

## ✓ Question <sup>[2]</sup>

**What is the photograph's date, title, and creator? What does this suggest?** 1915, *Shackleton's expedition to the Antarctic faithful dogs being fed in the ice kennel, while Endurance was stuck fast*, and Frank Hurley. An expedition to Antarctica evidently occurred during the first part of the 20th century (during the Great War) and the ship was stuck in the very thick ice. The expedition included dogs. The name of the ship is the "Endurance."

**What type of person might have taken this photograph? For what purpose?** Frank Hurley was an Australian photographer who participated in several expeditions in Antarctica. He edited and released a documentary about Antarctica. He was the official photographer for Shackleton's journey and lost most of his equipment (except for one small handheld camera and three rolls of film) when the group was marooned for nearly two years. Photographs like this one were documentary evidence of the expedition.

**Was it random or posed, amateur or professional, private or published?** The context seems random. The man at the center of the photograph is looking toward the camera; however, he continues to carry a heavy box without stopping to pose. From a professional photographer, it was intended to be made public. It may have been used as evidence of the expedition and its accomplishments.

This is the Weddell Sea off the coast of Antarctica. Antarctica contains a land mass covered by ice, ice floes, water, and islands; it comprises about 20% of the Southern Hemisphere; and it is about 40% larger than Europe. There are no native inhabitants of the continent.<sup>[6]</sup> In 1833, Britain explored and claimed a portion of Antarctica. France (1840), Australia (1841), Norway (1929), and New Zealand (1923) also "explored-and-discovered" portions of the continent. The five nations each proclaimed **terra nullius** (Latin: "nobody's land") an international law principle which states a territory that belongs to no one can be acquired by any nation that occupies and governs it (i.e., regulates an economy, protects the environment).<sup>[8]</sup> Two nations, Argentina (1816) and Chile (1818), argued that as sovereign nations now-independent from Spain, and because Spain would have been afforded Antarctica in the 1494 Treaty of Tordesillas, they have jurisdiction of Antarctica due to **uti possidetis juris** (Latin: "as possessed by law"). This international law principle refers to a newly-sovereign nation retaining the borders it had before its independence. **Which international law principle is more defensible concerning Antarctica: terra nullius or uti possidetis juris?**

This ship, Endurance, is stuck in the ice of Antarctica in 1915. It was the ship Ernest Shackleton—who sailed for Britain—and 27 other men took in their attempt to be the first expedition to make a land crossing of the continent via the South Pole. The breach on the port side is from contact with ice floes (free-floating sea ice sheets not attached to any object). Endurance made slow progress through the ice in the Weddell Sea toward the mainland, about 30 miles a day, and was eventually stuck for ten months... and then it sank (in 2022, it was discovered 10,000 feet below the sea). The men then camped on ice floes for another five months. In his diary, photographer Frank Hurley wrote: "It is beyond conception, even to us, that we are dwelling on a colossal ice raft, with but five feet of [ice] separating us from 2,000 fathoms of ocean, & drifting along under the caprices of wind & tides, to heaven knows where."<sup>[5]</sup> Then, they gave up the mission and took life boats to a nearby island. Shackleton and four others then took a small boat to find help, which they found 800 miles away. The expedition was rescued and, remarkably, everyone survived.<sup>[3]</sup> **What were the British doing in Antarctica in 1915? Were they trespassing? Who had jurisdiction Antarctica's land and water? Who has jurisdiction now?**

## ✓ Observe

Hurley, Frank. (1915). *Shackleton's expedition to the Antarctic faithful dogs being fed in the ice kennel, while Endurance was stuck fast*. Library of Congress.<sup>[1]</sup>



To help with the ambitious expedition, Shackleton had 100 dogs purchased from a Canadian breeder. The dogs were cross-bred from wolves and collies, mastiffs, and hounds. In teams, the dogs were to pull sleds with men and equipment.<sup>[4]</sup> When the Endurance was stuck, the dogs were moved onto ice floes and the men made kennels out of ice. The man in the photograph may be about the feed the dogs. (The ship's carpenter also had a cat.)

After a series of political and economic conflicts in the 1950s, especially between Argentina and Britain, an international conference was called to resolve issues surrounding Antarctica. In 1959 the **Antarctica Treaty** was signed by twelve nations. It has been called one of the most successful international agreements. It stated that the continent can only be used for peaceful purposes, no military bases, activity, or weapons can be placed there; scientific research rights are guaranteed for each nation; all territorial claims are acknowledged and cannot be extended or reduced; no new territorial claims can be made.<sup>[7]</sup> In 2048 the treaty's protections of the environment will end. **How can the international community provide fair protection of and responsible access to Antarctica and its resources?**<sup>[8]</sup>

## ✓ Reflect

**How does this photograph compare with other evidence?** Much of the information gathered from this photograph coheres with photographs that explore international law as it concerns national sovereignty or the environment.

**Why might other evidence (messages and data) agree or disagree with this photograph?** Other photographs or texts may explore international law from different perspectives that answer the overarching question differently. Other sources may have different reasons for presenting data, such as to make their perspective seem more reasonable, or to present the "other side" in a worse way.

**What else do you need or want to know about this image?** What role, if any, did the United Nations play in the Antarctic Treaty and subsequent conferences? That association of nations was formed to promote international cooperation and peace; should the fate of this continent have been a topic that the United Nations addressed directly? What should happen if a nation attempted to claim new territory on Antarctica; what are the consequences of breaking the treaty? **What should happen if a valuable natural resource (i.e., oil) were discovered in Antarctica?**

Hurley, Frank. (1915). *Shackleton's expedition to the Antarctic faithful dogs being fed in the ice kennel, while Endurance was stuck fast.* Library of Congress. <https://www.loc.gov/item/2013646119/> <sup>[1]</sup>



Citations →

**Citations: [#] throughout the primer and lesson**

1. Hurley, Frank. (1915). *Shackleton's expedition to the Antarctic faithful dogs being fed in the ice kennel, while Endurance was stuck fast.* Library of Congress. <https://www.loc.gov/item/2013646119/>
2. Adapted from the "Teacher's Guides and Analysis Tools" from the Library of Congress, see <https://www.loc.gov/programs/teachers/getting-started-with-primary-sources/guides/?loclr=blogtea>
3. Mulvaney, K. (May 8, 2023). *The Stunning Survival Story of Ernest Shackleton and His Endurance Crew.* History.com, <https://www.history.com/news/shackleton-endurance-survival>
4. <https://antarcticdogs.canterburymuseum.com/themes/hardships>
5. American Museum of Natural History. (No Date). *The Shackleton Expedition.* <https://www.amnh.org/exhibitions/shackleton/the-expedition>
6. <https://www.antarctica.gov.au/about-antarctica/>
7. British Antarctic Survey. (No Date). *The Antarctic Treaty Explained.* British Antarctic Survey: Natural Environment Research Council. <https://www.bas.ac.uk/about/antarctica/the-antarctic-treaty/the-antarctic-treaty-explained/>
8. Mancilla, A. (2008). *The moral limits of territorial claims in Antarctica.* *Ethics and International Affairs.* 32(3)