

Is the law doing enough to protect orcas?

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In 2013, the renowned documentary, *Blackfish*, exposed the abuse of captive orcas, particularly Tilikum, in SeaWorld Orlando. Built on interviews of former marine mammal trainers, the documentary explores various conservation and animal welfare issues surrounding the use of orcas for entertainment, as well as the dangers faced by animal trainers. It reached 24 million viewers when premiered on CNN. The public mindset changed seismically. A year prior to the documentary's release, the US Federal Court heard ***Tilikum v. Sea World***, which was brought by People for the Ethical Treatment of Animals (PETA) on behalf of Tilikum, who later died in 2017 at age 35. PETA argued that the terms of the 13th Amendment of the US Constitution applied to Tilikum, amounting to his involuntary servitude. The court dismissed this action due to lack of subject-matter jurisdiction, stating that 'slavery' and 'involuntary servitude' are uniquely human activities; the Amendment does not apply to non-humans.

After PETA's extensive campaigning, in 2016, SeaWorld finally announced that it will no longer breed orcas. This, unfortunately, was not the end of their suffering. Corky was four years old when she was kidnapped in 1969 and sold into the entertainment industry at the now-defunct Marineland near Los Angeles. From 1977 to 1986, Marineland bred Corky with her cousin six times. None of her babies lived past 47 days. Her last pregnancy ended in a miscarriage at SeaWorld San Diego in 1987, where she has been for nearly 40 years. PETA notes that orcas in nature can dive 100 times deeper than at SeaWorld; a captive orca's maximum dive depth is 35 feet, whereas the maximum dive depth of an orca in the South Atlantic Ocean is 3,566 feet. Corky is the longest-held captive orca in history.

There are several other parks across the world which continue to breed and abuse orcas. Kamogawa Seaworld and Kobe Suma Seaworld, none of which are connected to SeaWorld USA, are Japanese parks currently with 5 orcas. The Japanese conservation organisation, Put an End to Animal Cruelty and Exploitation, made an inquiry in June 2025 expressing their concerns. Orca Ran had showed repeated intentional, and potentially life-threatening, beaching (moving from the water onto a low concrete platform in the pool), which caused her mother, Stella, significant distress for hours. The general lack of safety precautions at the parks also put trainers' lives at risk, drawing parallels to the death of Dawn Brancheau, who was killed by Tilikum in 2010.

There is little to no information about Japanese laws or regulations against this mistreatment of cetaceans. Trainers are permitted to ride on orcas' backs and use them in highly exploitative and unethical breeding programmes. However, some European and North American facilities have introduced protections. Marineland Antibes in France closed in January 2025, ahead of French law banning the use of whales in marine zoo shows, yet there is currently controversy surrounding the orcas' rehoming. In 2019, Canada passed Bill S-203, the 'Ending the Captivity of Whales and Dolphins Act', which prohibits the breeding of captive cetaceans, with limited exceptions.

However, simply passing these laws and regulations does not free orcas from persistent and unjustified suffering. Even after SeaWorld San Diego banned orca breeding programmes, Corky remains captive to this day. While some oceanariums help conserve endangered species, many more still keep orcas captive. The abuse continues due to limited awareness and legislation. Taking further action through protests and documentaries or research would raise awareness of the abuse orcas continue to face.

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