Term Project Report #1

According to Cox and Pezzullo (2018), rhetorical exigence is defined as “a set of conditions that have been constituted as a problem, grievance, or crisis that becomes marked by a sense of urgency” (p. 55). The rhetorical exigence that is being defined in our project is the issue of injuries and deaths to the North Atlantic right whales due to entanglement in fishing gear. This issue caught the attention of the National Oceanic and Atmospheric Administration (NOAA) after there were 17 North Atlantic right whale deaths in 2017. The NOAA announced these casualties as an Unusual Mortality Event (Sullivan), and due to this they said that they would consider new regulations to protect the North Atlantic right whales. Cheri Patterson, supervisor of marine programs at New Hampshire Fish and Game said that NOAA is expected to make a decision on new regulations by the end of the year in 2019.

Cox and Pezzullo state that a public sphere is “a discursive space that is created when individuals engage others in communication - through conversation, argument, debate, or questioning - about subjects of shared concern or topics that affect a wider community” (2018, p. 21). In other words, this is a space where people can talk about concerns or topics in the public eye. The public spheres involved with the right whale protection are town meetings, letters between organizations, and various online articles. An article written by Max Sullivan states that there was a town meeting held in Portsmouth to discuss the issue and to brainstorm ways of altering the rope so that it would break to give the whales a chance to break free, compared to being entangled. Erik Anderson, who leads the New Hampshire Commercial Fishermen’s Association is in charge of leading the town meetings held in Portsmouth. Anderson is frustrated that the federal regulators haven’t given any specifications stated in NHPR’s January 17, 2020 article because they were supposed to come up with specifications by the end of the 2019 year. Erica Fuller, senior staff attorney with Conservation Law Foundation also believes that NOAA needs to speed up the process with the regulations. She states that identifying the problem is a start; however, the regulators need to do more and faster. NH1 also has taken the time to analyze this issue. In their article, they state that the Maine Lobstermen’s Association’s executive director Patrice McCarron sent a letter to NOAA’s regional administrator Mike Pentony saying that the lobstermen are committed to identifying conservation measures to improve protections for right whales. McCarron believes that it is integral for lobstermen to support the methodology used to make the new rules. These three articles are both public spheres because it is allowing public, outside sources to talk about the issue.

“Ownership refers to the ability to create and influence the public definition of a problem” (Cox and Pezzullo, 2018, p. 79). In the case of the right whales, NOAA is vying for ownership of the problem. They are the ones who own the problem because they are responsible for deciding on the new regulations that will be put in place for the right whales. While NOAA is vying for ownership, the lobstermen aren’t trying to disown the problem. Disowning a public problem is “acts of word and deed that distance a party from the problem” (p. 80). The lobstermen aren’t distancing themselves from the issue; instead, they are aware of the problem and are assisting in resolving the issue.

Causal responsibility refers to a “shared belief about the sequence of occurrences that factually accounts for the existence of a problem” (p. 81). Causal responsibility in this situation is being assigned to both the lobstermen and the equipment being used. NOAA assigns responsibility to the lines because they are the objects that are tangibly responsible for the whales being entangled. On the other hand, the lobstermen are also causally responsible because they are the group that is setting the lines to catch the lobster. While the lobstermen hold causal responsibility, NOAA holds political responsibility because they are the party responsible for resolving the problem. Political responsibility is defined as “assertions that some office of group is obligated to do something about the problem” (p. 81). NOAA is ultimately responsible for coming up with and putting into place the new regulations to protect the right whales. Sam Rauch is an integral part of NOAA is NOAA Fisheries’ deputy assistant administrator for regulatory programs, who have a good idea of what’s going on, and believes this is a great opportunity to reduce the impacts of U.S. fisheries on animals. Rauch understands that the consequences to the fishermen are real and difficult so they need to be aware of the choices being made down the line. The Large Atlantic Whale Take Reduction Team will present the lobstermen’s preferred options and this team advises NOAA fisheries, who will make the final decision. Lucky for the lobstermen, Kristan Porter is also a part of the Whale Take Reduction Team. Porter is the President of the Maine Lobstermen’s Association so she has a say in how the problem is going to be resolved, along with being a part of the association that could be harmed. This is important to the lobstermen because Porter can say something if the measures against the equipment seems too harsh. In this position, Porter is trying to digest what it means for the fishery and what the nexts steps are.

Some members of the lobstermen are skeptical about the measures being taken by

NOAA because they are worried about the consequences to the fishery. Ward Bryne is a lobsterman out of Portsmouth and he stated “a closure would break our back… NOAA could come down and hand a ruling down that’s not good for fishermen, and we’re done” (Sullivan). Another lobsterman named Chris Adamaitis also has a similar stance on the issue. Adamaitis stated that the new regulations could mean new trouble for the fishery and believes that if the fishery had a chance of failing, it would be due to the whale issue. Many of the lobstermen are skeptical that their fishery poses enough of a threat to the whales to merit new regulations (Ropeik). As discussed in a town meeting in January 2020, the lobstermen want more detail and input on the new, more easily breakable lines or gear being implemented to reduce whale entanglement. The meeting disclosed that the lobstermen wouldn’t need to make changes until Fall 2020 at the earliest, and would receive $1.6 million in federal funding to help adopt the new rules.

“Properly speaking, a rhetorical audience consists only of those persons who are capable of being influenced by discourse and of being mediators of change” (Lloyd Bitzer, quoted in Hauser, p. 48). The rhetorical audience in this situation would be the Lobstermen’s Association and NOAA. The lobstermen can be influenced by what NOAA has to say and the implications their gear has on the right whales. On the other side of things, NOAA can be influenced by the lobstermen on the new regulations that should be set in place. While many people can form an opinion based on the discourse between parties, they do not have power to be mediators of change in this situation. Rhetorical constraints are defined as “the limitations and the opportunities present in a situation that bear on what may or may not be said to the audience about the imperfection they are being asked to remedy” (Hauser, p. 50). After analyzing multiple articles, there does not seem to be any restraints on what each party can disclose. As of right now, there are no constraints on this issue. Each party has been open on what is being said and received.

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