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## Freedom of Oceanic Research. Edited by Warren S. Wooster

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## Book Review

FREEDOM OF OCEANIC RESEARCH. *Edited by Warren S. Wooster.*  
*New York: Crane, Russak and Company, Inc., 1973. 255 pp.*  
*\$14.00.*

On the surface, they can still exercise their iniquitous laws, fight, devour each other, and indulge in all their earthly horrors, but thirty feet below its surface their power ceases, their influence fades, and their dominion vanishes! Ah, monsieur, to live in the bosom of the sea! Only there can independence be found! There I recognize no master! There I am free!<sup>1</sup>

In 1970 the Center for Marine Affairs was created by the Scripps Institution of Oceanography for the purpose of developing a meaningful dialogue between the marine scientist and those who would wish to understand man's activities pertaining to the ocean. A group of scholars, from various academic disciplines, was assembled to document political, legal and sociological problems effecting the scientific community. The Center's first project was limited to an investigation of the growing restriction of freedom for oceanic research. This initial area of study was partially necessitated by the Institution's own difficulties in pursuing its scientific projects. The impact and limitations on research created by the world's current political problems form the basis of this book.

Papers prepared by the participants in the project were combined, edited, and with a number of appendices, used to construct this publication. Obviously, the national perspectives of the

various authors are reflected in their articles. This in itself makes the book highly interesting and controversial. The Center's residents largely confined their work to discussions of current United States problems with respect to Latin American Countries. The frequent weaving of contrasts and similarities in national policies makes this volume a valuable research tool for anyone interested in current Pan-American political developments.

My personal criticism of the book is primarily confined to its cost and its format. First, the relatively large price tag accompanying the volume will certainly limit its availability to all but a small group of readers. This is unfortunate since many of the definitional materials and appendices would be of value to the student of Latin American affairs. The publisher should certainly consider offering this book in paper back form.

Secondly, those persons who do purchase the book, after their first reading, will certainly want to utilize its articles and appendices as a research aid. It is again unfortunate that the book's use for this purpose is compromised by the failure of the publisher to include the footnoted material on each page. Instead they are grouped together at the end of each chapter making it very difficult for the reader to assimilate their content. However, I should hasten to add that these technical problems are minute when compared with the overall quality of the book.

The introductory comments of Dr. Wooster establish that there is an increasing tendency by coastal states to refuse permission for foreign vessels to conduct research in their territorial waters and in offshore areas where jurisdiction is exercised over living resources. Simultaneously, the need for greater scientific knowledge of the ocean and its resources is apparent. Perhaps, considering the rising needs of the world's population, the highest and noblest gesture on behalf of competing nations would be to join together to develop and share in the wealth of the sea. Unfortunately, the growing discordance between increased restrictions and increased need for oceanic research apparently cannot be resolved by any immediate compromise. Dr. Wooster suggests that the value of this book will be measured by the extent to which it illuminates the deliberations of the politicians who will eventually attempt to fashion an ultimate solution.

The first chapter of the book is devoted to a review of the extent to which restrictions of access have been imposed by various nations and by international treaties. The author, Judith Kildow, points out an interesting problem that has been created by the scientific community itself. It seems that the scientific community, which prides itself on precision in data collection and scientific record keeping, has an unusually poor habit of not recording the political aspects of its research cruises. This failure to adequately record current practices has led to an inability to document the actual magnitude and scope of the problem. The paper is illustrated with a number of case histories drawn from Scripps files. These examples clearly demonstrate the reluctance, for political and economic reasons, of competing nation-states to allow scientific exploration in areas within national control. Interestingly enough, current international agreements often prevent scientific researchers from pursuing their work.

Following chapters are devoted to discussions of the current law of the sea. The paper authored by Michael Redfield may prove to be the most beneficial article in the collection for the fledging student in this area. It contains a wealth of definitional material along with a review of significant international agreements. When Mr. Redfield's examination of existing law is contrasted with Eduardo Ferrero's discussion in *The Latin American Position on Legal Aspects of Maritime Jurisdiction and Oceanic Research* an impasse becomes apparent. Ferrero's own language at page 102 most clearly demonstrates the lack of any meaningful basis for future agreement on international marine research:

. . . [T]he legal position towards scientific research should not be considered differently from the legal position taken in general towards all the uses of the sea. The "freedom" of scientific research, as asked by scientists, would be dangerous to the legal position of maritime sovereignty and jurisdiction of coastal states. Even more, such "freedom" would go against the principles of sovereignty and jurisdiction that sustain the Latin American position.

In general, Ferreo demonstrates the attitude that Latin American countries have sufficient capabilities and knowledge to appreciate what is in their own best interest. He argues that they are conscious of the experiences of history and recognize that most of the past rules of international relations have been established by a small number of powerful states in order to favor their own national interests.

This position is re-enforced in a chapter devoted to the developing nation's perspective of oceanic research. Whether correctly or

not, people in developing countries frequently equate scientific exploration of the seas with the exploration expeditions undertaken by the great European powers from the fifteenth to the late nineteenth century. These expeditions brought in their train an era of colonialism and imperialism, a long period during which the militarily and technologically stronger Western nations took advantage of the weaker countries of the non-European world. In light of this lesson of history, it is understandable why developing nations are reluctant to trust the major powers, even to the extent of allowing research in their coastal waters. This attitude is also fostered by a general inability to immediately profit from the scientific research itself. Developing countries suffer from widespread underemployment. They lack the economic and human resources necessary to engage in scientific research. Because of these deficiencies, it seems inevitable that the developing countries will lag far behind in the race for exploration and exploitation of the oceans. In order to share in the wealth of the oceans, they believe that they must have time to develop the supporting scientific infrastructure. By delay and extensions of maritime jurisdiction they can acquire the time they need.

This delay in undertaking basic scientific research tends to appall developed nations. However, it must be remembered that our ability to perceive is clouded by our own Western perspective, and scientific exploration is curiously a Western value. Since the existing law of the sea is undergoing reconsideration, the developing nations, many of which consider the present law of the sea to be inadequate, unjust, outmoded and outdated, have seized the opportunity to challenge existing Western values and assumptions. It would be naive to assume that Western Man's fascination with science will not also be faced with critical examination by developing nations.

The importance of understanding and developing the resources of the oceans is critical, as is the prevention of damage to its ecosystems. Resolution of current problems demands international understanding and accord. Passages of this book demonstrate the likelihood of failure due to the unwillingness of nations to allow access to large areas of the seas for clearly scientific purposes. This nationalistic tendency to completely appropriate areas of the ocean suggests that there is something less than a common purpose in

attempting to understand and develop the common heritage of mankind. One has to reflect that perhaps Captain Nemo was right when he turned his back on the intense nationalism of his day, and was thereby free to pilot his Nautilus on a voyage to discover the mysteries of the deep. One can only suggest that Nemo would certainly have been more resolute in his position had he read passages of Freedom of Oceanic Research.

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