

Bering Sea region of southwestern Alaska between 1820 and 1822. Both are evaluated for their overall contributions to knowledge. A number of footnotes provided by VanStone contribute clarification and explanation to specific items within the body of the journals.

In 1820 and 1821, Captain-Lieutenants M. N. Vasilev and G. S. Shishmarev, under the sponsorship of the Russian Imperial Navy, undertook exploratory voyages in the southwestern Alaskan Bering Sea region to advance geographical knowledge. However, they contributed little new data beyond that obtained by Cook over forty years earlier.

M. I. Muravev, the Russian-American Company's general manager, directed explorations of the same general area to be carried out for the Company by V. S. Khromchenko and A. K. Etolin, beginning in 1821. Their main purpose was to contact, and obtain more information about, the Eskimos of southwestern Alaska for the purpose of opening up the fur trade in this region. The 1822 segment of the expedition was undertaken to enlarge on the work accomplished the previous year. In contrast to Vasilev and Shishmarev, they were highly successful, and their work was in part instrumental in the Russian-American Company's expansion of its trading activities into southwestern Alaska.

The journal begins with the sailing of Khromchenko and Etolin in two ships from Sitka, in April 1822, to the Pribilof Islands. After having determined there was no land east of the Pribilofs, although such had been previously reported, they proceeded to Aleksandrovskiy Redoubt at the mouth of the Nushagak River. Unfortunately no description of this redoubt was given. Travelling to Hagemester Island, it was decided to abandon that post and consolidate the Russian holdings at Aleksandrovskiy which remained an important post for a number of years. In addition to geographical data, descriptions are included in the journal of the Togiak, Aglemiut, Nunivak Islander, Stuart Islander, and Golovin Bay Eskimo. A description obtained from a Golovin Bay Eskimo man provided data on the inhabitants of St. Lawrence Island. Word lists are presented for Konyag, Aglemiut, Stuart Island, Nunivak Island and Chuikak Island (St. Lawrence Island) peoples.

The journal is important for its historical value as an account of one of the earliest attempts of the Russians to push into the more northern Bering Sea region with their fur trade. It is especially valuable for anthropologists, as it provides details of goods bartered between Eskimos and Euro-

peans. The brief descriptions of the various Eskimo groups are among the first for most of the Eskimo populations of southwestern Alaska. The description of the Nunivak Island people is particularly important in this regard, as it is the earliest one available. The Eskimo work lists are also important as they are the earliest for this region.

The publication, then, has two important features. The first is that of the journal itself which provides early trade, ethnographic, linguistic, and geographical data. The second is VanStone's introduction and explanatory footnotes, as these give a consolidated summary of events and persons in the early nineteenth century history of Russian America. Thus, this most recent work becomes a significant addition to the literature on southwestern Alaska.

Joan B. Townsend

THE LAW OF THE SEA OF THE ARCTIC, WITH SPECIAL REFERENCE TO CANADA. BY DONAT PHARAND. *Ottawa: University of Ottawa Press, 1973. 6 x 8¾ inches, 367 pages, illustrated. No price indicated.*

This book is timely, both in terms of the rise of interest in the Arctic Ocean and surrounding seas and in terms of its date of publication during the year before the Third Law of the Sea Conference. Its author, who has academic experience in Canada, the United States and Europe, appears well qualified to attempt an overview of this topical area of international law.

The book is divided into seven parts followed by a very brief conclusion. The parts are:

- I. *Innocent passage in the Arctic*
- II. *Straight baselines for the Canadian Arctic Archipelago*
- III. *Historic waters in the Arctic*
- IV. *Freedom of the seas in the Arctic Ocean*
- V. *The legal status of ice shelves and ice islands in the Arctic*
- VI. *Oil pollution control in the Arctic*
- VII. *The Arctic continental shelf and seabed.*

These provide an excellent organizational framework for a comprehensive treatment of the principal juridical features and problems of Arctic waters. In most of the sections, special Arctic aspects are developed from a consideration of general principles and practices of international law, with frequent reference to the positions and actions of the five coastal states of the Arctic Ocean. The U.S.S.R., the U.S.A. and, as the titles suggests, Canada, receive particular attention.

A feature of the book is the writer's sum-

maries of relevant aspects of the history and physical characteristics of the Ocean.

In Part I, the author develops the argument that both the Northwest Passage and the Northern Sea Route are essentially national waterways. In the case of the former, for example, the adoption of the 12-mile limit by Canada has resulted in the entire Passage being "territorial" waters within which Canada can suspend the right of passage of foreign ships for reasons of security, but *within which foreign ships generally have the right of "innocent passage"*. "Security" can apparently be interpreted to encompass tankers which do not conform to established standards. It is interesting that both Passages are in essentially the same jurisdictional position.

Part II, dealing with straight baselines, is important as these are the bases for the definition of "territorial" and "internal" waters. Baselines enclosing the Arctic Archipelago (the presence of Lowther, Griffith and other tiny islands in Barrow Strait, with the 12-mile limit, makes these islands a legal unit) are appraised and deemed acceptable under prevailing international law. These baselines include lengthy, but not too long, lines across Amundsen Gulf, McClure Strait and the eastern entrance of Lancaster Sound.

One of the possible bases for the legal definition of the more closely controlled "internal" waters is that of "historic waters" — bodies of water to which a nation has a long-standing title of some sort, although the area concerned cannot be claimed on the usual physical grounds. In Part III the author concludes that neither of the great northern Passages falls into this category. The well-known Sector Theory, which has been invoked rather unsystematically both in Canada and the U.S.S.R., is assessed as being of doubtful validity here.

Part IV consists of an extremely interesting discussion of the "high seas" aspect of the Arctic Ocean, as distinct from the consideration of jurisdiction over land and coastal waters *within* the Ocean. The author argues that, despite the very special physical character of its surface, with its discontinuous cover of semi-permanent, moving, pack ice, it *has* been demonstrated that the Arctic Ocean is navigable by surface and subsurface craft and that many states have practised their right to fly over these high seas. Of all the Arctic states, only Canada appears to have some doubts on this matter; the high seas aspect of the Sector Theory and the Arctic Waters Pollution Prevention Act are mentioned in this regard.

The author does recognize that the presence

of an ice cover does present special problems, both legally and otherwise, in this Ocean. He develops an account of the physical, jurisdictional and other differences which exist between pack ice and shelf ice, devoting Part V to the latter, including ice islands. The relative permanence of shelf ice, with the fact that it provides an essentially impenetrable barrier to navigation, places it in a different jurisdictional category to the pack. It is akin to land when it is attached to the land. However the present position in the Northern Hemisphere, with one exception, is that either the shelves have deteriorated and broken up or that they do not interfere with the drawing of the straight baselines used to define a nation's coastal waters. The exception is that of S.E. Nordaustlandet where the author suggests that an extension of territory might reasonably be allowed as a result of the presence of the shelf.

Dr. Pharand, drawing on a discussion of the Escamilla case, argues that ice islands, when occupied, are best treated jurisdictionally as ships.

Parts IV and V are notable for the resumés they contain of physical characteristics of sea ice, shelf ice and ice islands, and of the history of use of ice-based research stations. One feels that this sort of information and an appreciation of its significance will become increasingly important in law as "environmental" issues are taken up.

The section on *Oil Pollution Control* in the Arctic provides a general discussion of the problems of regulating pollution on the high seas and in coastal waters, with reference to the special physical character of the Arctic. The problems of clean-up, persistence and high impact of spilled oil in Arctic waters receive particular attention. The unilateral stand taken by Canada with the Arctic Waters Pollution Prevention Act of 1972 is appraised as being legally reasonable with the reservation that a supporting argument based on "self-protection" would be more sound than the more sweeping "self-defence" grounds which were put forward.

The actions and attitudes of the U.S.S.R. with regard to pollution regulation along the Northern Sea Route are mentioned; it has acted to regulate pollution, but only unilaterally. Given the enormous proportion of that country's coastline which is within the Arctic, its future policies must play an important role in the regulation of pollution in the Arctic Ocean in general.

Having dealt with land within the sea, with the sea itself and with ice in the sea, the author devotes his final section to the land beneath the sea — a topic of increasing

relevance today. Again, a useful summary of the physical characteristics of the Ocean — in this case its submarine features — is included, with a clear statement on the continental shelves adjacent to the territories of the principal Arctic states. A high proportion of continental shelf is, of course, one of the special characteristics of the Arctic Ocean.

Dr. Pharand argues that the 200-mile limit of shelf jurisdiction appears to be the most satisfactory for the Arctic Ocean and its coastal states.

In this section and earlier, the author develops the idea of the delegation of selected international rights to coastal states as a means for effective regulation at sea. Canada's claim of "limited jurisdiction" over non-territorial seas for the specific purpose of surveillance and regulation over oil pollution, can be interpreted in this light. The Arctic Ocean might be conceived as having an international, "high seas", core surrounded by the national waters of its coastal states (variously defined for navigational, seabed resource exploitation, etc. purposes) but with a delegation of selected international rights in the core to individual states with an Arctic coastline for the purpose of regulation. This might be one way of tackling some of the special problems presented by, for example, the pack ice cover. The Sector Theory might, at last, take on some real importance in this approach.

As far as I can tell, this is an authoritative treatment of important aspects of jurisdiction over Arctic waters. It is not an easy book to read, nor is it intended to be, although the frequent summaries allow the lay reader to obtain a good grasp of the main points. The author has performed a most valuable service in drawing together this material at a time when the legal problems of the North should be of great concern to the informed public in Canada, the U.S.A. and elsewhere.

However, without appearing to carp unnecessarily, I must draw attention to the poor quality of the maps and to the poor use made of maps in the book. The maps included are poorly-designed and drafted, and the printing is of low quality. They lack, for example, adequate legends; and they include irrelevant names and exclude relevant ones.

Many of the topics dealt with in the book cry out for the intelligent use of good maps and other diagrams — for such simple things as insets of enlargements of special features, or the effects of different techniques of drawing straight baselines.

While the author of a book on legal matters clearly has a first responsibility to the careful use of the written word, surely he or his pub-

lisher might recognise that a treatment of the jurisprudence of *territory* could be considerably enhanced through the intelligent use of good maps and other diagrams?

W. P. Adams

HERE IS ALASKA. BY EVELYN STEFANSSON. *New York: Charles Scribner's Sons, 1973. 6¼ x 9¼ inches, 178 pages, illustrated. (New revised edition). \$6.95.*

The title of this book is misleading. True, it is concerned with Alaska, but the emphasis is on the Arctic; contemporary problems of exploration and exploitation there, primarily related to oil; and the Eskimo, his heritage, and how his life has been changed by past and present contact with the white man.

There is mini-coverage of the rest of the state and its history. But no matter — the quality of the writing more than makes up for the misconceptions that may occur from the printing on the dust-jacket and the title page.

The book is short and compact, with 152 pages of text and a 5-page index. It is well illustrated with 95 pictures, all in black and white, and is organized into seven chapters.

It is introduced with a summation of interest to most people, namely the discovery of oil at Prudhoe Bay, which was preceded with less fanfare by strikes in the area of the Cook Inlet — Kenai Peninsula in 1957. In view of the discussions that follow concerning the social, economic, educational, and public health problems of the native, the author would have done well to have extended this subject to include information on the nearby Tyonek Indians. By consenting to allow the federal government to lease their land to oil interests, the tribe received back much money. Blessed with good financial advice and administration, they were not only able to rebuild their village and finally gain access to the "good life", but also to use this new monetary base to form Braund, Inc., a busy construction company, and to invest their money in other enterprises, including ownership of two large office complexes in the heart of Anchorage. This is of particular significance in view of recent happenings throughout the state, and their brothers elsewhere would do well to emulate them when the bonanza from the Alaska Native Claims Settlement Act and oil royalties finally becomes a reality.

A good and accurate account of the legal battles that have resulted from the proposed pipeline follows — battles which at this date seem to have been resolved by an Act of