

Maritime Boundary by S. P. Jagota

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MARITIME BOUNDARY By S. P. Jagota. Dordrecht, The Netherlands: Martinus Nijhoff, 1985, 388 pp., \$57.50.

It seems appropriate to begin this review with a quotation from the author's preface:

This study on maritime boundary is an updated and more comprehensive version of the lectures delivered by the author at The Hague Academy of International Law, The Hague, August 1981. It deals with the outer limits of maritime zones, as well as with the delimitation of maritime zones between States with opposite or adjacent coasts. The latter aspect has been covered more comprehensively, with emphasis on three areas, namely (a) State practice reflected in treaties and agreements concluded between States, (b) judicial, arbitral and other decisions, and (c) developments at the Third United Nations Conference on the Law of the Sea (1973-1982), leading to the adoption of the United Nations Convention on the Law of the Sea, 1982.

Professor Jagota thus outlines his approach to the subject. As a scholar and professor of international law, as Legal Adviser to the Indian Ministry of External Affairs and as a leading negotiator both in India's delegation to the Third United Nations Conference on the Law of the Sea (UNCLOS III) and in nine maritime boundary negotiations with India's neighbors, he is well versed in both the theoretical and practical aspects of maritime boundaries. This reviewer, then, may be excused for being just a bit disappointed in his first book.

The book is organized into five substantive parts, an addendum and three annexes. Part One contains four chapters: an introduction which is largely an historical background; a lengthy chapter on the outer limits of maritime zones, again largely historical; another historical discussion of delimitation between states with opposite or adjacent coasts; and a brief chapter on the technical aspects of maritime boundary delimitation, including terminology, scales and projections of charts and other important matters. Parts Two, Three and Four constitute the heart of the book, covering respectively treaties and agreements, organized geographically in seven chapters; judicial, arbitral and other decisions, covering six cases in one chapter; and two chapters on UNCLOS III and the convention it produced. Part Five contains one chapter with ten pages of "conclusions," half of which are actually devoted to a summary of the preceding material. Part Six, an addendum, has one chapter updating the text from April to November of 1984. The annexes consist of a list of agreements on maritime boundaries, texts of eight such agreements and relevant articles of the 1982 United Nations

Convention on the Law of the Sea. The book ends with a six-page bibliography. There is no index, a grievous omission in this case.

In scanning this book, one immediately notices several weaknesses. First, of course, is the inexplicable and consistent use of the singular "boundary" when clearly the plural "boundaries" would be more appropriate. This is not a petty detail; it is jarring to the reader every time the word is used inappropriately. Second, and more basic, is the strange and discordant organization of the book. There is simply no logical order to the material presented, no graceful flow from one topic into another. The juxtaposition of chronological, geographical and case approaches, as noted above, is not only confusing at times, but produces considerable unnecessary repetition. UNCLOS III, for example, as important as it was, does not really need to be discussed in some detail in five separate places.

Third is the grossly uneven treatment accorded to various items covered in the text. For example, in Part Two, Treaties and Agreements, only one page is devoted to all of Eastern Europe and the Soviet Union, two to all of Africa, eight to all of Latin America and the Caribbean, nine to Europe and twenty-one to Asia! In Chapter 12, the Beagle Channel dispute rates less than half a page, the Aegean Sea dispute just over one page, the Iceland-Jan Mayen case three pages, the North Sea Continental Shelf cases twelve pages, the U.K.-France arbitration twenty-three pages and the Tunisia-Libya continental shelf dispute thirty-nine pages. Of the forty-one pages in the addendum, thirty-eight are devoted to the Gulf of Maine case and only three to the rest of the world, and of the twenty illustrations in the book, fourteen relate to only four cases. Surely, the importance of a topic must not be inferred from the space Professor Jagota devotes to it. Finally, even a casual observer is bound to note that every one of the sources Professor Jagota lists in his bibliography is in the English language and all but a very few were published in North America, Britain or the Netherlands. Such a narrow range of sources must inevitably produce some cultural bias even in the most broad-minded scholar, as well as excluding valuable facts and ideas produced in other languages and other parts of the world.

This narrowness of approach is evident in some of the less striking weaknesses of the book. The paucity of illustrations is one example. It might be attributed to Professor Jagota's almost exclusive reliance on international law and relations materials. Aside from the Limits in the Seas series produced by the Office of the Geographer of the United States Department of State, only three geographical items were consulted, though the geographical literature includes many relevant and high-quality items. The narrowness of the sources used might also explain the very poor quality of most of the illustrations, both poor origi-

nals and poor reproductions of good originals, and the poor choices of what illustrations to include and what to omit. Presumably, the selection of the illustrations was affected by the limited range of sources consulted. We might note here that all illustrations, whether maps, charts or diagrams, are lumped together as "charts," and none of them is well integrated into the text for the benefit of the reader.

Getting down to smaller, though still important, weaknesses, the reviewer notes some strictly editorial problems. The book has an acceptable number of the inevitable typographical errors, but an unacceptable number of inconsistencies; e.g., "Annexes 1, 2 and III"; "Hurd Deep Fracture Zone" on page 144 and "Hurd Deep Fault Zone" on page 146; and the use of italics for the names of some countries speaking at UNCLOS III but not for the names of others.

The book, of course, has its strengths as well as its weaknesses. It is a useful compilation of extant material on maritime boundaries. It offers an insider's view of portions of UNCLOS III, certainly one of the most complex and historically significant conferences ever held. It contains some interesting and stimulating, if not particularly profound, analyses and conclusions. It offers a reasonably complete and accurate picture (within the limitations noted above) of international law and state practice with regard to maritime boundaries in the immediate aftermath of UNCLOS III. Many books on the law of the sea offer far less. Despite its faults, it is worth having in any collection of books on the law of the sea, and we can thank Professor Jagota for expending an enormous amount of time and energy to bring it to us.

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