

CANADA'S ARCTIC SOVEREIGNTY: SECURITY OR STEWARDSHIP

Document 1: "The Northwest Blockage", Luiza Savage, *Maclean's*, February 27, 2006.

The United States has long pressed Canada to beef up its military - but this is not quite what it had in mind. (...) Officials in Washington say they are still "puzzled" by Stephen Harper's election promise to spend billions on a military presence in the Arctic. They needn't be. Posturing over Arctic sovereignty is something of a political ritual. Brian Mulroney made similar promises - and shelved them when he saw the price tag. Driving it is a concern for the future of the Northwest Passage, the fabled maritime route through Canada's Arctic islands that connects the Pacific and Atlantic oceans, at least when it's not frozen over, which it is almost all the time. One day - a day that may be 10, 20 or even 50 years away - climate change may melt the ice and allow passage of commercial vessels, shortening the route from Europe to the Far East by thousands of kilometres. The question will then become, who controls the passage?

The general rule in international law is that there is a right of transit from one part of the high seas to another. But Canada claims the Northwest Passage as internal waters - and asserts the power to control who comes and goes. It's an issue over which the Canadians and the Americans, backed by Europe and other countries, have long agreed to disagree.

American Ambassador David Wilkins touched a nerve last month by referring to the passage as "neutral waters." It was a sloppy choice of words in a highly legalistic dispute. The official U.S. position (supported by Britain and others) maintains that the waters are a "strait for international navigation." That's quite different from "neutral" or international waters, which would imply open access to resources, such as oil or fish. (...) "This is one of those issues where political sensitivities go beyond the merit of what the dispute is about," observes Huebert. Canada wants to control the passage largely for reasons of national pride, identity and sovereignty. On a more practical level, Canada is also concerned about its ability to enforce strict environmental standards if and when oil tankers start moving through the waters, and to generally police its backyard.

That disagreement is likely to continue, though the bigger concern for the U.S. is not the passage itself, but the general principle of freedom of navigation through straits around the world. (...) "There are plenty of countries around the world with waterways that they claim should be exempt from international transit," says Joseph Jockel, professor of Canadian studies at St. Lawrence University in Canton, N.Y. The worry is "creeping exceptionalism" or "creeping uniqueness" - the notion that accepting Ottawa's position could send the wrong message to countries whose waters surround the world's most strategic straits.

(...) Who has the stronger case? It's unclear. The U.S. argues the passage has historically been used for international transit - albeit by ships with reinforced hulls, and, often, icebreaker escorts - while Canada asserts a historical claim to the land. (...) Canada can also argue that the Northwest Passage is unlike other commercially used straits because it is choked with ice - but that argument could melt away.

Some Canadian commentators have suggested taking the issue to the International Court of Justice, but the government is betting that the best way to bolster Canada's sovereignty is to exercise it - by imposing a military presence, including two high-Arctic emergency base camps and the purchase of icebreakers so that Canada can traverse the passage year-round, a capability it currently lacks. The Canadian military is planning an exercise this spring that will

see up to 52 troops, in five snowmobile patrols, cover some 4,500 km to help affirm sovereignty in the area.

Document 2: “In the Arctic, you can't go back to the future”, Mary Simon, *The Globe and Mail*, March 26, 2008.

Mary Simon is president of the Inuit Tapiriit Kanatami.

Stephen Harper visited Yellowknife this month for the Arctic Winter Games, his fifth trip to the North since becoming Prime Minister in 2006.

Mr. Harper's interest in the North is no doubt genuine, and he is to be congratulated on spending time there. Media around the world are awash in unprecedented coverage about the circumpolar world. News stories range from the rapid shrinkage of multiyear sea ice to speculation about new routes from East Asia to Europe (...).

But while the federal government's attentions to the Arctic may be genuine, there is an eerie throwback quality to its focus. Speeches and interviews by cabinet ministers have a Diefenbaker-era "roads to resources" tone to them. There appears to be a central assumption that a massive expansion in large-scale mineral and oil and gas extraction projects should drive everything else; that helping make Canada a mineral and energy "superpower" should be the North's new vocation; that the state should get out of the way by reducing regulatory controls; that the trickle-down effects of new wealth-creation can be relied upon to limit the alienation of those who live at the economic and social margins.

The reality is that the Arctic has the country's worst housing, health and education indicators. This cannot be allowed to continue. Notwithstanding last October's Throne Speech promise of "an integrated northern strategy," a quick review of the recent federal budget shows where the federal government's priorities rest at the moment: sizable new funding for mineral development, alongside earlier big-ticket commitments to military facilities and hardware, with a "hold the line" approach to endemic social-policy problems.

In this retro-picture, the aboriginal realities of the Arctic — our demographic majority, our aboriginal and treaty rights, our distinct languages and cultures — are effectively airbrushed out. Public pronouncements on northern policy priorities rarely mention Inuit and other aboriginal peoples and, when they do, the references are footnotes and afterthoughts. The views and suggestions of representative aboriginal organizations are sidelined. The Auditor-General's repeated criticisms that northern land-claims agreements are not being implemented properly by the Crown are left unanswered.

There is a core fallacy that threatens to take hold at the heart of the federal government's emerging northern and Arctic policies: that the top third of Canada can be managed and developed as if its aboriginal history and demography, and its aboriginal values and character, are peripheral and transitional. Policies built around such a misleading notion will be unsound in concept and unsustainable in practice.

(...) The Arctic is at least as distinctive a region as any other part of Canada. There are no factors that can be recited in support of Quebec as a nation that cannot be recited for Inuit Nunaat, the four regions that make up our Inuit homeland. Federal policies should work with Inuit cultural reality, not deny it. It is not acceptable, for example, to create and fund school systems that give full respect to English- and French-language minorities while treating the Inuit language of the majority as doomed to oblivion.

(...) Both foreign and domestic policy apply to the Arctic, which will always be a high-cost area. Public investments need to be chosen carefully, so as to enhance the state of civil society in the Arctic, as well as international objectives in relation to sovereignty and security. Our starting goal should be the defusing of international tensions, the creation of institutions and

processes that enhance co-operation on things such as environmental protection and navigation, and the search for collective wins.

As always, the Inuit of Canada invite the Government of Canada and fellow Canadians to work with us. (...) The cliché of the "the Great White North" must give way to an Arctic strategy that builds from the ground up. The Inuit and other northern aboriginal peoples will prove willing and constructive partners in governance of Canada's part of the circumpolar world. And they will prove equally committed opponents of anything that falls short of genuine partnership.

Document 3: "The shipping news: Canada's Arctic Sovereignty not on Thinning Ice", Franklyn Griffiths, *International Journal*, Spring 2003, 58:2, p. 257-282.

Deep down, the identification of Canadians with the Arctic is Victorian. There is a vision here of the Arctic sublime. Today, 'sublime' suggests a place, thing, or emotion that is extraordinarily exalted, even transcendent, in its greatness or beauty. A couple of hundred years ago, when the British returned to the search for a Northwest Passage, it meant something different. It referred to the contrary feelings of being attracted and uplifted on the one hand, and threatened with suffering and destruction on the other, by a being or place that is at once utterly staggering in its beauty and absolutely pitiless in the working of its forces. (...) At once appealing and appalling, the Arctic simultaneously attracts and holds us off. As I see it, this archaic and contradictory identification with the Arctic is a prime source of the vacillation and inconstancy that is characteristic of our approach to the Northwest Passage.

On the whole, we are held off. Staying away in droves, we prefer to contemplate our Arctic spaces from a safe distance. But let someone challenge our sovereignty there or threaten to mar our pristine Arctic possessions, and we are suddenly moved to ardent attachment, to urgent demands that the Canadian government 'do something.' Then, typically, the challenge recedes, and we revert to inaction.

Meanwhile, fate has created a situation in which the country that offers the gravest challenge to Canada's identity and ambition to thrive as a distinct society on the continent of North America also poses the clearest threat to Canada's Arctic sovereignty. In such circumstances, the Northwest Passage is symbolic of Canada's destiny. The more we seem to be 'losing it' as a distinct society, the more some of us are disposed to worry on hearing of a potential sovereignty challenge in the Arctic.

(...) consider the further potential for exaggeration and bias when new information and apprehensions associated with global warming are factored into a pre-existing public discourse on Arctic sovereignty. (...) Arctic sovereignty and global warming are a heady mix. On the one hand are climate change and a policy agenda that all right-minded Canadians should take to heart; on the other are the unsullied reaches of our country that could be taken away and opened to who knows what use. (...) Joined to the appeals of sovereignty, global warming and Arctic ice reduction are all too likely to maintain southern Canadians in a state of suspended animation (or is it animated suspension?) over the Passage.

(...) Stripped of its extravagance, the sovereignty-on-thinning-ice thesis points to a modest need for preparedness to cope with an irregular increase in summer-months shipping by non-ice-strengthened and preferably ice-strengthened foreign vessels sailing essentially on their own under Canadian authority. The need is modest not only because the volume of shipping is likely to grow gradually, but because some of the elements of a regime of independent navigation are already in place for Canada's Arctic waters. Southern Canadians have however shown themselves incapable of sustaining the necessary interest to obtain effective proaction even for this minimal scenario. If anything is to be done, it will be done by the federal government, acting with relative independence from Canadian society.

(...) In part, Canada's sovereignty claim is an appeal to historic title. As the 1985 Statement on Sovereignty puts it: 'Canada's sovereignty in the Arctic is indivisible. It embraces land, sea and ice. It extends without interruption to the seaward-facing coasts of the Arctic islands. These islands are joined, not divided, by the waters between them. They are bridged for most of the year by ice. From time immemorial Canada's Inuit people have used and occupied the ice as they have used and occupied the land.' The case relies on the occupancy of ice, land, and water by Inuit, now Canadians, since what for us are prehistoric times. Why not increase Canadian preparedness in the archipelago on the basis of this established and defensible position? Why not a special relationship between the federal government and Canada's Inuit, one in which Inuit are accorded a progressively wider consultative part in situation assessment, political decision, implementation, and in representing to others Canada's purposes in Arctic North America?

Both on ethical grounds and in terms of practicality, Canada's Inuit should no longer be confined to a historical role in the federal government's endeavour to make a sovereignty claim in law. The Inuit should instead take on new, forward-looking responsibilities in the design and management of Canada's high Arctic activity in an era of global change.

The advantages of partnership between the federal government and Inuit are many and varied. Inuit reside in the area of concern. They have immediate and superior knowledge of it. They are most directly affected by central decision on what happens in and to it. Their attachments to it are practical and durable, not symbolic and variable. Their interest does not vacillate or depend primarily on a visible external threat. And their association is essential in making Canadian environmental and other requirements credible and persuasive to others. If there is a major problem here, it is that Canada's Inuit lack the human resources to take an active part in a Canadian preparedness effort. But so do the Canadian majority and the Canadian government. There should be time for us all to gain new capacities together as needs evolve.

What Inuit have to offer, above all, is a new imagination. Historically and culturally, that imagination is given to openness and sharing, not closure and exclusion. With brothers and sisters in three other Arctic countries, the outlook of Inuit tends to be transnational. Thus, it is suited to Arctic problems, whose origins more often than not ignore borders and whose solutions typically require more international co-operation than unilateral action behind national frontiers. In no way do I suggest that Inuit are not interested in sovereignty and what it allows. Decidedly they are. But their interest is practical rather than symbolic. If there is to be shipping in the Canadian Arctic, for example, the question is likely to be what happens in the landfast ice zone, not whether Canadian regulations are in force. Inuit are broadly inclined to wise (including local) use, not to sole possession and vigorous exploitation for distant beneficiaries. In short, their interest is in stewardship as opposed to remote control. It is in the notion of stewardship in contrast to sovereignty that we begin to glimpse an alternative way of thinking about and dealing with Canada's high Arctic.