

**“CULLING”: “MANAGEMENT TOOL” OR MASS  
MURDER?**

**WHY THE DRAFT NORMS AND STANDARDS ON THE  
MANAGEMENT OF ELEPHANTS IN SOUTH AFRICA ARE  
INDEFENSIBLE**



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*"I feel sick when I think of a team of marksmen, skinners, and butchers... slaughtering whole families along with all their knowledge, their traditions and their memories...Killing the elephant seems the simplest and most direct solution [to an alleged "conflict" or "problem"], but only to people who have not watched individuals over 14 years; have not seen elephants greet one another with trumpets of joy; seen elephants, adults and calves alike, running and playing across an open pan in the moonlight; seen elephants trying to lift and hold up a stricken companion; seen a female stand by her dead baby for four days; or seen a seven-year-old calf gently fondle and stroke and feel the jaw of his dead mother." Cynthia Moss<sup>1</sup>*

*"That which scratches the wild animal, also scratches the human being." African Proverb*

## **1. ANIMAL RIGHTS AFRICA POSITION STATEMENT**

Conservationists define the "culling" of elephants as "the managed alteration of game populations' numbers or compositions, when at odds with its resources, health and welfare, or man's `interest". The Minister should not, however, allow semantics and abstract management terms such as culling to detract from and obscure what culling actually entails.

The truth is that culling spreads terror from air and land, breaks apart families, and causes acute distress among herds near and far (who can hear and sense the fear, panic and slaughter of their fellow beings). Culling is a form of ethnic (or species) cleansing where victims are targeted because they are deemed "inferior" beings, problems or threats to the interests of the "superior" group, and thus relegated to the category of the "Other" to justify mass slaughter. African elephants are not responsible for ecological degradation and shrinking biodiversity, as the fault lies ultimately with human beings. Elephants are blamed for damage wrought by humans in order to justify their slaughter, and thus are scapegoated.

Currently, humans are treating elephants no better than white people treated black people during the colonial and apartheid eras. We see the comforting web of lies that humans spin to justify speciesist oppression – that animals are stupid, that they don't really suffer

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<sup>1</sup> Cynthia Moss has spent more than 30 years in Africa studying elephants. She and her research associates have identified and recorded more than 1,400 elephants. Moss has become the world-leading expert on African elephant family structure, life cycle, and behaviour.

the way we do, that they exist solely to serve our ends as higher (more rational) beings – the same web of falsehoods and propaganda that whites once wove around blacks, and men continue to weave around women.

And to add insult to injury, the victims cannot plead their own case; they cannot describe their suffering or show us how the world looks – and how we appear – from within the slave quarters to which we have consigned them. For this, they have to depend on the conscience and goodwill of those who benefit from their exploitation. It is similar to a situation where African slaves are dependent on slave owners to speak out on their behalf.

When elephants are "culled," they are being killed not because of their identities as individuals but because they are members of an "outgroup" selected for such treatment. In this illusory, pre-scientific Cartesian mindset, "rational humans" are seen to be at the top of the pile, disconnected from other animals. This erecting of an absolute barrier between "us" and "them," between human subjects and animal objects, between moral agents and beasts without responsibilities or rights, has historically also been effected rather easily to separate off "superior" (white, western, male, property owner) from "inferior" ("savage," "barbarian," "sub-human," and so on) human groups and thereby facilitated violence, war, subjugation, torture and genocide.

Blinded by arrogance and illusion, humans typically do not see the animals as they really are: sensitive, intelligent, complex, living beings that suffer and die at our hands with no hope of relief. Now that South Africa has attained its freedom we have many other challenges. One of them is to make our society a kinder and more humane one. To that end we need to learn to live in harmony with our environment and to purge the violence that continues to afflict our culture.

Elephants in South Africa have had a raw deal for hundreds of years and we should not perpetuate this simply because we have the power to do so. "Might" is not "right"; it is not an ethic or code of civilization, it is rather a utilitarian *real politik* that rules according to power rather than rational ethics. A world in which the end justifies the means, or where the rules of right and wrong apply only to the mighty and the strong, has not morally evolved in ten thousand years and is regressive compared to the equality and altruism of pre-literate societies and, indeed, countless animal communities themselves which demonstrate more evolved moral codes than modern human societies. Power over the

weak does not give the right to exploit the weak, but is rather an obligation to protect and assist them.

There is a need to re-imagine the issue of our relationship with elephants and move away from our historic culture of killing – where pulling out a gun is seen as the easiest solution.

## **2. INTRODUCTION**

In a country beset by so much violence against people and animals, government bodies should be promoting humane and non-violent methods of engaging with wildlife. Importantly, the approach the Norms and Standards (N&S) takes on culling has global significance and is an indicator of whether or not humankind as a whole can steer itself away from imminent disaster and learn to harmonise its existence with the natural world.

Currently the N&S is hopelessly inadequate in the way that it deals with, and refers to, culling. Moreover, of deep concern is the fact that by doing this it reifies complex social beings as mere things, resources, and commodities.

It is extremely important to ensure that the South African process and policy is correct, as it will have major implications for the policies of other SADC countries.

Like humans, chimpanzees and other animals, elephants have complex minds and social structures. This is an undisputable fact and it requires that the N&S must, at the very least, acknowledge that elephants have moral standing and that we have a duty of care towards them.

This is supported by a statement by the Minister of Environmental Affairs & Tourism, Martinuis Van Schalkwyk, who, on 20 September 2005, stated that: “I want our final choices to be based on scientific research, ethical and social considerations, indigenous knowledge, and environmental and tourism impacts.” Furthermore, on the occasion of the publication of the Draft Norms & Standards for Elephant Management on 28 February 2007, Van Schalkwyk emphasised the following points:

- The Norms and Standards merely represent a new chapter in the ongoing debate about elephant management and that “our department does not pretend that this will be the final word”;
- DEAT is committed to finding solutions that are fair to elephants;

- The principles that inform the decision-making process will display respect for elephants;
- Ethical dimensions will be included;
- The management process shall be conducted ethically, humanely and rationally; and
- Wilful cruelty to animals must be condemned and avoided at all costs.

DEAT thus takes the view that the culling of elephants should be approached differently from other interventions. *The Guiding Principles of the National Norms and Standards for the Management of Elephants in South Africa* claims to understand the complexity of elephants, and consequently acknowledges that:

- Elephants operate within highly socialised groups;
- Elephants have charismatic and iconic status; and
- Elephants are sentient beings.

In light of the above, the N&S should clearly reflect that there is a strong ethical case for viewing elephants as sentient beings that should not be classed as “renewable natural resources”. It is a complete contradiction to acknowledge on the one hand that elephants are complex subjects of a life that has meaning and value quite apart from human purposes, and then on the other hand to reduce them to simple beings and ultimately objects, resources and commodities for human gain. Government, the SANP system, villagers, and the general public must abandon the speciesism that clouds their minds with double standards and begin to think in a logically and morally consistent way. For – just as the substantive grounds for culling overpopulating humans to conserve biodiversity are overridden by ethical considerations – the exact same reasoning applies to the case of (allegedly overpopulating) elephants. Just as it is unthinkable to allow thousands of famine victims to die in order to restore ecological balance, or to slaughter thousands of human community members who have exceeded their carrying capacity and are damaging local ecosystems, it should be equally unthinkable to justify the mass murder of elephants with Malthusian and eco-fascist arguments. We approach both cases with ethical, not ecological principles, with compassion not indifference, and with non-violent rather than violent means of resolving an environmental “problem” or “conflict.” Adequate management tools that exclude culling and killing are already available to conserve biodiversity.

Culling should not be driven by economics. In addition, the concept of sustainable utilisation cannot be taken in its most shallow sense and then applied across the board.

We are sure that this is not what the Minister is aiming at when it comes to developing a policy on elephants. We are equally sure that the Minister recognises that this kind of naked utilisation position is totally inappropriate within the current democratic dispensation. DEAT's policy and attitude towards whales has reflected this and has, as a result, **set a precedent for its policy and attitude towards elephants.**<sup>2</sup>

The case for removing culling as a "management option" from the current N&S is compelling. This is because:

- Culling is so onerous that it needs to be treated in isolation, i.e. culling must be treated completely separately from the other so-called "management options in the tool box".
- Culling causes eruptive population growth which creates long-term problems and sets off a process of continual human intervention.
- Once the floodgate of culling has been opened it will be very difficult to control or halt it.
- There has never been a case where killing/culling elephants resolved a perceived threat to biodiversity.
- Culling is a bad management practice.
- The negative consequences of culling are likely to persist for more than 100 years.
- The voices for culling may be loud but the practice cannot be scientifically, ethically or economically justified.
- Culling, of all the interventions, is not only the most onerous but also the most scientifically questionable.
- Killing elephants **will not** secure the so-called perceived ecological result.
- Culling has severe behavioural consequences on the elephants left behind. This raises a red flag for both elephant-human interaction in the future as well as for the welfare of elephants.
- There are enormous ethical and ecological concerns about killing specific age-sex classes from within breeding groups.
- Culling deliberately traumatises elephants, both in the short and long term, and there are obviously negative behavioural consequences to this.
- There is an indisputable case to be made for viewing elephants as **not** being renewable natural resources.

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<sup>2</sup> South Africa has been a non-whaling nation since 1975 and strict legislation has been passed so that all whales are fully protected within South African waters. South Africa also supports a moratorium on commercial whaling introduced in 1986.

- Culling employs disproportionate force.
- Culling has severe welfare implications which manifest themselves in both the short term and the long term.
- Culling and its effects, ecologically, behaviourally and on human-elephant risk/conflict, will require very costly human intervention over extensive periods of time.
- Culling alienates tens of millions of western tourists who will take their travel dollars elsewhere if they learn that South Africa has revived the despicable practice of culling; since elephants are “worth” more alive than dead, eco-tourism is a far greater economic resource than any perceived “gains” or “savings” through hunting and culling.

Indeed, instead of including culling as simply one of the management options, the N&S is legally obliged to provide a set of properly conceptualised procedures and processes which make provision for a compelling justification *if* any management authority or entity (national, provincial, local or private) may be contemplating culling.

To employ culling as a methodology and solution, knowing what we know in this modern day and age – scientifically, ecologically and ethologically – is simply not practically or ethically appropriate.

The N&S cannot ignore the global context – i.e. the position elephants find themselves in globally. African elephants on the whole (like their Asian counterparts) are an endangered species, and any renewal of culling policies can revitalize the ivory trade and jeopardize their survival. The rate of decimation is frightening. It is not acceptable to consider culling as an option in a context of very real threats to elephant survival: global warming and climate change; overdevelopment; human population growth; hunting (particularly in protected areas where fences are being taken down); and the extinction of species at an unprecedented rate, which has led the esteemed paleo-anthropologist Richard Leakey to describe this period as the time of “the Sixth Extinction”, a great vanishing of creatures over the last thirty-odd years such as the planet has not seen during its previous sixty-five million years.

What is also of significance with the “elephant problem” is that there is no urgency. Elephants are not irreversibly threatening ecosystems or human existence, so why should the N&S reject the many non-violent alternatives to killing elephants? Indeed, the N&S

should be aggressively promoting alternatives to culling and taking extraordinary lengths to avoid violent responses.

**Culling should not be included as part of the N&S simply because managers have the power to do so; nor should it be included for economic reasons.**

It is of major concern is that three key principles have not been addressed in the N&S, namely:

- The prevention of cruelty and the total disregard of animal welfare laws such as the Animal Protection Act;
- The concept of utility; and
- Justification for taking such an extreme step as culling.

Moreover, there is no proper definition of culling, i.e. what it entails, who it is applied to and the timeframe in which it will be applied.

### **3. KEY ELEMENTS TO TAKE INTO CONSIDERATION**

#### **3.1 The Social, Psychological, and Moral Lives of Elephants**

The deep and rich emotional, psychological, and social lives of elephants, including their feelings of altruism and friendship, aggression and fear, are scientific facts that cannot be ignored. Like every human person, elephants have lives that are inherently valuable to themselves and important to their families and communities, completely apart from the exploitative resource value imposed on them by human beings. **And like humans they are also subjects-of-a-life.**

Apart from being highly intelligent and emotional beings, they share a parallel lifespan with humans and like us they have life-long loyalties, friendships and close-family ties. They also attach a special significance to death and they mourn an individual elephant which has died, often returning to a body and repeatedly touching it. When an elephant is shot, there is immediate distress on the part of the family and this trauma lasts over a long period of time.

One factor that has moved decisively against the culling of elephants is the research work of field biologists, psychologists, philosophers and ethologists. As a result, we are beginning to understand that culling practices affect elephant societies profoundly and as their world is diminished so is that of human beings. This understanding of who elephants

are has given rise to widespread public affection and recognition for elephants, both locally and globally.

It cannot be disputed or ignored that elephants live in a complex society bound together by different layers of social bonding and communication. They exhibit skills and qualities such as good leadership, good communication, clear roles, co-operation, consensus building, respect for one another, and reconciliation.<sup>3</sup> Moreover, the complex way in which elephants use sound to communicate demonstrates their intellectual and emotional complexity and understanding.

The suggestion from the N&S that it is more ethical to cull only entire family groups is hugely problematic. Our understanding of the sociology of elephant societies is limited but we already know that their social and communication systems are complex and that they have close relationships outside of family groups. Removing members of these family groups, which include older females, means a loss of cultural information and a major and irreversible disruption of their complex, scaled social network. One of the long-term consequences of culling will also be that the average age of the matriarch will decrease and there will be fewer larger groups and accelerated smaller groups led by younger and younger females.

Culling, because of the loss of kinship and matriarchal information and experience, traumatises elephant groups and clans for decades and also results in unpredictable and dangerous behaviour. The most that is permissible, as in the case of rationally less developed humans, is a paternalistic form of birth control or euthanasia of the infirm and diseased, or those incapacitated by old age.

### **3.2 Elephants as our Living Heritage**

*Be angry, elephant, shout at the gods of Africa*

*Be angry, elephant, shout at the grey ghosts of our forefathers*

*Be angry, elephant, and shout at the people of modern days who do not do anything to shield you from the murderer and the thief*

*Be angry, elephant, shout at the land that no longer cares about living things*

*Be angry, elephant, shout at the very stars themselves and demand from them justice.*

African Praise Song

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<sup>3</sup> Joyce Poole, zoologist and director of the Savanna Elephant Vocalization Project.

Heritage is not only something that is of human interest. In a very real way, elephants are our living heritage and are a cultural and historical asset. South African heritage has been dominated by the colonial and apartheid legacies which were fixated on hierarchical domination and distinctions of superiority/inferiority. Through various heritage programmes, position papers, policy formulation and international treaties, South Africa is taking seriously its reconnection with past African values. This redressing of past injustices and the decolonisation of South African heritage also includes the way animals are treated. Our attitude to elephants must incorporate this reinvigoration of African ethics which emphasises interconnectedness, harmony, respect, tolerance, *ubuntu* and ecological integrity.

Wildlife preservation is as old as Africa. Africans regarded wild animals as a blessing from the gods and as something unbelievably sacred and vital for the continued existence of human beings. Africans believed that animals were the blood of the Earth and that wildlife was the soul, the very life-blood of Mother Earth. For Africans a wildlife preserve was not just a place where animals dwelt in peace, it was set aside with gods and animals in mind. It was regarded as the sacred place of the gods where no hunting or shedding of blood was allowed.

African attitudes towards elephants stem not only from ancient traditions, but also from modern notions of cultural heritage. Africans regard the elephant with a very deep reverence. An elephant is considered a spiritual entity. African people believed that elephants were reincarnations of murdered gods, gods who had been treacherously slain by other gods in the unseen land and who were reborn on Earth as elephants.

Killing animals for sport and culling is un-African, taboo and an abomination. Culling is not an African practice or tradition but an imposed colonial and apartheid subversion, which along with similar aberrations has negatively impacted on the African landscape and traditions.

Significantly, elephants are part of South Africa's intangible cultural heritage. Elephants have their own communities and there are negative impacts on elephant societies if we merely treat them as "renewable resources". There are also moral and ethical consequences for human society of viewing all other life as a "renewable natural resource". Elephants are, in a very real sense, an intellectual, emotional and spiritual community. They have their own heritage and their own languages, knowledge and social

practices that must be preserved. This fits in with the international Intangible Cultural Heritage Convention (a convention South Africa is about to ratify), which identifies the:

“Knowledge and practices concerning nature and the universe” include knowledge, know-how, skills, practices and representations developed and perpetuated by communities in interaction with their natural environment. These cognitive systems are expressed through language, oral traditions, attachment to a place, memories, spirituality, and worldview, and they are displayed in a broad complex of values and beliefs, ceremonies, healing practices, social practices or institutions, and social organisation. Such expressions and practices are as diverse and variegated as the socio-cultural and ecological contexts from which they originate.”

### **3.3 The Science Factor**

A huge flaw of the Science Roundtable (SRT) process was that no-one was given an opportunity to make a case against culling being included. It thus seems that culling was included in the management ‘tool box’ for political reasons as there is no sound scientific reason for it being there. Given the major implications and sensitivities in relation to culling this is tremendously problematic, if not outrageous.

Much of the “science” which supports culling is anecdotal. Because of its burdensome and risky consequences, culling cannot be included as an option merely because some people think there may be a reason to cull “one day” or because some managers are so immersed in a culling mindset that they see this as a so-called solution to a perceived problem.

If the Minister is taking his commitment to the new, contemporary conservation paradigm seriously, one would expect to see the N&S embrace the goal of creating a heterogeneous landscape, where elephant population and dispersal processes can unfold with minimal interference, playing out their role in the wildlife community. There is **no evidence** of an imminent risk to biodiversity. Neither is there a need for management action to produce immediate effects. The N&S must also take cognisance of the fact that there is no need for immediate action to affect overall elephant density. Instead, what the N&S must do is to promote an increase in heterogeneity at the landscape level, and large-scale diversity.

The 20-year research programme proposed during the SRT should exclude culling as a form of research. This programme should include a significant behavioural and ethological component as much more needs to be understood about elephants – what we know is

only the tip of the iceberg. Other behavioural research such as the use of infrasound to communicate with elephants and safely move them around the landscape needs to be supported.

Maintaining elephant numbers at predefined levels is not a sensible management goal. Indeed, numbers should vary, through both space and time, in response to both density-dependent and environmental forces.

Stabilising elephant numbers may induce complications, given that African savannas are not stable. Here disturbances modulate resilience and resistance. Elephants disturb savannas and static numbers may compromise local habitat heterogeneity and species richness. Static numbers may also reduce the spatial patchiness that buffers species against drought. Savannas may not benefit, therefore, from static elephant numbers – ultimately, resilience may be weakened. The increased numbers in the KNP, for example, are as a result of culling and other bad management practices – so-called “eruptive growth”.

Adaptive Management cannot be interpreted as shooting elephants first and seeing what happens to biodiversity later; this is not only unscientific and goes against ecological processes, but also has serious ethical dimensions which cannot be ignored. Furthermore, killing certain elephants or elephants in certain locations simply because it may be easier and more logistically practical is not sufficient reason to kill elephants.

No scientific or ecological justification exists to cull or hunt elephants. Simply put, the supposed ‘scientific’ and ‘ecological’ reasons put forward by *some* managers for culling are flimsy, weak, untested and do not stand up to interrogation. These managers are propagating a policy which has been part of a mindset from which they are unable to escape – a tradition in unethical thinking! Also, it is not known what the short- and long-term effects of culling are. There is therefore a huge risk. Consider the following:

- Killing elephants using the “too many”/population argument is ecologically meaningless. It has been irrefutably shown that using numbers and population size as a means on which to base decision-making is fallacious. This is true for large and small reserves.
- Optimal densities. There is disagreement on optimal densities and the short- and long-term effects of different densities.

- The argument that culling is a necessary and suitable intervention in inappropriate age-sex structures is not valid. In fact, age-structure is negatively affected by culling. In addition, what is 'inappropriate', who decides, and in what context?
- The proposal of a small number of large culling zones in the KNP are said to produce such heterogeneity, but – akin to gardening – these would once again simply represent blanket treatments over large areas of otherwise diverse habitat, a repetition of the old homogenizing approach; this time across subsections of the park rather than the KNP as a whole. It has also been shown that elephants do not avoid areas of high risk but merely change their behaviour in response to the risk (for example, streaking through dangerous areas or moving at night). Using culling as a way to cause disturbance to move elephants around the landscape, i.e. killing some so that others can/will move out is inane, anecdotal and should never be contemplated.
- The methods used for deciding on culling quotas have been seriously brought into question, particularly because culling programmes often lack fundamental information on population dynamics over long periods, the change of numbers as a result of drought, poaching or natural mortality are not adequately monitored and census methods used to allocate quotas are unreliable.
- Culling decisions are largely profits-driven which not only have no ecological basis but also lead to the fudging of data and the push for increasing culling quotas.
- There is no answer as to where elephant numbers should be manipulated to and even to what level.
- It is very difficult to define a normal population age-sex structure, as the population demography changes over time under natural circumstances.
- Culling causes population growth (the very thing culling is supposed to address). To use a highly problematic and damaging intervention such as culling to try and fix a problem caused by this highly problematic and damaging intervention is irrational.
- Since culling only reduces numbers temporarily, it will not change the state of systems and will not reverse trends (the very reason why culling is proposed in the first place).
- Culling disrupts population dynamics.
- Culling elephants keeps the population density high so that they are at a maximum sustainable yield. In addition, at lower densities population growth rate may increase so culling could effectively increase growth rate.

- Culling may give rise to immigration. This occurred in the Kruger National Park, where movement into culled areas increased numbers. In this case, the increase in densities after culling intensified the local impact of elephants.
- Where elephants have been removed their space is filled by other elephants or by competing herbivores.
- Selective culling, targeting bulls or animals of certain age classes, distorts age structures and enhances, rather than suppresses, growth rates and so negates the intention of culling.
- No-one knows what the medium- and long-term effects of removing numbers of individuals of such a large size from the system are likely to be – such as nutrient depletion and the population numbers of other animals.
- No-one knows what the medium- and long-term effects on the genetics of the population might be as a result of removing different numbers of individuals from a closed population.
- No-one knows at what ratio of trees to elephants the loss of particular species of trees, with particular demographic characteristics, will be prevented.

Other human-based interventions have far greater negative impacts on ecosystems than elephants. Examples of these include:

- Water distribution
- Fire management
- Fencing
- Active management through the addition of water and manipulation of fire-instigated changes in the ranging behaviour of herbivores and induced high local impacts.

### **3.4 The Precautionary Principle**

It is very clear that we do not know what the short-term and long-term deleterious effects on elephants and natural systems will be. Therefore postulating and implementing culling is extremely risky.

Culling is not a proportional measure that would be sanctioned by the precautionary principle. In fact, the precautionary principle supports that a precautionary approach be adopted towards the introduction of culling itself.

The precautionary principle calls for measures to minimize and avoid environmental harm. It also calls for cost-effective measures or measures that are proportionate to the potential

harm. So, in terms of the Precautionary Principle it is not legitimate to apply population management as a precaution.

The N&S bears the burden of proof to show that elephants are causing a loss of biodiversity and that any proposed policy to cull elephants would anticipate minimising harm to biodiversity and that it would simultaneously minimise harm to elephant populations or other species that depend on elephants.

Unsubstantiated general statements regarding the role of elephants in harming biodiversity will not be acceptable. It must be made mandatory for those who promote culling as a means to stem the loss of biodiversity to: irrefutably identify elephants as posing a threat of causing irreversible, direct loss of biodiversity; assess the various risks; evaluate proportionate measures.

### **3.5 Constitutional Requirements: Culling is not Proportional**

As a society we have duties to wild animals. To draw on the South African Constitutional Court's language, we should not use a sledgehammer to crack a nut. This requirement involves considering whether the means adopted are not overly drastic in relation to the purpose to be achieved.

The decision to cull elephants is indeed a drastic one. As we know, like humans, elephants are highly intelligent creatures with rich emotional lives. They have complex social structures, and exhibit altruistic behaviour. They have traditions, memories and display highly sentient forms of awareness. Destroying such animals is a very serious matter. It would be regarded as monstrous were 'culling' to be considered a solution to human overpopulation. Why should it be considered ethically acceptable to employ such brutal methods to control populations of elephants, which have been shown to display so many complex characteristics that resemble our own?

Recent ethical theory strongly concludes that we are obliged to treat elephants with respect, as ends-in-themselves rather than as mere means-to-our-ends. As such, we have an obligation not to harm them in any way, and beyond that, to ensure that expanding human populations never grow to the point where they deny elephants and other wildlife their right to vast open environments, linked by "corridors," in which they can forage and flourish. Even vociferous proponents of culling, such as Ian Whyte, admit to

“disturbance of nearby related groups of elephant populations coming from the [slaughter] operation itself and [to] the longer term effects of the loss of family members and bonds.”<sup>4</sup>

The culling of elephants would also be in direct violation of the interests of individuals and the community of those who are concerned with the welfare and interests of animals, locally and internationally. The effect of culling may also involve a significant tourist boycott of South Africa, thus impacting negatively upon social and economic development of the communities surrounding reserves. Culling elephants does not create conditions for sustainable tourism. The knock-on effect of killing elephants will be against DEAT's strategic plan to increase the annual volume of international tourists visiting South Africa. Elephants are one of the key reasons why tourists visit our country each year, creating jobs and prosperity. The global public has made it clear that it does not want to see elephants being culled.

If culling is reintroduced it will send a disturbing message to the world about South Africa's attitude to wild animals, and towards elephants in particular. This will have dire consequences for tourism, something South Africa can ill-afford particularly in the run-up to the FIFA World Cup in 2010.

Let us accept for the sake of argument that it can be established that elephant populations are definitely impacting negatively on biodiversity. In light of the drastic nature of culling, the question arises as to whether there are less drastic methods of managing elephants so as to ensure that biodiversity is preserved? The fact that there are several viable management options which do not include culling renders attempts to justify culling untenable.

The N&S must meet the rationality and reasonableness standards outlined by courts in evaluating the decisions of public bodies. Scientific evidence suggests that those who propose culling may not even be able to pass the rationality standard. The existence of far less drastic alternatives to culling would obviously render any decision to cull unreasonable. A decision to include culling in the N&S may well be vulnerable to being attacked legally in a court of law.

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<sup>4</sup> I. Whyte 'The feasibility of current options for the management of wild elephant populations' found at <http://elephantpopulationcontrol.library.uu.nl/paginas/txt20.html>

### **3.6 The South African culture of killing**

The South African conservation system was conceived during the periods of colonialism and apartheid and reflects the authoritarian norms of those eras. These were landscapes that produced both human and other animals as victims. The practice of culling is thus grounded in these medians of control and in anthropocentric resourcism.

Today, conservation management remains under the control of long-entrenched bureaucrats. Mostly white, Afrikaans-speaking men, these functionaries come from the same tight-knit community as many of those involved in captive breeding and canned hunting. Many are hunters themselves. Even if this is not the case, the new government appears merely to have adopted the old practices of the previous regime.

Historical sentiment primarily considered management issues at a political and not a conservation level, thereby distancing conservation practices from our present day understanding that conservation should focus on maintaining heterogeneity. If one examines the history of culling elephants in South Africa it is manifestly clear that it was never about science or protecting ecological systems. For example, even when there were only 2 500 elephants in the Kruger National Park, authorities said there were “too many” and that they should be culled. Above all else, culling is a farming practice. With the adoption of culling during the mid-1960s, elephant target densities were set arbitrarily (at 7 000) and driven by the concept of economic carrying capacity. Culling targets were therefore devised to suit economic targets and had no scientific basis.

The practice of culling and the ivory trade are inextricably linked. Along with slaves, gold and rubber, the allure of ivory drew Europeans to Africa's shores and played a major role in some of the darkest chapters of white colonial rule on the continent. The colonial and post-colonial desire for ivory spurred the exploitation of not only elephants but Africa itself. Demand for the coveted commodity massacred the elephants of Africa. The 19th century industrial world's appetite for the commodity seemed insatiable and ivory workshops churned out a wide range of products, from piano keys to billiard balls and snuff boxes. That demand helped to fuel the "scramble for Africa" among European powers seeking to plunder the continent.

The apartheid regime also profited from the ivory trade – both legally and illegally. When culling was initiated in South Africa in the mid-1960s it was at a time when the ivory trade was brisk and unchecked and it played a pivotal role in feeding into a devastating

process which between 1979 and 1989 halved Africa's elephant population from 1.3 million to 600,000.

Consequently, the factors that informed decisions to kill elephants (via culling and other means) were colonial, apartheid and farming type mindsets; the ivory trade; the strong hunting fraternity's control over the conservation sector (hunters and elephant traders always push the culling agenda); and more recently the subversion of concepts such as "sustainable use".

There is therefore a strong, but nevertheless illegitimate, historical tradition that literally sees elephants as 'enemy' and therefore war-like tactics such as culling are employed against elephants. Moreover, when economic interests are added into the mix – which inevitably happens – such exploitation becomes greatly magnified.

The entire context and rationale to defend culling is therefore a ruse rooted in fallacies. This mindset explains why, even though there may be no real ecological imperative and although other, less drastic management options could be used, managers and decision-makers deliberately champion culling, killing, hunting, trade and training (for the elephant-back safari industry) above all else and as the only options.

The consistent entrenchment of the misperception that there is an overpopulation of elephants in the KNP and that the carrying capacity of the park should be maintained at around 7 500 is then pushed onto the public. These constantly repeated misconceptions distort the debate about culling and the perceived impact elephants have on biodiversity. As a result some people incorrectly believe that culling, though distasteful, is a necessary evil!

### **3.7 Values and 'sustainable use'**

It is ironic that those currently in favour of reinstating culling are the same people who criticised the rationale for the 1995 moratorium by calling for a more scientific approach, but are now downplaying the role of science in the debate. This is a deliberate manipulation, where those in favour of culling expediently and dishonestly used creationist science as a reason to kill elephants, but when, in the post-apartheid period, this argument was scrutinised and criticised, the goal posts were moved and the defence then became about "values".

The ethically and scientifically correct policies are not being adopted, in fact, because government and “conservationists” are allied with the gaming, hunting, and ivory industries and all favour a “quick fix” over a real solution. The naked, exploitative intention of the culling advocates has thus been exposed and they are employing hypocritical and dishonest methods because for them the most important values – which they claim are the most dominant values and facilitate the killing of elephants – are crude “sustainable use” and utilitarianism.

The fact is that there are many different values to consider, including those of compassion. The existence of a plurality of values that are often in conflict does not mean that the “sustainable use” lobby should automatically triumph. The future of elephants as individuals and as a species cannot be left up to the market to decide. To elaborate on this point: landmines have a definite military utility but humanitarian consequences have outweighed their use. The N&S cannot give *carte blanche* license to those who want to treat elephants in any way that advances their economic interests. Elephants are not tools or objects, or unworthy and unfeeling brutes. Surely the N&S cannot endorse such a value system?

The economic argument is hardly *morally* compelling. After all, everything from colonialism and slavery to present-day child labour has customarily been vindicated on economic grounds. The crass word “resources” means one thing when it refers to oil, gas, or corn crops, and quite another when used to frame the lives of sentient beings as things. The way “sustainable use” is currently touted by conservation authorities and hunters can be critiqued both from the ecological perspective (it is not sustainable) and from an ethical perspective. The profit-driven, crassly anthropocentric utilitarian model of “sustainable use,” is a disingenuous device deployed to distract attention from attitudes bereft of holistic attitudes and actions that are entirely *unsustainable*.

A moral framework must inform decisions and it is not enough to say values play a role. What is crucial is: what informs those values, how legitimate are they and what consequences do they have? The value of sustainable use does not provide a moral framework in which an unjust war on elephants can be waged, particularly when other more justifiable means/interventions/responses are available rather than taking the decision to go to war.

We would never use the ecological culling argument against humans. We must respond to human overpopulation problems with compassion and respect for the rights, dignity, and

value of each human life, rather than with ecological reasoning abstracted from a social-political context. It is unthinkable to regard humans as mere problems, abstract masses devoid of individuality, a disturbance in ecosystems, or a drain on public resources to be removed by any means. That was the attitude of Nazi Germany, which saw Jews, workers, homosexuals, socialists, and others as genetic pollutants and social irritants that only a “final solution” could remove. More recently, such an attitude prevailed in the genocide in Rwanda. Can it really be our intention to reinforce such morally bankrupt approaches and apply them to the management of elephants and other animals? Rather, we should be promoting non-violent, ethically justifiable methods to the management of elephants and other animals, *no differently* than with human populations, and these methods must be clearly spelled out.

If the sole focus of African orientation to elephants is on economics rather than ethics, on what benefits humans not animals, it is crucial to emphasize that *there is far more economic value and gain in ecotourism.*

### **3.8 Communities should not profit from culling elephants**

The N&S needs to promote ethical conservation. It should endorse and support compassionate human/elephant conflict resolution measures and assist local communities in ways which bring real, lasting benefits to people without killing elephants.

To include culling as an option in the N&S under the guise of development, income generation and poverty alleviation is disingenuous and unsustainable. Instead the N&S should foster other, more sustainable and humane forms of income generation.

It is a fallacious premise to argue that the only way rural communities can benefit from conservation is if the animals pay with their lives. This is not a long-term option for poverty relief or for sustainable livelihoods. Poverty alleviation programmes need to be designed that avoid animal suffering and take into account respect for other species.

Benefit for rural communities can indeed be derived from reserves, but there is no prerequisite that this must involve consumptive use of elephants. Indeed, non-consumptive use is the most economically sustainable approach, because it builds local capacity and infrastructure, increases skills and creates financial self-sufficiency and independence, while minimising the potential harm done by killing elephants.

Killing of elephants cannot be maintained at a rate that will bring sustained development to rural communities. As Purvis (2001) notes: "*Orders composed of large species with slow life histories (e.g. elephants and perissodactyls) have a high prevalence of threat due to overexploitation*", which means that their low productivity makes them vulnerable to unsustainable off-take and potential extinction. To base poverty reduction on elephant products that are handed down from managers will create expectations and dependencies, which will, sooner or later, run counter to conservation objectives while at the same time fail to deliver sustainable social development to the communities.

### **3.9 Conflict issues cannot be an excuse to cull elephants**

Increased incidence of fence problems is not an ecological effect, but an administrative failure. The agency responsible for fence breakage should be clearly identified and properly supported, so that fences are maintained.

There is no specific data for claims of serious human-wildlife conflict along borders of reserves. Where conflict does exist this can be mitigated in a compassionate and win-win way that does not include labelling elephants as 'problem animals' and killing them.

Where there is a will there is a way. It is incumbent on the N&S to provide frameworks for humane conflict mitigation and for educational projects and programmes.

## **4. CULLING: DECISION-MAKING PROCESSES AND PROCEDURES**

Removing elephants has a massive and onerous effect – scientifically, ecologically, behaviourally, morally and legally. In the Minister's policy speech in February 2007 he said that: "where lethal measures are necessary to manage an elephant or group of elephants or to manage the size of elephant populations, these should be undertaken with circumspection. And the standard itself is that: Culling may be used to reduce the size of an elephant population subject to... due consideration of all other population management options." The problem is that "with circumspection" and with "due consideration of all other management options", for all the reasons stated above, do not go far enough. Moreover, the processes around how decisions are made and implemented and of stakeholder consultation described in the N&S are seriously inadequate and are therefore open to abuse. The N&S document also does not make adequate provision in relation to decision-making with regard to culling on provincial, local and private land.

It is for all the reasons described above that merely including culling in the management tool box as if it were just another management "tool" is unacceptable, unnecessary and

wrong. The decision to cull elephants must be treated very separately because, unlike other management options, it has to be justified.

Without established formal structures and consultative processes specifically relating to culling – nationally, provincially and on private land – DEAT cannot effectively deal with issues of major concern or develop solutions. Any decision to consider culling as an option should have its own strictly controlled set of processes and procedures. There thus needs to be a totally separate N&S document when culling is considered and that the option of culling needs to be removed from the current N&S on elephant management.

Conservation managers and decision-makers do not have a set of ethics that is removed from other forms of ethics. Culling should not be driven simply by management decisions without following strict procedures on decision-making. Since the act of killing is highly problematic and ecologically risky, the proponents of culling have to provide a substantive reason for why elephants are targets in the first place.

Very often, the point of view that ends up being accepted is the one put forward by the most persuasive interests or those with more ‘power’. This is why we need a structured way to present and evaluate the evidence (or lack of evidence). *Culling can never be put forward for economic or profit reasons – elephants have too high a moral standing.*

Because culling is such a sensitive and drastic issue, if managers want to kill elephants, the justification for the decision must be explained clearly and in detail so that the rationale can be properly evaluated and opposed before the killing plan is implemented. They must be able to produce accurate, sufficient, and convincing evidence that the impact of elephants on the habitat of other species and their own has become destructive and excessive. Moreover, any other entity (private, provincial or local) which wants to put forward culling and hunting must go through the same rigorous consultation process in a transparent and accountable way. Indeed, all elephant management plans need to be mandatory for all those entities and individuals that have elephants; and where they include plans for hunting, sale and culling they need to be further subjected to a public participation and review process before implementation.

The proposal to cull must be subjected to intense scrutiny and interrogation. Rigorous procedures need to be put in place in the event that culling is proposed and *the burden of proof should be on the culling proponents*, who would need to make a convincing case, in a transparent and open way, that this is the correct choice. The burden of proof is the

obligation on a party to establish the facts at issue in a case to the required degree of certainty (the standard of proof) in order to prove their case. Burden of proof is always on the person/party asserting something – i.e. in this case the need to kill elephants. Specifically, when anyone is making a bold claim, it is not someone else's responsibility to disprove the claim, but rather the responsibility rests with the person making the claim to properly substantiate the basis thereof.

Culling should only be put forward as an option after every other intervention, such as land range extension, immunocontraception<sup>5</sup>, exclusion zones, etc. have been tried and used extensively over a long period of time. The proponents of culling must be able to produce accurate and convincing evidence and must be forced to provide, in an open and transparent way, a suitably watertight case as to why other interventionist methods have not worked and will not do what culling will do. They would have to prove beyond doubt that killing elephants is an intervention that will definitely address irreversible and unretractable ecosystem damage (and here we are talking about irreversible systemic change – not merely a reduction in trees, for example). They should be expected to produce the evidence for the recommendation, and provide the level of evidence necessary to support that recommendation.

In terms of good management practice, if a recommendation for culling is made in the management plan, it is a requirement that:

- a. Alternative management actions to achieve specified goals must be described in detail (this should include (i) doing nothing, (ii) translocation, and (iii) contraception.
- b. The direct and indirect effects of all of the different management actions must be described in detail and the expected outcomes in terms of particular management goals must be quantitatively specified, and the conclusions justified by supporting data.
- c. Other impacts must be identified and quantified, and must include impacts in the abiotic, biotic, human social and human fiscal environments.

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<sup>5</sup> Contraception is clearly more ethical than culling, as no existing elephants are deliberately killed. One should not contemplate culling before first implementing immunocontraception. Through responsible management, immunocontraception can successfully control and manipulate population numbers in the future – no matter what the size of the Reserve. Moreover, the use of such contraception is safe, effective, reversible and ethically acceptable. The Minister should support a widespread contraceptive programme for elephants where necessary.

More specifically, the following will need to be clearly and carefully articulated:

- Define the problem.
- Describe what is being impacted on negatively.
- The onus must be on culling proponents to prove that it is elephants that are impacting negatively. If culling is proposed as a so-called solution to negative impact they have to show this conclusively.
- Explain why culling is being put forward.
- Justify why culling is the only solution.
- Prove that other management tools and methodologies have been employed and have not worked.
- What effects (positive and negative) culling will have.
- The timeframe of proposed cull (one year, two years, 1 000 years?). Why and what the effects will be?
- The numbers, genders, ages, social structure, etc. of the animals that will be targeted.
- Explain and justify how the numbers of elephants they propose to kill are proportionate to the perceived threat they pose.
- Negative effects and impacts of culling on elephant communities and individuals.

The following should also be part of the culling decision-making norms and standards process and structure:

- Consultation. Consultation requires a clear articulation of the issue or problem being addressed, the proposed method for dealing with the issue or solving the problem, and an analysis of the efficacy of what is proposed. Bad decisions are made when there has not been adequate and transparent consultation. Principles of consultation must be clearly articulated for this process. The Minister has an obligation to promote: efficient decision-making; access to information; transparency; accountability, openness and communication. Effective, proactive consultation will help to do this and will build a culture of trust. Consultation also ensures that proposed actions are effective and necessary.
- Moral components.
- Ethical screening.
- An Appeal process.
- Openness and transparency. Any and all culling that takes place should have representatives from the media and animal rights and welfare groups present. It must be allowed to be filmed.

## 5. CULLING: INDEFENSIBLE FROM EVERY PERSPECTIVE

Whilst addressing the terms of culling as part of the existing Draft N&S, we wish to state our unconditional opposition to any inclusion of culling as a management option for elephants in national, provincial, municipal and private conservation areas in South Africa. It is our belief based on the ethical, scientific and historical/cultural factors dealt with in preceding sections of this presentation, that the culling of elephants for any reason is as *indefensible as any proposal to cull human beings*. Therefore we propose that all reference to culling as a management option be *removed* from the N&S and that managers responsible for conservation areas frequented by elephants in any numbers be compelled to manage their elephant populations using those remaining options contained in the N&S.

Should South Africa ever be faced by a situation in which it has been conclusively proven that biodiversity is threatened by the presence or numbers of elephants in a specific area, then it would be prudent to consider drafting a separate N&S relating to the use of culling as an option in the toolbox of those managing the area/s supposedly threatened by the presence of specific numbers of elephants. In the final analysis, the managers would be compelled to show why the killing of elephants, horrendous as it would be, is the lesser of the two evils being confronted, namely, the irreversible loss of biodiversity components or what would amount to the state-sanctioned murder of elephants. This would presume that the claimed threat of loss of biodiversity had been irrefutably proven by independent scientists, who would then would have to answer the question: Would we cull a specific number of human beings if this would prevent loss of biodiversity in a particular area, or would we be compelled to find a non-lethal solution to the perceived threat?

Furthermore, we propose:

- That the private, provincial and national environmental managers responsible for areas that contain elephants be forbidden to kill elephants except in exceptional circumstances and then only in accordance with nationally approved protocols accurately describing such circumstances, i.e., where an elephant directly threatens human life or where an elephant is so sick or injured that it should be euthanized for its own good;
- That the use of immunocontraception be recognized as a safe and humane means of curbing the growth rate of specific elephant populations where this has been independently shown to be excessive to the space available to elephants;

- That DEAT acknowledges that the area currently under formal conservation protection in South Africa falls far short of the minimum recommended internationally and undertakes to secure additional land for conservation in general and for elephants in particular;
- That a concerted effort be made to bring the trans-frontier park programme up to the level where the practical management of these parks becomes a reality and that the dividing fences are removed to facilitate free movement of wild animals, including elephants, across the national borders;
- That DEAT be instructed to meet with a delegation of animal rights representatives for the purpose of thoroughly interrogating the issue of culling from an ethical perspective, that a report on this meeting be submitted to Minister van Schalkwyk, and that a meeting be convened with the animal rights delegation to discuss the report.

We do not believe that sufficient thought has gone into the formulation of an elephant management plan for South Africa that does not include culling as an option. Elephants occupy a special place in the hearts of all but a few of the people who see them. Unfortunately, it is these few who have until now dominated the formulation of policy relating to elephant management. This is a group that does not care about individual elephants dying. But many do, and it is not only animal rightists who call for the abandonment of elephant management policies that permit the killing of elephants. We challenge the South African government to apply its mind to this issue and to call for an elephant management plan which completely excludes culling as an option.