

women in the arts, or analyses of gendered language? That this collection may stimulate the expansion of more research is something about which all the contributors should be proud.

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Law for the Elephant, Law for the Beaver: Essays in the Legal History of the North American West, edited by John McLaren, Hamar Foster, and Chet Orloff. Pasadena and Regina: Ninth Judicial Circuit Historical Society and Canadian Plains Research Centre, 1992. ix, 322 pp. \$24.00 paper.

Writing in 1979, historian J. M. S. Careless bemoaned the explosion of work on regional interests, observing that “[l]imited identities threaten to take over and settle the matter of a Canadian national identity by ending it outright, leaving perhaps a loose league of survivor states essentially existing on American outdoor relief.”¹ Just over a decade later, in the wake of the failed Meech Lake constitutional accord, one of his graduate students, Michael Bliss, argued (in, appropriately enough, the 1991 Creighton Lecture at the University of Toronto) that Careless’s prediction was close to being realized. The “sundering of Canada,” Bliss suggested, was in large part due to the diminution and actual loss of a national sensibility, something Canadian historians had contributed to by pursuing their own increasingly specialized research. “The situations of interest to historians now tend often towards the private and personal,” Bliss wrote. “This is so true it’s become a cliché: political history has been out, social and personal history have been in.” “Really,” he asked, quoting Jack Granatstein, “who cares?”²

If the essays contained in *Law for the Elephant, Law for the Beaver* are any indication, all of us should. This collection of papers given at the transboundary conference on the legal history of the West and Northwest of North America in 1991 would seem to represent just the kind of historical writing Bliss *et al.* have criticized: not only is it social history — dealing with topics like violence, ethnic and aboriginal groups, and legal culture — but it is also social history of a specialized

¹ J. M. S. Careless, “Limited Identifies — Ten Years Later,” *Manitoba History* 1 (1980): 3.

² Michael Bliss, “Privatizing the Mind: The Sundering of Canadian History, the Sundering of Canada,” *Journal of Canadian Studies* 26(1991-92): 6,11.

kind (the law) and of a delimited place that does not coincide with national boundaries (the North American West). However, this anthology illustrates how social history can illuminate the pasts of both nation and region; and in doing so, also reveals the limitations of the existing national and regional frameworks in understanding the past as well as suggesting a new one — one that animates what American scholars have dubbed “the new Western history.”³

Uniting these new western historians is their fundamental repudiation of Frederick Jackson Turner’s frontier thesis. Avoiding even the use of the term “frontier,” these historians emphasize the cultural diversity of the West, rather than the homogeneity and sexism implicit in the Turnerian notion of the “new man,” noting the persistence and resistance of Native peoples, as well as the folkways of various immigrants to the region. Rather than portraying western history as an epic battle, pitting man against nature, these revisionists have given us a new story; one that conceptualizes European settlement in terms of the extension of state power and the collective actions of a variety of cultural groups while still recognizing the prescriptive and indeed mythological power of individualism in structuring public policy and private behaviour. Moreover and finally, the new western history also acknowledges the ideological dimension of individualism, recognizing the central role the myth of the self-made man played in sustaining commercial and industrial capitalist enterprise while simultaneously masking its corporate form and the environmental destruction that followed in its wake.

John Phillip Reid’s introductory essay, “The Layers of Western Legal History,” suggests that the law provides a useful focal point for many of these aspects of the new western history, and the subsequent pieces that follow prove him to be correct. Hamar Foster’s work on labour relations in the Hudson’s Bay Company, Paul Tennant’s and Stephen Haycox’s pieces on Aboriginal rights in British Columbia and Alaska respectively, and John Wunder’s exploration of anti-Chinese violence in the American West all bear testimony to the ongoing significance of cultural diversity as an animating principle of social relations in the North American West. As well, Foster’s essay, along with those by Kenneth Coates and Bill Morrison, John McLaren,

³ On the New Western history, see for instance the essays by Patricia Nelson Limerick, Gerald Thompson, Michael P. Malone, Elliott West, and Brian W. Dippie in Patricia Nelson Limerick, Clyde A. Milner, and Charles E. Rankin, eds., *Trails: Toward a New Western History* (Lawrence, Kansas, 1991), as well as William Cronon, George Miles, and Jay Gitlin, “Becoming West: Toward a New Meaning for Western History,” in Cronon, Miles, and Gitlin, eds., *Under an Open Sky: Rethinking America’s Past* (New York, 1992).

David Percy, and Christian Fritz, also illustrate the degree to which the western periphery was integrated into various spheres of metropolitan influence: Foster reveals that both the London Governors and Committee of the Hudson's Bay Company and Russian authorities in St. Petersburg were kept apprised and took an active interest in the goings-on in distant Fort Vancouver and even more distant Fort Stikine on the Alaska Panhandle; according to Coates and Morrison, the Alaska Highway was a site of struggle between two sovereign powers; and in separate pieces, McLaren, Percy, and Fritz show how western judges, legislators, and politicians were both aware of, drew on, and modified jurisprudence outside their own regions in framing both common and statute law, and in drafting state constitutions. Finally, the extent to which social relations and, more specifically, conflict might better be conceptualized in collectivist rather than individualist terms and as an outcome of the extension of state and corporate capitalist power is suggested by both Richard Maxwell Brown and R. C. Macleod.

Together, then, these essays reveal that the distinctions between regional and national histories as well as between public (i.e., "political") and private (i.e., "social and personal") ones — distinctions which underlie the criticism Bliss, Careless, and Granatstein level against current historical writing — are misleading, if not actually false. Neither region nor nation can be considered apart from the other; and if by politics we mean state power, then the private becomes less distinguishable from the public.

Though *Law for the Elephant, Law for the Beaver* reflects many of the approaches and themes of the new western history, it also takes that body of scholarship one step further. As the subtitle of the conference suggested, both the conference organizers and participants believe that "region" can transcend the geopolitical entity known as a "nation," and, moreover, that region, thus redefined, can be the more significant and meaningful unit of historical analysis. Native peoples provide only the most obvious example of the limitations or using "nation" as a unit of analysis. Theirs were nations not bound by lines on a European map. However, the essays in this collection dealing with the non-Native population also demonstrate the same thing: for instance, there was, according to Macleod, more variation in the nature and frequency of violence in what became Canada than between Canada and the United States; and whereas the legal ideas regarding how the Chinese should be treated or how water laws should work moved readily across the forty-ninth parallel, the Rockies

proved a more formidable, but not insurmountable, barrier. In terms of sensibility and ideology, then, community and polity could be two very different things.

Despite the valuable contribution this anthology makes to regional as well as legal history, it is not without its problems. As with all collections, this one is rather uneven in its quality. Meriting special notice are the pieces by Tennant, Foster, McLaren, and Fritz. All, however, suffer from a common shortcoming, albeit to greater or less degrees: a failure to make the conceptual and historiographical connections like the ones I have discussed more explicit and to draw out their significance. Though it is, as John Phillip Reid argues in his lead article, important simply to get the narrative down, that is not enough: for if western historians — and certainly legal historians of the West — are to reach a wider audience (even a wider academic one) and to answer the question of “who cares?” in a satisfactory manner, they will have to make those wider connections.

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Community, Environment and Health: Geographic Perspectives, edited by Michael V. Hayes, Leslie T. Foster, and Harold D. Foster. Western Geographical Series, Volume 27. Victoria: Department of Geography, University of Victoria, 1992. xxiv, 411 pp. Maps, tables, illus. \$29.00 paper.

This is a collection of edited papers from a symposium whose themes were the spatial distribution of disease, geophysical correlates of disease, and the multi-faceted aspects of health care planning, policy, and delivery. These are not just papers by medical geographers. In his preface, Michael Hayes states that the book is an attempt to build a better understanding of the determinants of health and “is a step in the direction of creating a common discourse among persons interested in a richer appreciation of human health and its influences” (p. vi). Good, but I wish he had taken the seventeen chapters and written an integrating introduction to this eclectic selection of articles. Each chapter has its own introduction and conclusion, but they vary tremendously in quality.

The book begins with two articles on mapping; the first is mapping of mortality as done by the British Columbia Division of Vital