

Rebuttal to a Regrettable Analysis on the Whaling Issue

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This commentary points out that the article by Ruisong Liu *et al.*, *In the name of culture and sustainability: A discourse-historical approach of Japan's whaling policy*¹ (“the paper”), failed to distinguish the differing natures of the five Japanese documents on the whaling issue in conducting its analysis of the text of those documents using the Discourse-Historical Approach, leading to significant flaws in both its analytical method and conclusion. It also argues that the paper's authors may have been influenced by the significant imbalance in views on whaling encountered during their research on the issue, leading them to interpret the Japanese government's views and responses critically without fully realizing it.

The paper analyzes the text of five Japanese government documents using the Discourse-Historical Approach (DHA), concluding that “It was found that the Government of Japan's position on whaling has evolved from ‘positive cooperation’ to ‘negative withdrawal,’ and finally to ‘easing contradictions.’” The paper fails to distinguish the differing natures of the five documents, leading to significant flaws in both its analytical method and conclusion.

The relationship between the paper's objectives and its research methods is unclear and seems not to be in sync, as described below. Furthermore, based on the present author's personal experience — having been involved with the IWC since the 1990s and serving as the Japanese government's IWC Commissioner since 2013 — the conclusion regarding the shift in the Japanese government's position feels profoundly wrong.

Furthermore, the conclusion in the last part of the paper's abstract, “The analysis indicated that Japan's decision to withdraw from the IWC in order to resume commercial whaling is an inevitable result of both international external pressures and domestic political struggles” also lacks persuasiveness. As is evident from interactions both within and outside the IWC, there was no external international pressure on Japan to withdraw from the IWC [1].

Rather, many anti-whaling nations received Japan's decision to withdraw with surprise and criticized Japan's decision [2].

Moreover, as someone directly involved at the time, the present author can testify that there was no pressure within Japan itself regarding the decision to withdraw. The executive branch logically concluded that continuing negotiations within the IWC held no further meaning, and the legislature and other stakeholders accepted that judgment. The tone of Japan's major media outlets immediately after the withdrawal announcement primarily urged Japan to reconsider, and there was no sense of public pressure pushing for withdrawal [3].

¹ Liu, R., Sun, C. and Chen, D., 2025. In the name of culture and sustainability: A discourse-historical approach of Japan's whaling policy. *Marine Policy*, 171, p.106456. doi: 10.1016/j.marpol.2024.106456.

1. Issues with the Data Used in the Discourse-Historical Approach Analysis

What are the differences in the nature of the five government documents? As recognized in Fig. 1 of the paper, each “government” document was issued by a different entity (namely, the House of Representatives, the Prime Minister's Office, and the Ministry of Foreign Affairs). This means there are differences in the nature, intended audience, origin, and purpose of each document. By treating these documents as homogeneous Japanese government documents for DHA analysis without accounting for these differences, the paper likely misinterpreted the distinct and different focal points of this group of documents — inappropriate for comparative analysis — as policy shifts. It failed to distinguish apples from oranges.

If the objective of the paper is analyzing trends or changes in government-wide policies over a specific period, then the policy transition of the government can be more clearly demonstrated by analyzing either multiple homogeneous government documents covering a specific time period or multiple non-homogeneous government documents — but produced by the same government institutions — with each document groups covering a specific, hopefully the same, time period.

The five “Japanese government” documents subject to DHA analysis and their nature are as follows.

i. The Resolution on the Further Implementation of Whaling Research (2014)²

A document [adopted](#) by the National Diet (House of Representatives), the legislative branch, immediately following the International Court of Justice's ruling on Japan's research whaling in the Antarctic Ocean. Its purpose is for the legislature (politicians) to specifically request the executive branch to continue the research in response to the ICJ ruling.

Therefore, the resolution's statement, “It is the responsibility of the state to investigate (conduct research on) whaling, and the state will provide stable financial support” possesses the character and purpose that the House of Representatives, as the legislative body, is issuing instructions to the executive branch regarding the positioning of whaling policy and financial support measures to carry out the policy. Contrary to the premise underlying the paper's understanding and analysis, it is not a statement of the Japanese government, as a whole, to declare its position to the international community.

ii. The Proposal and Legislation on the implementation of the scientific whaling program (June 2017)³

Legislation introduced by members of parliament. In Japan, most bills are submitted by the executive branch, so member-initiated legislation is rare. It requires the executive branch to formulate and implement a research plan that meets the conditions for conducting whale research surveys as presented in the International Court of Justice's judgment. This legislation includes necessary fiscal measures. Its purpose is to establish the legal and fiscal framework required for policy implementation.

² Agriculture, Forestry and Fisheries Committee, The House of Representatives of Japan, “調査捕鯨継続実施等に関する件” [On the Continued Implementation of Scientific Whaling, etc.] (16 April 2014). https://www.shugiin.go.jp/internet/itdb_rchome.nsf/html/rchome/Ketsugi/nousuiC01748BAC234F70A49257CB C00127DFF.htm.

³ Ministry of Justice, Japan. *Act for Ensuring Sustainable Use of Whales (Act No. 76 of 2017)*. https://laws.e-gov.go.jp/law/429AC0100000076/20170623_0000000000000000?occasion_date=20170623

As of this point (June 2017), Japan had not yet decided to withdraw from the International Convention for the Regulation of Whaling. Therefore, the primary purpose of [this law](#), as its title clearly indicates, is the stable implementation of scientific research whaling and the financial measures necessary for that purpose.

iii. [Statement by Chief Cabinet Secretary Suga Yoshihide regarding the GoJ's withdrawal from the IWC \(December 2018\)](#)⁴

Official document from the Japanese government declaring Japan's withdrawal from the International Convention for the Regulation of Whaling. This document, approved by all relevant ministries and agencies of the executive branch and the Prime Minister, serves as appropriate data for analyzing the Japanese government's official position at this point. It should also be noted that this document was drafted with both domestic and international audiences in mind.

iv. [The revised version of the 2017 Whaling legislation \(December 2019\)](#)⁵

Following Japan's withdrawal from the International Convention for the Regulation of Whaling on June 30, 2019, and the resumption of commercial whaling within its EEZ starting July 1 of the same year, the 2017 law — which primarily focused on continuing research whaling — needed to be amended to shift its purpose toward implementing sustainable commercial whaling. That is the significance of this amendment.

In that sense, this represents a shift in objectives following a revision of the Japanese government's policy. However, characterizing this shift as the paper concludes from 'positive cooperation' to 'negative withdrawal,' and finally to 'easing contradictions' is questionable. Where exactly does one discern "positive cooperation" within the IWC's conflicting opinions and deadlocked discussions that persisted until Japan decided to withdraw?

The characterization of withdrawal as 'negative' likely contrasts it with the preceding 'positive cooperation', but this contrast also fails because the 'positive' aspect itself is questionable. Furthermore, what exactly are the 'contradictions' being referred to? If they are to be eased, what specific 'contradictions' existed prior to this shift?

v. [The Questions & Answers, released as a response to several questions about why Japan withdrew from the IWC and how commercial whaling will be conducted in the future \(March 2023\)](#)

This [Q&A document](#), posted on the Ministry of Foreign Affairs website⁶, addresses frequently asked questions about whaling with domestic and international citizens in mind. Primarily aimed at dispelling misconceptions about whaling, it was created by an administrative agency. Given its nature, while not impossible, it is not optimal to infer policy or its shift from this document.

As described above, the five documents analyzed in the paper lack consistent characteristics. Rather than attempting to discern shifts in Japanese government policy from them, it would be

⁴ Statement by Chief Cabinet Secretary of Japan December 26, 2018.
https://www.mofa.go.jp/ecm/fsh/page4e_000969.html

⁵ Ministry of Justice, Japan. *Act No. 73 of 2019 Amending the Act for Ensuring Sustainable Use of Whales*. (December 11, 2019). https://laws.e-gov.go.jp/law/429AC0100000076?occasion_date=20191211

⁶ Ministry of Foreign Affairs of Japan, March 2023. Frequently Asked Questions on Whaling.
<https://www.mofa.go.jp/files/000518768.pdf>

more appropriate to track documents similar in their nature chronologically to analyze any potential policy shifts that may exist.

From that perspective, there exists a body of documents far more homogeneous and better reflecting the Japanese government's position than the five documents used in the paper. Namely, the statements made by the Japanese delegation at IWC General Assemblies over the past several decades, and the Japanese government's opening statements submitted at each IWC General Assembly. Needless to say, these are official outputs of the Japanese government and are all readily available on the IWC website.

The exclusion of these data from the DHA analysis constitutes a critical data deficiency in the paper's analysis.

2. Issues with Interpretation Regarding the Shift in the Japanese Government's Position

Is the shift in the Japanese government's position from 'positive cooperation' to 'negative withdrawal,' and finally to 'easing contradictions,' as concluded in the paper, a correct interpretation?

The basis for this interpretation in the paper is explained in the "Conclusion" section as follows.

"In the first stage, the government supported commercial whaling through traditional and conformity strategies, aiming to align it with international standards. This phase was characterized by efforts to make whaling practices comply with global norms. In the second stage, the government's stance shifted toward challenging the IWC's Moratorium on whaling, questioning its legitimacy and asserting Japan's sovereign rights. In the most recent stage, the GoJ has begun to adopt a more reconciliatory posture toward the IWC, to reduce criticism of national whaling practices and emphasize the value of international cooperation."

It is clear from reviewing Japan's statements at IWC meetings and the opening statements submitted at every IWC session that Japan has not argued that "whaling should be permitted because it is part of Japan's traditional culture." See for example, the last paragraph of Japan's opening statement at IWC63 [4]. While the cultural aspect is an important point in documents intended for domestic audiences in Japan, it is not the point Japan has made in its statements to the international community at IWC meetings.

Japan's fundamental policy toward the international community is that cetacean resources should be conserved and managed based on international law (including the International Convention for the Regulation of Whaling) and scientific evidence and should not be swayed by emotional arguments about whales [4]. More specifically, Japan argues in summary that the commercial whaling moratorium stipulates conducting comprehensive resource assessments based on scientific data and considering non-zero catch limits, yet anti-whaling nations are not adhering to this scientific basis and legal provisions [5][6][7].

These arguments are ones that Japan has consistently and repeatedly made since the adoption of the commercial whaling moratorium in 1982 until its withdrawal from the International Convention for the Regulation of Whaling in 2019.

The reason the paper somehow perceived a shift from ‘positive cooperation’ to ‘negative withdrawal’ within these arguments lies primarily in attempting to discern the Japanese government's external position from documents issued by politicians in the legislature, targeting domestic public opinion and the Japanese executive branch. Furthermore, it stemmed from treating the 2018 Chief Cabinet Secretary's statement — which considered both these domestic communications and external messaging and not directed to the Japanese executive agencies — as if it were a document of the same nature, and using it as data for DHA analysis.

Furthermore, the paper states as follows.

“However, after the decision was made to withdraw, the GoJ came to equate anti-whaling groups with the IWC, confirming a complete change in the Government's attitude toward the IWC.”

This interpretation is entirely erroneous. The “complete change” stems from overlooking the difference in Japan's position when it was an IWC member versus when it became a non-member, and mistakenly interpreting this as a change in the Japanese government's stance. When Japan was an IWC member, it was inside the IWC, and thus made arguments and statements targeting the anti-whaling forces within the IWC. After Japan ceased being an IWC member, Japan found itself outside the IWC. Consequently, when addressing IWC decisions and discussions, Japan began using the subject “the IWC” rather than “anti-whaling forces within the IWC.” This shift is not a change in Japanese government policy, but merely a change in grammatical context.

In fact, the Japanese government has repeatedly stated that its whaling policy remains unchanged even after withdrawal. Furthermore, in the fifth paragraph of the 2018 Chief Cabinet Secretary's Statement, it states as follows.

“Although Japan will withdraw from the ICRW, it remains committed to international cooperation for the proper management of marine living resources. In coordination with international organizations, such as through its engagement with the IWC as an observer, Japan will continue to contribute to the science-based sustainable management of whale resources.”

Japan has explicitly stated that it will continue to participate in the IWC as an observer and provide research findings on whales and information regarding its whaling activities. It is difficult to discern a “complete change” from this.

Therefore, the existence of the stages concluded by the paper, “In the most recent stage, the GoJ has begun to adopt a more reconciliatory posture toward the IWC, to reduce criticism of national whaling practices and emphasize the value of international cooperation” is doubtful. That is to say, a shift toward ‘easing contradictions’ cannot exist either. Furthermore, to the extent that the present author can discern, the paper does not provide a convincing explanation of what these contradictions refer to.

3. Conclusion

The paper erroneously treats five Japanese government documents — varying in nature and purpose — as homogeneous data for DHA analysis (failing to distinguish apples from oranges), leading to a speculative interpretation of shifts in the Japanese government's position. A major flaw in the paper is its failure to analyze the numerous statements and submitted documents from the Japanese government at the IWC, which constitute a homogeneous and consistent body of data.

It is necessary to consider why such a seemingly elementary mistake was allowed and why the paper was accepted by a prestigious academic journal.

In the first half of the paper, it is stated that Japan's whaling policy is controlled by a small number of politicians and the Fisheries Agency, failing to reflect the views of the majority of the public, and that this whaling policy appears strange and outdated when measured against global norms. These are arguments frequently put forward by countries and organizations opposed to whaling. Furthermore, in international forums — such as IWC meetings, the media, and online — the reality is that these arguments far outnumber those that support whaling or take a neutral stance. The present author posits that, regardless of their personal stance on whaling, the authors of the paper may have been influenced by the significant imbalance in views on whaling encountered during their research on the issue, leading them to interpret the Japanese government's views and responses critically without fully realizing it.

It is worth considering why such an imbalance in the flow of information arises; this topic alone would require extensive analysis and a lengthy discussion. Therefore, while there is not enough space to delve deeply into it in this commentary, the present author would like to point out that this issue involves a variety of factors, including not only differences in the volume of information disseminated but also the historical evolution of the whaling issue, differences in diplomatic negotiation cultures, and the information trends of the media, including social media [8].

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