

The Common Challenge: International Equity in the Arctic and Antarctic

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Summary of Presentation

Whilst in popular discourse the Arctic and Antarctic are often unrealistically cast as two sides of the same polar coin, elite discourse is similarly myopic. The latter rarely gets past the manifest historic differences in human residence, legal and governance arrangements in the two regions. We comfort ourselves that the perennial demands that something done better at one pole be picked up too in our arrangements at the other pole are naïve: that the differences between the places are substantive and compelling rather than merely contingent, and that accordingly the status quo in both regions (plus or minus a modicum of tinkering) will suffice.

I want to propose that there are in fact commonalities between the Arctic and the Antarctic, beyond the trite; that indeed these commonalities are at the heart of the challenges that our governance of both regions will face in the first half of the 21st Century – notwithstanding the differences that will inform quite how these challenges present, or may best be solved.

At the heart of the challenges, as I see them, is the question of international equity in relation to access to not only resources (that familiar concern) but standing in the creation of the global order in this century. The latter in particular, as we see everywhere, leads us down various paths marked “nationalism”, “national dignity”, etc, and segues into stances variously labeled as post-colonial, neo-colonial, racist, globalist, etc.

Cut away the gentrified rationales and it is possible to see the Arctic and the Antarctic as hitherto peripheral spaces that have been appropriated by “The West” in the period since the end of the 19th Century. Formal territorial claims were asserted by adjacent powers – Western Europeans, North Americans and the emergent “white” states that were formerly their colonies. Russia is of course the exception – adjacent but only periodically and partially “Western”. In the Arctic, territorial claims were enabled by contiguity or proximity, longer historic association, and the (at least formal) incorporation of the actually resident native peoples of the Arctic into the modern state polities. In the Antarctic, a circumpolar ocean intervened, we got there late, and there were no indigenous peoples to divest.

Stand back and view this from the standpoint of different sorts of states (say, a range from Ethiopia to China) that were not involved in this – because they did not exist as Westphalian states, or they self-identified as peoples and political entities but were dispossessed by colonization, or they were so economically, technically or politically enfeebled at the critical moments that they were not in the game. Well, at least for the majority, this has now changed, for some to a very considerable degree. But they didn’t just miss the appropriation, they missed the elaboration of the very global order, with its attendant international political and legal rules and norms, that now dictates how these places are managed. And that management seems rarely, in their estimation, to benefit them. Perhaps only with the process that led to the 1982 Law of the Sea Convention did most of the Global South first participate in any international process that might have a bearing on rights and duties in the polar regions. It is not clear yet whether this has materially improved their prospects in either polar region, but it may have.

The states that actually control the nature of activity (albeit not every *particular* activity) in both the Arctic and the Antarctic remain the states who assert an actual territorial

sovereignty and claim attendant coastal state rights (in the Arctic: Canada, Denmark/Greenland, Norway, Russia and the US; in the Antarctic claims are of course disputed – as that word is ordinarily understood) or have standing in a de facto condominium (the Antarctic in particular). Notwithstanding the broader membership of the Antarctic condominium, the seven claimants (Argentina, Australia, Chile, France, New Zealand, Norway and the UK) and two semi-claimants (Russia and the US) remain the most powerful shapers of the dispensation.

It seems rather unlikely that this state of affairs will continue to be acceptable – whatever one's personal inclinations may be, and whatever futures one may prefer to see in the Arctic and Antarctic. The new global order that we already see emerging, will necessarily be one in which a broader range of states (at least) must be sanguine about the international arrangements in the Arctic and Antarctic (as elsewhere). Whilst hitherto nobody has been battering down the existing arrangements (yet), these seem increasingly isolated refuges of narrowly western interests. One must assume that change will be necessary, as real power moves in the international order, but so far there is not the slightest indication that our international governance arrangements in either the Arctic or Antarctic are evolving to address global equity issues, let alone the place of major emergent powers.

The risks inherent in this are obvious: firstly that one is at risk of strategic surprise; second that if one is unrealistic strategically, one's tactics in relation to particular issues (say, positions on resource access and extraction) are also problematical; third that until the overall framing of one's stance is determined it never seems possible to argue for the bottom-line on things that must be delivered if one is to give up something else.

The challenge for the respective polar regimes is not necessarily to adopt common forms of response to the 21st Century realities of our world, but it is surely necessary for each to respond, and in so doing to recognize commonalities and the need to make the Arctic and Antarctic governance arrangements fit for purpose in the world as it now exists.