

One of the curiosities of the group of people who become interested in dolphins is that many arrive there via fairly circuitous paths. My own story is no exception. I received my PhD in philosophy from Columbia University, and for the next 15 years I specialized in sixteenth-century Renaissance humanism. By the mid-1980s, however, I was beginning to think about more contemporary issues (questions of business ethics, and the debate whether men and women approach ethical dilemmas differently). I was also trying my hand at writing college textbooks. So when Prentice Hall asked me to write a large, introductory philosophy textbook in 1987, I regarded this as an interesting challenge.

Probably the most difficult part about writing such a textbook would be to make the more arcane issues in philosophy come alive to students. Undergraduates have no shortage of enthusiasm for moral, social and political philosophy. But students typically get much less excited over the basic questions of metaphysics: the nature of reality, the self, and personhood, for example. Fortunately, the publisher wanted me to approach a few topics from some nonphilosophical disciplines. As I was mulling over the structure of the book, a friend who had just vacationed in Florida returned with some literature about “dolphin swim” programs in the Florida Keys. Having grown up by the sea in Massachusetts and then living near the ocean in New Jersey, I’d heard many stories about the intelligence of whales and dolphins. So it occurred to me that a description of the advanced traits of the nonhuman dolphin would be an ideal way to introduce students to the metaphysical concept of *personhood*. I would write a chapter that would define what a person is and then ask the question: “Is a dolphin a *nonhuman person*?”

I'd decided that the best way to begin studying dolphins was to talk to people who work with them. If luck was on my side, I might even get the chance to spend some time in the water with them myself. I'd heard good things about the Dolphin Research Center (DRC) in the Florida Keys, one of the handful of places that offers "dolphin swims." DRC is unusual for a captive facility. It is home to a community of about 15 bottlenose dolphins, but the dolphins do not live in concrete tanks. The Center is located on the Gulf side of the Keys, and while the dolphins live in pens separated by fencing, this is more to keep other things out than to keep the dolphins in. The fences are so low that dolphins can easily come and go, although most never do.

One of the most impressive things about virtually everyone I've met in the dolphin world is just how willing they've been to help someone like myself new to the field. And this generous spirit was apparent in my first contact with people at DRC. Some of the staff agreed to be interviewed. I was given permission to spend as much time as I wanted observing the dolphins. Best of all, I was even able to arrange for a couple of swims.

The first day I saw humans and dolphins together remains one of the most unforgettable.

My visit to DRC began with a quick tour of the facility, during which I was invited to watch an upcoming swim. Anxious to observe how the dolphins would interact with their human visitors, I watched as a family of three made its way to the dolphins' dock. The parents entered first and then helped their young son into the water. The boy was clearly apprehensive – and he became even more nervous when a dolphin named Little Bit swam up and parked herself right beside him. Encouraged by the trainer to reach out and touch the dolphin, the boy responded. Unfortunately, he responded somewhat too enthusiastically. He reached out and slapped his hand directly onto Little Bit's blowhole – the opening on the top of a dolphin's head through which these cetaceans breathe. Little Bit slowly backed up, allowing the boy's hand to slide down her rostrum. And she remained near the boy, remarkably attentive throughout the remainder of the swim.

To the untrained eye, the encounter was simply interesting. It wasn't until I discussed it later with one of the DRC staff that I understood the full significance of what had happened.

Little Bit had a reputation for taking a special interest in children, but her behavior when the boy put his hand over her blowhole was most unusual. Ordinarily, one of the quickest ways to "spook" a dolphin is to move your hand towards the top of its head. Dolphins' eyes have great mobility, but this is one of their few blind spots. And unlike humans, who can breathe through

either our noses or mouths, dolphins have only one opening to their lungs. If you move your hand towards a dolphin's blowhole, he or she will usually jerk its head away. But the boy's hand didn't simply move out of Little Bit's view towards a sensitive area, it fell squarely on top of her blowhole – the equivalent of clamping your hand over a human's nose and mouth. The fact that Little Bit responded to this by slowly backing up – and then staying patiently with the boy for the rest of the swim – was extraordinary.

However, I was then told about an even more remarkable encounter – this time involving a blind boy and a dolphin named Tursi.

Since the child was unable to see the dolphins in the pool, he was trying to orient on them by following the directions of his parents and the trainer in charge of the swim. But then Tursi – a dolphin who typically had no interest in swimmers – swam up to the boy and whistled to let him know she was there. And she remained by him for the whole encounter, vocalizing the whole time.

Remarkably, Tursi had determined that the boy was sightless, and she adjusted her behavior appropriately. Dolphins generally recognize the difference between human adults and children, and they tend to be more patient and gentle with children. But the fact that Tursi also adapted her behavior to the boy's sightlessness was quite impressive.

However, perhaps the most interesting fact is that Tursi herself was blind in one eye. Could this have had anything to do with the way she related to the boy?

These episodes with Little Bit and Tursi were a particularly good place for a philosopher like myself to begin. The incidents were so rich that they are as engaging now as the day I saw the one and heard about the other. And they raise a number of important questions:

- Why did Little Bit and Tursi behave as they did? Did Tursi really understand that the boy was blind? How would she have determined that? Why did she take so much interest in him? Is it possible that seeing a child with a disability that she shared prompted a compassionate and patient response? Humans have for centuries claimed that only our species has thoughts and emotions. Does it turn out that we're wrong? Tursi's brain is bigger than yours or mine. What went on inside it that led her to act the way she did with the boy? Did Tursi's actions stem from thinking and feeling?
- And what does Tursi's and Little Bit's behavior say about other dolphins? If these dolphins' actions come from thoughts and emotions, the same

must be true of other dolphins. So what does this say about what type of being all dolphins are – Little Bit, Tursi, the other dolphins in the pool with them, and the millions of other dolphins who inhabit the planet’s oceans? What is it like to be a dolphin? What intellectual and emotional abilities do they have? What is their “inner world” like? Do they all have different personalities, as we do?

- These encounters certainly seem to suggest that a dolphin is a “some *one*” not a “some *thing*” – indeed, a someone who perceives the world and makes decisions in a way similar to how we humans do. At the same time, these incidents remind us that dolphins are also fundamentally different from us. They live in the water. They look more like fish than primates. Their famous “smile” is no such thing. It’s the fixed design of their head – a hydrodynamic feature, not a facial expression. The sounds they make don’t seem anything like our words. In fact, we don’t even hear many of their sounds because they’re above the range of human hearing. What’s the philosophical significance of all of this? If the similarities suggest that we’re no longer alone at the top of the biological hierarchy, what do the differences say?
- But how can we be sure that we’ve correctly interpreted what happened between the dolphins and the boys? Are we really reading the facts in an objective and unbiased way? Or are we committing the cardinal sin in studying nonhumans and “anthropomorphizing” dolphins? Have our fantasies and imagination gotten the best of us so that we’re just attributing human characteristics and intentions to dolphins when there’s no good reason to do so?
- And, ultimately, if dolphins really are aware, intelligent, even compassionate beings, what does this say about how we treat them? Tursi and Little Bit may live in a facility that gives them the freedom to leave, but what about the hundreds of dolphins who live in concrete tanks and spend their lives entertaining us with acrobatics? And are Tursi and Little Bit themselves even free? After years of living in captivity, forming bonds with the other DRC dolphins, and depending on humans for food, is staying put truly an expression of their freedom? Or is it a combination of “learned dependency,” loss of the social and hunting skills necessary to survive in the wild, and a predictable source of food? Is their decision a sign of happiness and contentment with the situation or a pragmatic trade-off?

The questions that my visit to DRC stimulated were fascinating enough in themselves. However, they took on new importance when I learned a few months

later that hundreds of dolphins were dying at the hands of humans each day in the nets of tuna boats. If this were the death of humans, we'd surely all condemn it. Was this situation acceptable just because it involved nonhumans? Didn't the apparent intelligence of dolphins count for anything?

I first heard about the massive number of dolphin deaths in an unexpected way. Shortly after my visit to DRC, I participated in a post-doctoral seminar at the University of California at Berkeley on the philosopher Socrates. Since I was actively writing the dolphin chapters for my textbook at the time, I decided to take advantage of the fact that a number of prominent dolphin researchers lived in northern California. Before leaving New Jersey, I wrote to Diana Reiss, Berndt Würsig and Ken Norris; I described what I was working on; and I asked if they'd be willing to talk to me. All graciously accepted and were unfailingly generous in directing me towards scientific research that I should familiarize myself with. Then, shortly after my first conversation with Diana Reiss, I received a call from her about a lecture to be given by David Phillips from Earth Island Institute, the San Francisco-based environmental organization. When I'd originally met with Diana, I had outlined to her the ethical implications of nonhuman personhood in theory. But she said that Phillips was going to be speaking about something that captured the matter in practice – the deaths of dolphins in the nets of tuna boats.

The concept of “dolphin-safe” tuna didn't exist in the late 1980s. Indeed, the fact that dolphins were dying as a result of a particular way of fishing for tuna in the eastern tropical Pacific was virtually unknown to the general public on the East Coast of the United States. American tuna boats sailed out of San Diego, however, so the issue was better known in California. Phillips described the situation in depressing detail during his talk. But as an environmentalist, he emphasized the impact of such a large number of deaths on the overall viability of the dolphin populations in the eastern tropical Pacific. If it turned out that dolphins had all the traits of *persons*, however, the matter was much more serious. The deaths of *individual* dolphins would matter as well.

Being in California that summer also made me aware of another ethical issue – the use of captive dolphins for a variety of human purposes. Environmental issues received prominent coverage in the San Francisco papers, and the captivity of marine mammals was becoming increasingly controversial. Marineland Africa USA ran a facility north of San Francisco, and SeaWorld has a west coast operation in San Diego. And at bases in Hawaii and San Diego, the U.S. Navy reportedly trained a group of captive dolphins for military purposes.

Although less dramatic than the deaths of dolphins in tuna nets, captivity had important ethical implications. Some animal rights activists were campaigning against captivity, and there had already been some controversial attempts to free some captive dolphins. Claims and counterclaims were made about the health and lifespan of dolphins in captivity, the quality of the water in their tanks, their social lives, and the like.

At that point, I didn't know enough about dolphins, tuna fishing, the military or the entertainment industry even to hazard a guess about who was right or wrong on these issues. But if dolphins were actually nonhuman persons, the various types of captivity would require serious justification.

By the end of my summer in Berkeley, then, what had started simply as an interesting strategy for keeping undergraduates awake during a chapter on metaphysics had taken on a much more serious dimension. The trip to California helped me with my immediate problem of learning enough marine biology to write the personhood chapter. But the trip also revealed the scope of the ethical issues. Even so, while I learned enough to write the chapter that had originally set me on this path, I didn't feel that I knew enough to be especially definitive.

My attempt to find some kind of answer to the questions involved took me on a 15-year odyssey. I pored over scientific books and research papers on cetaceans. I interviewed marine scientists and dolphin trainers. I visited a variety of facilities where dolphins live and perform. And, most importantly, nearly every summer from 1990 to 2004, I ended up on a research boat in the Atlantic for anywhere from a week to a month.

This book will describe both the conclusions that I reached at the end of my journey as well as something of the process by which I got there. But this book will also ask *you* to reflect deeply on the subjects discussed here so that you too confront what must surely be some of the most important questions our species could face: Have humans actually been sharing the planet with other intelligent – but nonhuman – beings for millions of years without realizing it? And what does this say about our species' current treatment of dolphins?