

Hic Sunt Glacierum:
Canadian Arctic Sovereignty and the Role of American Challenges

In recent years, the issue of Arctic sovereignty was most inflamed by a game of football played atop the North Pole, which passed unnoticed in the United States, yet in Canada set in motion forces that inflamed the public and even influenced the course of a federal election. In November 2005, an ominous rumbling and cracking disturbed the pristine ice of the North Pole; with sudden abruptness, the American submarine USS *Charlotte* surfaced, shattering the icecap. Its crew got to enjoy 18 hours of “ice liberty,” dancing about on the ice and even setting up floodlights to break the unceasing Arctic night and play a game of football. The resulting publicity photographs and press releases trumpeting of the technological achievement received little notice in the United States, where a single photo of the submarine surrounded by ice made its way along the newswire. Americans might have been surprised, then, to learn of the furor that erupted in their neighbor to the North. A commentator in Canada’s most read newspaper directly warned that the transit of the *Charlotte* to the North Pole, which presumably occurred through Canadian-claimed waters and without the permission or knowledge of the Canadian government, was an indication that “Canada’s territorial integrity is at stake.”¹ In the midst of campaigning for federal elections, both the sitting prime minister and his opponent were forced to address the issue. The challenger, whose party took a hard-line nationalistic stance and made Arctic sovereignty a key issue, became the next prime minister.

While concerns about sovereignty over the Arctic have played a role in contemporary elections, the issue has a varied history that stretches back centuries. Originally believed to contain the fabled Northwest Passage, the region’s strategic importance has been repeatedly refashioned in the nineteenth and twentieth centuries. It generated interest as potentially unclaimed land during the last throes of imperialism, as a strategic asset and security concern during two hot world wars and one cold one, as an emblem of the international environmental

¹ “Not Standing on Guard in the North,” *Toronto Star*, December 29, 2005.

movement, and finally, coming full circle, as the site of a key shipping channel when the ice began to melt and the reality of a Northwest Passage traversable without ice-breaking ships loomed on the horizon. Resting fathoms underneath the surface lay an estimated quarter of the world's untapped petroleum reserves, adding to the interest and intrigue.²

Historical approaches to Arctic sovereignty have traditionally mainly been predicated upon either economic or security concerns. These approaches, however, can fail to fully account for important events in the history of Arctic sovereignty. Steward of one of the largest and most strategically valuable sections in the Arctic, Canadian claims to sovereignty in the Arctic have been challenged at various times since the United Kingdom deeded the Arctic region to the Dominion in 1880. Crucial to the dynamics that have shaped how Canada has asserted and understood its sovereignty have been American challenges. Although it no longer harbors designs of its own upon most of the Arctic, the United States has long had vested interests in either seeing Canada control the Arctic, or in being allowed unrestricted access to it, and, to this end, has orchestrated an array of challenges to Canadian control of the region. Highly mindful of defining their sovereignty and even identity in opposition to American hegemony, Canadians developed their conception of sovereignty over the Arctic primarily in response to American challenges both real and perceived. While the issue of Arctic sovereignty began as a largely imperial proposition, insofar as the Arctic was merely more territory to be gained at the expense of other states, it evolved into an issue that struck at the core of Canadian identity, as it was seen by expanding segments of the public as a bastion to be held at all costs against American aggression and encroachment.

² Canwest News Service, "Arctic Holds Up To 22% of World's Untapped Energy Reserves: U.S. Study," *Canada.com*, August 12, 2008, <http://www.canada.com/topics/news/national/story.html?id=6d05bd93-3b65-42f5-818e-7190d513a8e2>.

In some sense, to view the issue of Arctic sovereignty in this light presents a departure from other dominant approaches to analyzing the topic. American scholars have largely failed to discern the overarching importance of the role that the bi-state relationship plays, and Canadians, though consistently conscious of it, have only occasionally framed the topic as mainly an issue of national identity, which the involvement of the United States certainly forced it to become.

Traditional historical or even general academic study of the polar regions has looked at several major trends in the battle for control of the Arctic, with territorial value, economic worth, and national security largely monopolizing the discourse. More recently, other paradigms, such as environmentalism and indigenous peoples' rights, have also played a growing role in how many scholars have chosen to approach the issue of Arctic sovereignty. Because the number of historians to tackle the subject remains small, analyses offered by scholars in the field of policy analysis, law, and other fields provides much-needed insight into the Arctic sovereignty question. These individuals have produced some of the most widely referenced works on the topic, and no discussion would be complete without giving attention to the views they bring to the table. As with the work of any historian, though perhaps slightly more, these works of analysts and legal experts must be considered for context and possible bias, as such products often tend or are intended to support one side or another. However, with a few exceptions, many of them take a measured, objective look at the historical component of the issue, and those that do so must be given due consideration alongside works of historians.

Early views of the Arctic focused mainly on the perceived value of the region either as land to be occupied or resources to be exploited. These have fixated primarily on the early division of territory by the Western powers, and upon the subsequent trade that characterized the region's economic value. General histories of the region are especially apt to

take this tack, which eschews most consideration of the minutiae of diplomatic relations in favour of a highly distilled picture painted in broad imperialist or economic terms that are easily comprehensible to the otherwise uniformed reader. In *The Arctic: A History*, Richard Vaughan traces the Arctic's initial appeal as a potential trade route, and later exploitation for other economic purposes, such as a font of nearly inexhaustible sources of whale oil for American traders, first noted by a Long Island whaler in 1848.³ He also devotes considerable time to tracing the external diplomatic machinations that led various powers to carve out territories in the Arctic region, and situates the Canadian attempts to assert sovereignty within this. Canada, in Vaughan's conception, was concerned mainly with "occupying as much of the north as possible."⁴ Other authors, including Shelagh Grant, have also emphasized economic considerations. Grant highlights the founding of the Canadian Department of the Interior's Northwest Territories and Yukon branch in response to the discovery of oil in the Canadian North; he posits that the Canadian government generally only reacted to developments in the north or attempted to assert sovereignty if there was some discernible economic motive.⁵ Grant continues, however, by tracing what he sees as an even more important factor in Canadian Arctic sovereignty.

Two World Wars and the onset of the Cold War prompted scholars to consider the role of national security in incidents concerning control of the Arctic. Grant, in his book *Sovereignty or Security*, looks at the defense interests that drove policy development in the Canadian Arctic from the late 1930s to the 1950s. He sees the emergence of sovereignty concerns as an invariable product of security by the 1940s, when Ottawa began to focus more on the Arctic as a potential defensive liability. To his credit, this realization does not come without the

³ Richard Vaughan, *The Arctic: A History* (Gloucestershire: Sutton, 2007), 168.

⁴ *Ibid.*, 266.

⁵ Shelagh Grant, *Sovereignty or Security* (Vancouver: University of British Columbia Press, 1988), 14.

accompanying awareness of the role that interaction with America played. Specifically, in chapters entitled “The Army of Occupation” and “The Military North,” Grant accurately portrays the burgeoning fears of the Canadian government as they watched ever-expanding numbers of American military personnel flow north over the border to occupy U.S. or “joint” military compounds whose size was increasing at an exponential rate. Yet, Grant chooses to focus on the overall defense decisions made by the Canadian government from 1936 to 1950. This period, from the Second World War to the onset of the Cold War, proved critical, with the emergence of the U.S. as a world leader and preeminent military power given by Grant as a key factor in the development of Canadian Arctic sovereignty.

A number of other observers weighed in on the meaning Canadian control of the Arctic held for the security of Canada and its neighbors. Melvin Conant situates the issue in the context of Canada’s overall defensive strategy and commitments.⁶ Published in 1988, his article discusses at length such things as NATO commitments and joint U.S.-Canadian defense of North America (in a decidedly Cold War tone). At a time when presence and military control largely defined rights, he was not the only one to follow this tack.⁷ Much in line with Conant’s reasoning, J. Gellner makes an argument in the book *The Arctic in Question* that defense is one of the key functions of the Arctic, providing the imperative for Canada to control it. Gellner, writing during the period of détente in the Cold War, contends that the Arctic serves as the glacis of the North American continent, a neutral zone separating the U.S. from the Soviet Union.⁸ As such, Gellner mainly views Canadian attempts to assert sovereignty as concerned with defensive military strategy, above all else. Gellner is seconded in the same volume by T.A Hockin and

⁶ Melvin Conant, “The Long Polar Watch: An American Perspective on Canada's Defense of its Arctic,” *American Review of Canadian Studies* 18, no. 3 (1988), 370.

⁷ *Ibid.*, 371.

⁸ J. Gellner, “The Military Task: Sovereignty and Security, Surveillance and Control in the Far North,” in *The Arctic In Question*, ed. E.J. Dosman (Toronto: Oxford Univeristy Press, 1976), 85.

P.A. Brennan, who address the defensive military role in determining Canada's decision to assert sovereignty, as well as the region's economic value. They believe that Canada's Arctic territory has mostly been influenced by its strategic importance to the protection of North America, similar to Gellner's *glacis* argument, although they also see economic issues as an "emerging imperative," as the Arctic begins to be eyed as a key transit route in the twentieth century.⁹

It should be noted that the military and national security approach to the Arctic sovereignty issue was dominant during the early decades of the Cold War, but received little development or attention during intervening decades, as seemingly more pertinent approaches were derived by many historians. More recently this approach has been imbued with new relevance as a resurgent Russian Federation has resumed regular bomber flights in the Arctic region, sending historians and policy makers back to reviewing old military methods of viewing the issue that were derived in the early days of the Cold War.¹⁰

The *Manhattan* crisis of 1969 was a key focal point in the development of an environmental approach to the Arctic sovereignty issue. Throughout the 1960s and 1970s environmental issues had been moving to the forefront in locales around North America and Europe, so the spectre of massive oil tankers with questionable safety records, not to mention every other kind of commercial ship, plying pristine Arctic waters was enough to give many activists and concerned citizens pause. The most visible development that sprung from this, and the one frequently visited by historians, was the Arctic Waters Pollution Prevention Act, but other related environmental concerns also framed much of the debate over Arctic sovereignty at

⁹ T.A. Hockin and P.A. Brennan, "Canada's Arctic and its Strategic Importance," in *The Arctic In Question*, ed. E.J. Dosman (Toronto: Oxford University Press, 1976), 113.

¹⁰ Bob Weber, "Russian Bombers Making a Comeback; 'Bears' fly on Regular Long-Range Air Patrols Along Canadian, U.S. Arctic Airspace, Records Show," *The Globe and Mail*, May 5, 2008.

this time.¹¹ Indeed, one of the larger environmental issues was also linked inextricably to the issue of national security and defensive capacity: the transit of submarines powered by nuclear means, and the potential environmental damage subsequent to any accident or confrontation between such vessels. This posed a serious environmental threat of almost technologically unmanageable proportions, and required a strong sovereignty position be developed on environmental grounds.

Most recently, historians have also turned more attention to the rights of indigenous peoples and have argued that this should be the lens used to examine the issue of Arctic sovereignty, almost to the point of exclusion of all others. This course of thinking proceeds from a body of scholarship based on the proposition that native rights should be reconsidered and given prime importance in any modern re-envisioning of Arctic sovereignty. Its development was aided not only by historians, but by the evolution of native rights advocacy organizations, such as the Inuit Circumpolar Council, established in 1977 as an international nongovernmental organization representing the native Arctic peoples of Canada, Greenland, Russia, and the United States. While not without its merits, the method of examining the issue is not highly nuanced; its tenets flow rather naturally from its precepts. Too, it is almost inextricably political in nature and goals as opposed to objectively historical. Therefore while it certainly merits a mention in any review of Arctic history, it shall not receive significant consideration here.¹² Some critics would contend that other approaches to the subject, such as that of policy analysis, are also biased and political in nature, but for those, the distortion exists more in their ends than means.

¹¹ For a discussion touching on the Arctic Waters Pollution Prevention Act, see Christopher Kirkey, "The Arctic Waters Pollution Prevention Initiatives: Canada's response to an American challenge," *International Journal of Canadian Studies* (1996): 41-59. For other environmental concerns, see Richard Vaughan, *The Arctic: A History* (Gloucestershire: Sutton, 1994), 239.

¹² For a more detailed overview of some of the thoughts common to this approach, see Richard Vaughan, *The Arctic: A History* (Gloucestershire: Sutton, 1994), 239, or the site of the Inuit Circumpolar Council, <http://www.inuitcircumpolar.com>.

Works of policy analysis are often used for advancing particular political positions, but the better of these works are genuine attempts to better understand the subject, and to that end they contain objective renderings of the relevant history. The histories contained within the indigenous rights approach, meanwhile, are fundamentally skewed to focus throughout their narrative on particular events, and advance understandings of them that are frequently subjective beyond allowable margins. This accounts for the exclusion of this approach from detailed consideration in the preceding discussion.

A key element among many of these arguments is the common thread that is either missing or minimized. Although many hint at the role of the American actions, none make the connection that these actions constitute *the* universal characteristic. From American whalers in the Arctic in 1848 to American military personnel in the Arctic in 1948, Canada has long followed a reactive method of formulating its Arctic sovereignty policy, and this method is almost universally a reaction to the United States. This transcends the specific elements focused on by some historians, such as the territorial concerns at the beginning of the twentieth century, the defense considerations of the Cold War period, or the environmental concerns of the 1970s and beyond. The dynamic of the relationship between the United States and Canada, and the way in which it drove Canada's Arctic sovereignty policy to develop in opposition to the United States, and as a mechanism of its very identity, serves to tie together most all of the significant actions taken by the Canadian government over its entire history into one coherent narrative.

To examine that narrative, this paper undertakes a study of the major events that have contributed to Canada's Arctic sovereignty since 1880, using a combination of documents. To understand the forces at work, it examines the journals of crewmembers and captains of some of the key Canadian expeditions to assert sovereignty in the Arctic around the turn of the century,

government documents and correspondence from Canada, Great Britain, and the United States, media coverage from Canada and the US during a number of key events to demonstrate the development of public opinion in Canada, and a number of other relevant primary documents. Notably, the focus stays fixed not exclusively, but predominantly, on the eastern portion of the Canadian Arctic. The reasoning for this is twofold. First, this area is still in some manner contested today, and given the currency of the issue, a historical context for this region is all the more important. Second, a narrowed focus was principally necessary because the issues that affected the development of Canadian sovereignty in this region are largely distinct from the western arena, where singular issues such as the Yukon gold rush and the American purchase of Alaska were key.

There are a number of events that can serve as focal points for an examination of the relationship between America and Canada in the Arctic. Those examined below are among the more significant threads, but by no means an exhaustive chronicle. First, however, it is instructive to look at why the Arctic has been historically important and how exactly Canada acquired its share of it.

Western civilization warmed slowly to the notion that the Arctic could be a useful area. From the Roman Empire to the Renaissance, the polar region was demarcated on maps as *frigore inhabitabilis* (“uninhabitable because of cold”).¹³ During the Age of Exploration, the Arctic began attracting serious attention as a possible shortcut to the riches of the Orient. Actual knowledge of the region was scant, however, with a 1492 globe from Nürnberg optimistically depicting the Arctic as a circular polar landmass surrounded on all sides by clear passage.¹⁴ In 1497, John Cabot was dispatched by the British to locate a trade route over North America to

¹³ E. Pognon, “Cosmology and Cartography,” *Arctic* 37: 334-40, quoted in Richard Vaughan, *The Arctic: A History* (Gloucestershire: Sutton, 2007), 36.

¹⁴ Richard Vaughan, *The Arctic: A History* (Gloucestershire: Sutton, 2007), 37.

Asia.¹⁵ Although he failed miserably in his quest to conquer the Northwest Passage, he did lay the groundwork for future British claims to the land that would be known as Canada, managing to reach the island dubbed “newfounde land.”¹⁶ His attempt to navigate further north of Newfoundland was prescient of trips to locate the Northwest Passage for centuries to come, as his ship, the *Mathew*, beset by ice and untenable cold, was forced to turn back to Europe.¹⁷ Returning with five ships the year hence, Cabot met with disaster, another common facet of Arctic missions in the ensuing years. Four ships were never heard from again, and likely took Cabot with them to the floor of the sea.¹⁸

Interest in the Northwest Passage waned for almost a century until 1576, when Martin Frobisher was dispatched by the English to locate a route to the Indies.¹⁹ Failing, he was succeeded by John Davis, who with certain serendipity reached the correct entrance to the Passage before turning back. In a historic underestimation of the difficulties of the situation, Davis reported “finding the sea all open, and forty leagues between land and land. The passage is most probable, the execution easy.”²⁰ The enormity of his analytical error might be found in the fact that no ship would successfully navigate the “easily executable” passage for more than three centuries following Davis’ voyage.

In 1845, Sir John Franklin set out to conquer the Passage once and for all. His well-equipped expedition sailed into Lancaster Sound in the summer of 1845, and from thence into both thin air and history. Over thirty rescue expeditions mounted to locate the explorer turned up

¹⁵ Michael Gruber, “The New Northwest Passage,” *Sea Frontiers* 16 (1970): 5.

¹⁶ Vaughan, *The Arctic*, 56.

¹⁷ Gruber, “The New Northwest Passage,” 5.

¹⁸ Vaughan, *The Arctic*, 56.

¹⁹ Gruber, “The New Northwest Passage,” 5.

²⁰ *Ibid.*

nothing, though one achieved the distinction of completely crossing the Northwest Passage for the first time in recorded history.²¹

By the nineteenth century, however, access to and use of the Arctic was no longer confined to intrepid Age of Exploration adventurers seeking glory and trade routes. European and American traders had by this time discovered some of the incredible natural wealth of the Arctic. Whalers plied the waters of the Arctic, hunting bowhead whales by the thousands. Trappers and hunters roamed the ice, and more entrepreneurial individuals established mutually beneficial relationships with the natives, founding trading posts at newly inaugurated ports and paying top dollar for animals such as seal, caribou, walrus, and muskox. Narwhal ivory in particular had been long sought, with a complete tusk being worth as much as a castle, or, in the case of two particularly fine examples, the debt of an entire European nation.²² At this juncture, ownership of the Arctic (the portion contiguous with North America) was British, though most of its primary exploiters were not, nor were they Canadian.²³ Though many Norwegian and Danish whaling vessels also sailed the seas that were not unlike those closer to their home countries, a plurality of the voyages in most of the Arctic were carried out by ships flying American colours.²⁴

One particular American, apparently without conscious intent, challenged the irresolute state that characterized sovereignty in the Arctic. In 1874, William Mintzer wrote the British government with a request to establish a mining operation and related commercial venture in the

²¹ *Ibid.*, 7. A caveat applies: the rescue expedition looking for Franklin had to itself be rescued and transited a certain distance to complete the journey; it did not merit the title of the first complete sea crossing.

²² William Broad, "It's Sensitive. Really." *New York Times*, December 15, 2005.

²³ It is beyond the scope of this paper to discuss the exact history and manner by which Britain attained *de facto* control of the Arctic regions, or, as shall be seen, to explicate the myriad of border disputes that Britain purposefully left unresolved during its stewardship of the Arctic region. Regardless, the British certainly had a greater claim to effective control of the region than any other nation, with the possible exception of its native inhabitants, who were content to trade with any European power.

²⁴ W. Gillies Ross, "Canadian Sovereignty in the Arctic: the 'Neptune' Expedition, 1903-04," *Arctic* 29 (1976): 93.

region around Baffin Island.²⁵ The British government referred the matter to the government of Canada, which showed no interest in resolving the question quickly. Impatient, Mintzer, a lieutenant in the Army of Corps of Engineers, decided in 1876 that the diplomatic process was superfluous, organized an expedition to travel to the area, loaded a ship with a hold full of graphite and mica, and brought it to the United States.²⁶ The response from the Queen's governments on either side of the Atlantic was neither swift nor retributive. Rather, four years after the departure of Mintzer from the shores of Baffin Island, the British transferred their Arctic possessions, in total, to Canada. There are some telling features contained within the Mintzer incident, themes that would find themselves repeated for more than a century afterwards. Chiefly, a Canadian (and, here, British) action regarding the Arctic was necessitated by the actions of an American or America. Mintzer represented at least the former, and perhaps the latter; although it would be denied upon the expedition's return, press coverage of the expedition's preparations openly reported that it was operating under the auspices of the United States' government.²⁷ Moreover, the incident exemplified the sluggish and lackadaisical nature that would characterize Canadian responses to threats to sovereignty over the coming decades and century. Almost universally, they would be reactive in nature, coming only after a sleight (generally American) that could not be left unanswered or avoided.

Ultimately, because the Arctic held little promise for economic gain, the British relinquished any claims on the Arctic regions to focus on more lucrative imperial possessions, and the area became a Canadian concern. The exact borders of the territory that was now

²⁵ Thomas C. Pullen, "What Price Canadian Sovereignty?" *U.S. Naval Institute Proceedings* 113 (1987): 66.

²⁶ *Ibid.*

²⁷ For pre-expedition coverage, see "Another Arctic Expedition," *New York Times*, May 31, 1876; for the expedition's return and an analysis of how it operated, see "From the Arctic Regions," *New York Times*, October 12, 1876.

Canadian remained open to a certain matter of interpretation. This was not unintentional or unknown to the British, and although Mintzer may have been the primary trigger preliminary to the Imperial Order of July 31, 1880, the potential for boundary disputes was one of the reasons the region was considered problematic. In the end, as one author observed, the final language of the order was so ambiguous as to be able to include Bermuda, Honduras, and the British West Indies were the strict letter of the order in council, rather than its intent, to be followed.²⁸

Excluding the Colony of Newfoundland, the transfer included “all British territories and possession in North America, not already included within the Dominion of Canada, and all islands adjacent to any of such territories or possessions...”²⁹ This transfer was ambiguous not only in word, but also in regards to known geography. The Arctic that had just been deeded to Canada was not well mapped; an expedition almost a century later – in 1968 – would demonstrate that some Arctic charts were off by up to one thousand miles.³⁰ Nor was the territory conceived to be of any particular value to either party, as related best by historian E.J. Dosman: “‘The object in annexing these territories to Canada,’ a Colonial office memorandum noted, ‘is, I apprehend, to prevent the United States from claiming them, and not from the likelihood of their proving of any value to Canada.’”³¹ Indeed, Canada only took the step of creating districts for the newly acquired territory fifteen years later, in 1895, indicating that the Arctic was not a priority area for the Dominion government.³²

During the last decades of the nineteenth century, stories began to reach the Canadian public of crimes committed by (predominantly American) whalers against the native peoples,

²⁸ *Ibid.*, 71.

²⁹ *The Canada Gazette*, October 9, 1880, 389.

³⁰ Gruber, “The New Northwest Passage,” 10.

³¹ Edgar J. Dosman, *The Arctic in Question* (Toronto: Oxford University Press, 1976), 14.

³² Ross, “Canadian Sovereignty in the Arctic,” 88.

who were now technically under the care of the government of Canada.³³ This, along with the discovery of several islands by explorer Otto Sverdrup, which he claimed for Norway, convinced the government of Canada that it was time to bring law and order, and unquestioned sovereignty, to the North through an official presence.³⁴

Thusly was conceived the *Neptune* Expedition. Traveling to Baffin Bay, Hudson Bay, and many points in between during 1903 and 1904, the *Neptune* brought scientists, administrators, and members of the Northwest Mounted Police to Canada's eastern Arctic for the purpose of surveying the region and informing foreign ships and businesses operating there that they were under Canadian jurisdiction. After visiting several whaling stations, the *Neptune* spent the winter of 1903 in Hudson Bay in the company of an American whaler, the *Era*. By several accounts, the captain of the *Era* was none too happy to find his ship's activities, previously unregulated, overseen by a new authority. Nor was the choice of the *Era* by the *Neptune* mere chance; although it happened to be a convenient choice, the *Neptune* had come looking for American whalers particularly, despite the presence of whaling operations from other states.³⁵ W. Gillies Ross even posits in his history of the expedition that there was an official decision from higher up to focus specifically on American activities.³⁶

Such a directive, and the overall incident, is reflective of the way in which Canadian policy in the Arctic developed in reaction to American incursions in the North. After wintering with the *Era* and ensuring, to the irritation of its captain, that it would abide by all relevant Canadian regulations, the *Neptune* moved on to visit a number of other whaling stations and ships, handing out regulations and informing all it encountered that they were subject to

³³ Dosman, *The Arctic in Question*, 15.

³⁴ Ross, "Canadian Sovereignty in the Arctic," 88.

³⁵ *Ibid.*, 96.

³⁶ *Ibid.*

Canadian law. Furthermore, in line with the scope of its charter, the *Neptune* stopped and claimed territory anew for Canada at a number of islands along its journey.³⁷ It also engaged in a bit of species conservation by imposing a prohibition in the trade or possession of muskox skins when the Superintendent of the Mounted Police detachment with the ship saw the amount of over-hunting that was taking place without any kind of governmental supervision.³⁸

The most significant interaction between groups that indicated ultimate Canadian sovereignty, though, took place between the *Era* and the *Neptune*, when the crew of the whaler, apparently viewing the *Neptune* as the highest authority in the land, contacted Superintendent Moodie to complain about disciplinary actions being taken by their captain, George Comer.³⁹ Comer was ultimately obliged to respond to a summons from Moodie, and “after some talk (not cool)” a resolution, in accordance with Moodie’s desires, was reached.⁴⁰ This was ostensibly part of the *Neptune*’s mission to enforce the law “as in other parts of the Dominion,” but it is again significant to observe that Moodie felt compelled to exert his authority over the American ship, yet declined to even examine the case of a local Eskimo who admitted to recently killing six people near Rankin Inlet.⁴¹ Overall, the *Neptune* expedition must be viewed as a success in terms of establishing some form of Canadian sovereignty in the Arctic, and especially a firm signal to American traders and whalers in the area that Canada was in full control.

Following the *Neptune* expedition, Canada sent a few more ships throughout the Arctic in a bid to assert sovereignty, most notably the *Arctic* under the command of J.E. Bernier, which embarked on a handful of different voyages from 1904 to 1911. The ship visited various points

³⁷ Library and Archives Canada, Albert Peter Low fonds, R1652-0-8-E, “Proclamation” series, container 4, “Proclamations, 11 and 15 August, 1904, taking possession of Ellesmere Island and North Devon and surrounding territory.” For a narrative of the expedition surrounding these proclamations, see Library and Archives Canada, Lorris Elijah Borden fonds, R1505-0-2-E, “Typescript Diary,” pages 101 and 117, microfilm reel C-3465.

³⁸ Ross, “Canadian Sovereignty in the Arctic,” 95.

³⁹ Library and Archives Canada, “Typescript Diary,” 76.

⁴⁰ Ross, “Canadian Sovereignty in the Arctic,” 97.

⁴¹ *Ibid.*, 102.

in an attempt to further maintain some sort of Canadian presence and formally claim all new lands encountered.⁴² This set up a relatively powerful case for Canadian ownership of the Arctic region, as the earlier expeditions scouted out appropriate locations for permanent outposts. Reports from the expeditions themselves thoroughly document an extensive bid to showcase an exhaustive Canadian presence in the region, detailing the deposit of records by the *Arctic* at twenty-nine different locales from 1906 to 1909.⁴³ However, American activity in the Arctic failed to cease entirely. The onset of the First World War reorganized priorities for both nations, though, and it was not until 1925 that an event would again bring Canada and the United States into conflict over the former's Arctic sovereignty.

In 1925 an expedition was announced that was to be a joint effort between Donald MacMillan of Bowdoin College and Richard Byrd, then a lieutenant commander in the United States Navy. With support from the United States Navy, the National Geographic Society, and other private interests, the expedition sought to survey by air the polar region, with the intent of making the first flight over the North Pole. More concretely, and more importantly for the United States, Byrd referenced the possible strategic value of claiming "any land in the unexplored area...."⁴⁴ Specifically, there was interest in the mythical island supposedly seen by Commander Robert Peary during his 1906 attempt on the North Pole.⁴⁵ The preparations for such an expedition did not go unnoticed across the border in Canada, sparking no small

⁴² Yolande Dorion-Robitaille, *Captain J. E. Bernier's contribution to Canadian sovereignty in the Arctic* (Ottawa: Indian and Northern Affairs, 1978), 79.

⁴³ J.E. Bernier, *Report of the Dominion of Canada Government Expedition to the Arctic Islands and Hudson Strait On Board the D.G.S. 'Arctic'* (Ottawa: Government Printing Bureau, 1910), 351. See also *Report of the Royal North-West Mounted Police for 1904, Part IV: Report of Superintendent J. D. Moodie on service in Hudson Bay per S. S. Neptune, 1903-04*, (Ottawa: King's Printer, 1905).

⁴⁴ Secretary of the Navy General File 29455-84, Byrd to Wilbur, March 28, 1925, quoted in D.H. Dinwoodie, "Arctic Controversy: the 1925 Byrd-Macmillan expedition example" *Canadian Historical Review* 53 (1972): 54.

⁴⁵ D.H. Dinwoodie, "Arctic Controversy: the 1925 Byrd-Macmillan Expedition Example" *Canadian Historical Review* 53 (1972): 52.

bureaucratic unrest; the government was alarmed all the more because it had received no official statement of intent from south of its borders concerning the expedition, though plans for it were being made quite openly, with all attendant publicity.⁴⁶ American press coverage in particular stoked Canadian fears, as American commentators wildly speculated during the build-up to the expedition on the chances of uncovering new lands and adorning them with an American flag. The historical record is clear in demonstrating the disquiet that this provoked among members of the Canadian government. In multiple memos marked “Secret,” which traveled between officials of the Canadian government (and to British representatives in Washington) the crucial point mentioned at the opening of each and every one was that officials had caught wind of the proposed expedition not through official channels, but through (American) press reports, very effectively adding insult to injury.⁴⁷ Of a particularly disquieting nature must have been a trine of articles in the *New York Times* in April of 1925 (a few of dozens, if not hundreds, of American articles covering the planned voyage) that spoke in hushed tones of the plans of Macmillan to at last sight Peary’s mysterious island, which was “awaiting a claimant in the Arctic stronghold.”⁴⁸ Canadian media also reported on the planned expedition with rapt attention and in no less sensational a manner, with the *Toronto Daily Star* reporting that the explorers planned to find the “lost continent” and “claim the ‘continent’ for the United States.”⁴⁹

⁴⁶ Library and Archives Canada, Department of National Defence fonds, RG 24, Pre-unification Army Records sous-fonds, “Army Central Registries” series, “1903 Headquarters Central Registry” sub-series, “Macmillan Polar Expedition,” microfilm reel C-5072.

⁴⁷ Library and Archives Canada, Department of National Defence fonds, RG 24, Pre-unification Army Records sous-fonds, “Army Central Registries” series, “1903 Headquarters Central Registry” sub-series, “Draft Telegram from the Governor General to the British Ambassador At [illegible], May 20, 1925,” microfilm reel C-5072. This telegram is typical of many communications of the time, opening with a cool “My advisors have noted press reports that a scientific expedition is being prepared in the United States for exploration in the Arctic regions....”

⁴⁸ “Hunting by Airplane for Polar Continent,” *New York Times*, April 12, 1925. See also “Expect Macmillan to Find a Continent,” *New York Times*, April 11, 1925 and “Macmillan Hopes to Win Arctic Race,” *New York Times*, April 22, 1925.

⁴⁹ “MacMillan Party Off to the Arctic,” *Toronto Daily Star*, June 17, 1925.

The prospect of any other country claiming land on one's border would be jolting, but it was all the more so because in the Canadian view all land in the North was theirs. In theory, everything had been transferred to Canada by Britain's 1880 act, and any remnants were covered by the articulation of sector theory. First proposed in 1904, but given more body in speeches by Canada's Senator Poirier in 1907, sector theory laid out the notion that for the Arctic states, sovereignty existed in sectors extending from their longitudinal lines on the east and west to the North Pole, and that all lands within, discovered or not, were the property of their respective countries.⁵⁰ As put by Poirier, the area claimed included "all lands that are to be found in the waters between a line extending from the eastern extremity north, and another line extending from the western extremity north... no one will venture to go up north between these two lines and take possession of any land, or any island that may be discovered between its borders and the north pole."⁵¹ Sector theory had apparently been embraced by J.E. Bernier, who, during the 1909 expedition of the *Arctic*, left a plaque "commemorat[ing] the taking possession for the Dominion of Canada of the whole Arctic Archipelago lying to the north of America from long. 60°W to 141°W up to the latitude of 90°N."⁵² In fact, sector theory had been proposed in part specifically because of concerns regarding the activities of American whalers and the lack of recognition from the American government of Canadian Arctic sovereignty.⁵³ This theory was not well received, nor recognized, by the international community.⁵⁴

⁵⁰ Dosman, *The Arctic in Question*, 10.

⁵¹ Pascal Poirier, "Hudson Bay Company," Canada, Parliament, Senate, *Senate Debates (Hansard)*, 10:3 (February 20, 1907), 271.

⁵² J.E. Bernier, *Master Mariner and Arctic Explorer* (Ottawa, 1939), 128.

⁵³ Donald Rothwell, *The Polar Regions and the Development of International Law* (New York: Cambridge University Press, 1996), 165.

⁵⁴ William Elliot Butler, *Northeast Arctic Passage* (Boston: Brill, 1978), 71. It should be noted that while the theory did not achieve general acceptance, it was later found to be an attractive proposition by the Soviet Union, which attempted to invoke it on at least one occasion. Nations other than the U.S.S.R. and Canada did not like sector theory mainly because it entailed both ceding undiscovered land to another state simply due to its location, and more generally giving wider swaths of territory to other states at the potential expense of themselves.

In light of sector theory, Canada had some very specific and fervent objections to the Byrd-MacMillan expedition and its aims. W.W. Cory, the Deputy Minister of the Interior, felt compelled to visit the United States and iterate to the Americans that “the Canadian Government thought that Canada’s permission should be obtained” given that the areas to be visited were Canadian territory.⁵⁵ The American response was not reassuring, but Canada had already formed an inter-departmental committee, ultimately known as the Northern Advisory Board, to find an appropriate solution, and to further strengthen the government’s position by issuing “a statement indicating the extent of the is[lands] in the Arctic regions claimed by Canada.”⁵⁶ Opinion was split over which argument most effectively encapsulated Canada’s claims to the Arctic, with the Department of the Interior opting for sector theory, and the Justice Department and External Affairs arguing that the country should “emphasize [its] occupation and control so far as is reasonable” given that other nations, while dismissing sector theory, considered “effective control” an acceptable metric for sovereignty.⁵⁷ Ultimately, Canada used both tactics, standing by its sector theory claims and offering to facilitate the Americans’ journey. Likewise, in a note to the American Secretary of State, a British diplomat in Washington, H.G. Chilton, was both chastening and welcoming. Chilton indicated that he had gathered from press reports that an American expedition would soon visit “the northern territories of the Dominion,” and further “[to the secretary] as you are doubtless aware,” that several outposts of the Royal Canadian Mounted Police in the North stood ready to assist, while the Dominion government “requested me to

⁵⁵ Dinwoodie, "Arctic Controversy," 56.

⁵⁶ Library and Archives Canada, Department of National Defence fonds, RG 24, Pre-unification Army Records sous-fonds, “Army Central Registries” series, “1903 Headquarters Central Registry” sub-series, memorandum from O.D. Skelton, Under-Secretary of State for External Affairs, to G.J. Desbarats, Deputy Minister of National Defence, 23 April 1925, microfilm reel C-5072.

⁵⁷ Dinwoodie, "Arctic Controversy," 57-58.

inform you of their readiness to furnish the expedition with the necessary permits.”⁵⁸ This was a requirement of new legislation that was introduced as a result of the expedition, mandating that all expeditions of a scientific or exploratory nature possess a licence to enter the Northwest Territories.⁵⁹ Lastly, the *Arctic*, again under the command of J.E. Bernier, had been scheduled to patrol annually the eastern Arctic beginning in 1922, and was dispatched anew with George Mackenzie, the former gold commissioner of the Yukon, to establish a new RCMP post.⁶⁰

American deliberations were evolving in tandem with these developments. The U.S. government had thus far opted against any substantive response to the memos issued by the Canadian government, for fear of appearing to endorse sector theory by making any sort of application for permits.⁶¹ It was also feared that this would delay an expedition already late in the preparatory stages. The American Secretary of State, Frank Kellogg, responded with caution to Chilton, soliciting the details of “what constitutes a post of the Royal Mounted Police... and the establishment thereof; where such posts have been established; how frequently they are visited; and whether they are permanently occupied....”⁶² Kellogg, here and elsewhere, was clearly seeking the grounds to challenge the legitimacy of the Canadian claim to the Arctic.

For a brief period, officials even debated applying the Monroe Doctrine to Canada, by classing the Dominion as a mere extension of British power.⁶³ This course of action was ultimately decided against; had it been pursued, it would have been ironic indeed, for a wish to

⁵⁸ US Department of State, *Papers Relating to the Foreign Relations of the United States, 1925*, vol. 1 (Washington, D.C.: Government Printing Office, 1940), 570.

⁵⁹ Dinwoodie, “Arctic Controversy,” 59.

⁶⁰ *Ibid.*

⁶¹ *Ibid.*

⁶² Department of State, *Foreign Relations of the United States, 1925*, vol. 1, 571.

⁶³ Dinwoodie, “Arctic Controversy,” 60. Articulated in 1823, the Monroe Doctrine mandated that European powers must not attempt to influence unduly the affairs of states in the Western Hemisphere, considered the United States’ sphere of influence. Prior to the 1931 Statute of Westminster, the Dominion of Canada did not have an independent legislature on equal standing with that of the United Kingdom; Canadian actions could therefore be considered an extension of British imperialism. Ultimately, it was accepted that Canada was “to all intents and purposes an American nation,” and that its claims of Arctic sovereignty were not representative of British encroachment in North America.

avoid triggering a Monroe Doctrine response has been cited by some historians as part of the impetus for the 1880 transfer from Britain.⁶⁴ This belief was also shared by Canadian officials, who saw, looking back from the 1920s, a self-serving move on the part of Britain in transferring the Arctic to Canada, not only to free the United Kingdom from potential encumbrances, but also to actively shield their territory from other European powers by means of the Monroe Doctrine: “The motive beyond the desire to protect Canada, does not appear, nor is it certain that there was any, but it is quite possible that the astute minds of British statesmen may have assumed that if Canada were the proprietor of all the British possessions on this continent, and made the laws, and regulations to govern them, the American Monroe doctrine, could be appealed to, for the peaceful settlement of any dispute which might arise with any European country.”⁶⁵

In any case, a Monroe Doctrine formulation was not necessary. Like Mintzer decades earlier, the Byrd-MacMillan expedition chose not to wait for diplomats to iron out the details. Its ships set sail. Similarly, as with Mintzer, they were able to accomplish much of their mission before being interrupted by diplomatic realities. After the expedition had completed several weeks of flight attempts, it encountered the *Arctic* on August 19, 1925. Mackenzie promptly offered to procure for Byrd the newly required license for work in the Canadian North. “In full uniform,” Byrd responded with an absolute lie, indicating that the expedition had already received a permit.⁶⁶ Though skeptical in the extreme, Mackenzie now had few options, as he was unable to make contact with his superiors. He had Byrd swear again that he possessed a permit, with the *Arctic*’s first officer as witness, and had to be content.⁶⁷ Upon returning, one of

⁶⁴ Dosman, *The Arctic in Question*, 14.

⁶⁵ Library and Archives Canada, Department of the Interior fonds, RG 15-A-1, “Office of the Deputy Minister” series, “Records regarding the Canadian Arctic” sub-series, volume 2, “The Arctic Islands: Canada’s Title,” page 13, memorandum from Hensley R. Holmden to A.G. Doughty.

⁶⁶ Dosman, *The Arctic in Question*, 19.

⁶⁷ Dinwoodie, “Arctic Controversy,” 62.

the first actions Mackenzie undertook in Ottawa was to collect affidavits attesting to Byrd's obvious and intentional disingenuousness and file them with his superiors.⁶⁸

While this event may seem like a misfire for Canadian sovereignty, it had some effect. After the encounter with the *Arctic*, Byrd ceased flights over the area, and after a short surveying side-trip, left the area post-haste.⁶⁹ Though traditional historical accounts have given a variety of reasons for the departure, from mechanical trouble with expedition aircraft to inclement weather, D. Dinwoodie makes a compelling case for the incident with the *Arctic* being the primary reason that Byrd and MacMillan cut short their expedition and returned to the United States.⁷⁰ There, they were met with some response, as the Canadian and British governments issued formal complaints upon receiving Mackenzie's report. Canadian newspapers also inflamed public opinion in Canada against the expedition, blazoning headlines such as "American Party Trespassed Upon the Canadian Arctic," and discussing the many unauthorized or outright illegal activities of the American expedition, including slaughtering muskoxen (one of the first American activities that had seen regulation in 1903).⁷¹ The combined response had a noticeable effect: the subsequent Byrd missions of the next three years were strict in their observance of new Canadian licensing laws.⁷²

Over the next few years, Canadian officials were "delighted to find that there is no land" undiscovered in the polar region to their north.⁷³ With the known land recognized as Canadian (save a small island that to this day remains disputed by Denmark), the Dominion faced no further significant challenges to its sovereignty on land. That is, no other countries claimed

⁶⁸ Library and Archives Canada, Department of National Defence fonds, RG 24, Pre-unification Army Records sous-fonds, "Army Central Registries" series, "1903 Headquarters Central Registry" sub-series, affidavit of George Patton Mackenzie, microfilm reel C-5072.

⁶⁹ Dinwoodie, "Arctic Controversy," 62.

⁷⁰ *Ibid.*

⁷¹ "American Party Trespassed Upon the Canadian Arctic," *Toronto Star*, October 13, 1925.

⁷² Dinwoodie, "Arctic Controversy," 64.

⁷³ *Ibid.*

outright that they might traverse northern territory without Canadian permission. However, the Second World War witnessed a creeping influence from the United States as troop transport requirements and defensive strategies were proffered as justification for the building of the Alaska Highway and a number of American military bases. Some feared such encroachments augured a perpetual American occupation. Prime Minister Mackenzie King even informed his cabinet that he was of the opinion that “the long range policy of the Americans was to absorb Canada.”⁷⁴ Americans at the time and since then have dismissed such Canadian fears as paranoia, but it is not difficult to see how King may have developed such an impression. One American project that was to be a “small air field” in Quebec’s northernmost fringes became a massive installation that Canada was obliged to pay seven million dollars to assume ownership of following the war, and by 1942 there were 15,000 Americans operating in the Canadian North.⁷⁵ This is a significant figure considering that the total combined population in the Yukon and Northwest territories at this time was slightly under 17,000.⁷⁶

Such concerns prompted the Canadian government to limit further American development, buy all American bases at the war’s end, and take full responsibility for any defensive strategies implemented in Canadian territory.⁷⁷ Also, in 1946, Canada undertook Operation Muskox, an exercise intended to study problems of military transport and deployment in the upper Arctic; importantly, the 3,100 miles it planned to cover (largely routes never covered by vehicles before) would be a strong statement that Canada was in control of its Arctic.⁷⁸ Despite imaginable technical difficulties, the operation was successful, and with

⁷⁴ Nathaniel French Caldwell, *Arctic Leverage : Canadian Sovereignty and Security*, (New York: Praeger, 1990), 28.

⁷⁵ Dosman, *The Arctic in Question*, 21.

⁷⁶ Statistics Canada, “Section A: Population and Migration,” *Historical Statistics of Canada*, Statistics Canada, <http://www.statcan.ca/english/freepub/11-516-XIE/sectiona/sectiona.htm>.

⁷⁷ Dosman, *The Arctic in Question*, 22.

⁷⁸ Hugh A. Halliday, "Exercise 'Musk Ox': Asserting Sovereignty 'North of 60'." *Canadian*

American and Soviet observers in tow, it sent the intended message. Canadian media also took care to stipulate that though the Americans sent an observation party, “it was an all-Canadian venture.”⁷⁹ It also significantly discounted the notion that the Arctic would be likely to see ground troop engagement – the severity of conditions encountered demonstrated the unlikelihood of that scenario – and future security concerns focused mainly on activity by planes and submarines.

The Cold War brought new concerns as the Arctic became a likely route for bombers from the Soviet Union. U.S. Secretary of State Dean Acheson intimated to President Truman some worry concerning “the gap between Alaska and Greenland.”⁸⁰ Soon, American bombers found their way to the end of Canadian runways in the North, ready for a first or retaliatory strike, and American naval exercises were underway in the area, as well.⁸¹ Attempting to reassert sovereignty and show that it could effectively control and defend the North itself, Canada took over stewardship of the Alaska Highway from the United States. By 1965, it had control of the Distant Early Warning Line airfields in Canada, as well.⁸² While it had not been initially proactive, the Canadian government now appeared to have the situation well in hand.

At this point, the spectre of the Northwest Passage loomed large as it had not for over a century. In April 1967, the largest oil field in North America was discovered at Prudhoe Bay, Alaska.⁸³ To bring the oil to market in the most efficient way, a group of U.S. oil companies bought the largest American oil tanker available, reinforced the structure, and outfitted it with an

Military History 7 (1998): 37.

⁷⁹ “4,000 Canadians Specially Picked to Probe Arctic,” *Toronto Daily Star*, November 1, 1945. See also “Canadians to Trek 3,000 Miles Testing Arctic Traffic Routes,” *Toronto Daily Star*, October 18, 1945.

⁸⁰ US Department of State, *Papers Relating to the Foreign Relations of the United States, 1946*, vol. 5 (Washington, D.C.: Government Printing Office), 56.

⁸¹ Dosman, *The Arctic in Question*, 23.

⁸² *Ibid.*, 23, 35.

⁸³ Ross Coen, “Sailing Through a Granite Quarry: the Northwest Passage and the Voyage of the SS Manhattan,” M.A. thesis, University of Alaska Fairbanks, 2005.

icebreaking bow.⁸⁴ The intent was to send the tanker, the *Manhattan*, from Prudhoe Bay to New York through the Northwest Passage, in a test voyage to determine the economic feasibility of a tanker route rather than constructing a pipeline. The companies believed that, should the *Manhattan* successfully transit the Northwest Passage, “the test could result in the establishment of a new commercial shipping route through the Arctic region with broad implications for future Arctic development and international trade.”⁸⁵ Such a statement of intent in and of itself was not a threat to Canada; were a significant shipping channel to open in Canadian waters, it might be beneficial to the nation. However, a threat was perceived in the fact that America had yet to recognize Canadian sovereignty over the waters of the Northwest Passage, but rather followed a strategy of invoking a variety of maritime laws in claiming that the passage was international water. The situation was exacerbated when, shortly after the voyage of the *Manhattan* was announced, the U.S. government informed Canada that it intended to support the tanker by sending a U.S. Coast Guard icebreaker, the *Northwind*, alongside.⁸⁶ No Canadian permission was sought. In order to avoid outright confrontation but still assert some measure of authority, Ottawa proposed that a Canadian Coast Guard icebreaker, the *John A. Macdonald*, accompany the *Manhattan* and *Northwind* while they were in Canadian waters.⁸⁷ Also not looking for open confrontation, the U.S. government apparently felt it was an offer they could not refuse. Additionally, a Canadian government observer went along on the *Manhattan*, and a group from the Standing Committee on Indian Affairs and Northern Development flew out to meet the ship

⁸⁴ Erik Franckx, *Maritime Claims in the Arctic: Canadian and Russian Perspectives* (Boston: M. Nijhoff, 1993), 75.

⁸⁵ Christopher Kirkey, "The Arctic Waters Pollution Prevention Initiatives: Canada's Response to an American Challenge," *International Journal of Canadian Studies* (1996): 42.

⁸⁶ *Ibid.*

⁸⁷ *Ibid.*, 43.

and welcome it to Canadian waters.⁸⁸ Ultimately, the tanker successfully concluded its voyage, making it the first commercial ship to transit the Northwest Passage in centuries of attempts.⁸⁹

While the Canadian government's response to the *Manhattan*'s voyage was at first sluggish, the outcry of public opinion was not. Even leftist groups, not typically noted for their strident nationalism, voiced marked opinions. An article in the far left-wing periodical *Communist Viewpoint* entitled "A New Phase in the Struggle for Canadian Independence" warned, "underneath a seemingly calm atmosphere powerful forces are shaping up in opposition to U.S. domination of our country."⁹⁰ While this article reeked of the hyperbolic rhetoric of Karl Marx, it was not alone in its thought process. The young and left-leaning New Democratic party, convening for a conference in the wake of the *Manhattan* incident, mused over strategies to maintain and bolster Canadian independence, while even the government had to take note of threats to Canadian identity such as the *Manhattan*, with Prime Minister Pierre Trudeau examining ways to limit American investment in the country.⁹¹ On a number of fronts, and across the political spectrum, the Canadian public was demanding more action than the deployment of government observers. Closing the door after the proverbial horse, the Canadian government took decisive action, just after the *Manhattan* had departed Canadian waters. In 1970, Canada extended its territorial sea from 3 to 12 miles, no small gesture by any measure.⁹² What followed, however, was historic. The Canadian government passed the Arctic Waters Pollution Prevention Act (AWPPA), extending to the government the authority to take measures to prevent pollution in a zone that stretched 100 miles from all Canadian land above the 60th

⁸⁸ Franckx, *Maritime Claims in the Arctic*, 79.

⁸⁹ Coen, "Sailing through a granite quarry," 190.

⁹⁰ William Kashton, "A New Phase in the Struggle for Canadian Independence," *Communist Viewpoint* 2 (1970): 4.

⁹¹ Edward Cowan, "Canada Pondering What to do to Curb New U.S. Investments," *New York Times*, November 3, 1969.

⁹² Franckx, *Maritime Claims in the Arctic*, 84.

parallel.⁹³ Although this represented more functional control than absolute sovereignty, the intent of the bill was obvious, especially to the United States. Even had the text of the act not made its target a matter of common knowledge, Canadian politicians willingly filled in the gap. The leader of the New Democratic party, expressing his party's support for the act, went on record saying "we want to make it clear to our friends south of the border that we will not tolerate anyone pushing the Canadian Government around."⁹⁴ According to an official in the Canadian government, the AWPPA, along with the extension to a 12-mile territorial sea, "led to what may be one of the more acerbic exchanges in the history of diplomatic communications between the two countries."⁹⁵ The State Department declined to allow the contents of their registered protest to be made public, so it is up to the imagination of historical observers to determine the invective that likely flew toward Ottawa.⁹⁶

The Americans may have gotten much more than they bargained for in the response to the voyage of the *Manhattan*. Legal scholars, weighing in during the days following the unanimous passage of the Arctic Waters Pollution Prevention Act in the Canadian Parliament, concluded that it was a legally enforceable act which gave Canada excellent title to stewardship of the waters of the Arctic region.⁹⁷ Further bolstering Canada's case, Queen Elizabeth visited the Arctic in July of 1970, and gave in a radio address what was described as one of her strongest supporting statements ever, affirming that Canada should stay the course in attempting to enforce pollution controls in the Arctic, for the good of the entire planet.⁹⁸

⁹³ *Ibid.*, 87.

⁹⁴ Edward Cowan, "Canada Expresses New Nationalism," *New York Times*, April 19, 1970.

⁹⁵ Franckx, *Maritime Claims in the Arctic*, 84.

⁹⁶ Cowan, "Canada Expresses New Nationalism."

⁹⁷ "Profs Say Arctic Claim is Legal," *Toronto Daily Star*, April 25, 1970.

⁹⁸ Allan Dickie, "Queen Declares Arctic Controls Vital to World," *Toronto Daily Star*, July 10, 1970.

The *Manhattan* crisis took place in the midst of an upswing in Canadian patriotism and nationalism, tied to a growing attempt by the government to foster a sense of a discrete national identity. The year 1967 marked 100 years since confederation, and a number of developments intensified this. One of the most notable was the adoption of a new Canadian flag, the maple leaf flag, in 1965. This replaced the Red Canadian ensign that had represented the country for almost a century, and removed any obvious vestiges of British rule from the flag of Canada. This action occurred against a background of social transformation that pervaded parts of the country, particularly Quebec, where a “Quiet Revolution” developed, with forces coalescing on either the side of federalism or of separatism. The cumulative effect of such events was to deepen the desire of many Canadians for a more coherent and pronounced sense of national identity. While there was uncertainty about the ultimate direction this would take, there was universal agreement on one tenet: it was diametric in its un-American nature. Canadian philosophers have pointed out differences in historical formation, ethnographic composition, and other factors to account for a national outlook that stands in stark contrast to America’s, but there is another component, as well.⁹⁹

Aside from philosophical differences leading to such distinctions as vastly different social models, there is an oft-expressed fear shared by many Canadians that American hegemony will attempt to ensnare their nation and rob it of its rights and its resources. This view saw itself expressed in the sensationalized coverage of the Byrd-MacMillan expedition in Canadian media in 1925, again in Prime Minister King’s privately articulated fears following World War II, and yet again in the outcry that surrounded the *Manhattan*. Unknowingly, the tanker sailed straight into the storm of Canadian fears that had been developing for almost a century. This contributed to the perception that the U.S. was attempting

⁹⁹ G.B. Madison, *Is There a Canadian Philosophy?* (Ottawa: University of Ottawa, 2000), 13.

to weaken Canadian control or claims to its land or water. As the *Toronto Daily Star* editors mused in 1969, in addition to “ensuring safe navigation and prevent[ing] pollution,” the response to the *Manhattan* was “a matter of national dignity and prestige.”¹⁰⁰ Another concerned citizen wrote that “it is time for Canadian citizens to express themselves... clearly enough that for the rulers of both the United States and Canada to know that we feel the U.S. has gone too far... the U.S. is simply trying to add to its century-old Manifest Destiny policy... this is pure imperialism.”¹⁰¹ This goes a long way toward explaining what otherwise might seem a hyperbolic reaction to the voyage of a single ship. What that ship symbolized to many Canadians was much more significant. It was a potential attempt to dilute their control of the Arctic, a region that was by this point beginning to be viewed as uniquely Canadian resource and source of national pride.

After the voyage of the *Manhattan*, the matter of Arctic sovereignty largely rested for the next fifteen years. Throughout the period, there were occasional exchanges about the passage of American nuclear submarines under the Arctic without Canadian permission, and similar concerns about Soviet subs, but nothing substantial developed. That all changed in 1985, when the American government announced its intent to send the Coast Guard icebreaker *Polar Sea* through the Northwest Passage.¹⁰² The vessel was located in Greenland and the shortest route for its return to its homeport was through Canadian (claimed) waters. The U.S. government, desiring to avoid an implied endorsement of Canadian sovereignty in the area, refused to ask permission to enter the Passage, maintaining that it was an international strait. Canada, not to be ignored, granted the required permission the day before the *Polar Sea* was to enter the

¹⁰⁰ “Arctic Imperative,” *Toronto Daily Star*, September 9, 1969.

¹⁰¹ Albert Simon, “Will Manifest Destiny Swallow Canada?” *Toronto Daily Star*, July 4, 1969.

¹⁰² Franckx, *Maritime claims in the Arctic*, 89.

Passage.¹⁰³ Additionally, it sent the *John A. Macdonald* to accompany the *Polar Sea* halfway through the passage, and to transfer two Canadian Coast Guard captains to the American ship. Further, an official from the Ministry of Indian and Northern Affairs joined the *Polar Sea* later in its voyage.¹⁰⁴ Canada may have been unwilling to take decisive action to stop unauthorized transits of the Passage by the United States, but it was determined to oversee them. Canadian aircraft also kept a watchful eye on the *Polar Sea*.¹⁰⁵ One, in particular, made clear the feelings of the Canadian people; a nationalist group flew over the *Polar Sea* several times, dropping a Canadian flag and a message informing the U.S. ship that it should perform an about turn and remove itself from Canadian waters.¹⁰⁶

In the wake of the *Polar Sea* incident, the Canadian government had several responses to the Americans, not including the general public outcry. In nationalistic fervor, plans were considered to block American ships and submarines (also Soviet) from the Arctic. Patrol aircraft and helicopters became a priority, and the idea of an arctic sonar surveillance network was bandied about. Also seriously discussed for a very brief period was the mining of the Arctic (no mention of how this would coincide with Canada's previous environmental protection mandate).¹⁰⁷ More concretely, however, the government finally decided to use a method of drawing borders that had wider acceptance than sector theory. It opted to use straight baselines, or borderlines drawn from point to point, in conjunction with the low-water line, in order to enclose its territory.¹⁰⁸ What affect this had on access to the maritime passages in dispute, though, is questionable.

¹⁰³ *Ibid.*

¹⁰⁴ *Ibid.*

¹⁰⁵ Pullen, "What Price Canadian Sovereignty?" 70.

¹⁰⁶ Franckx, *Maritime claims in the Arctic*, 90.

¹⁰⁷ Elizabeth Elliot-Meisel, "Still Unresolved After Fifty years: the Northwest Passage in Canadian-American Relations, 1946-1998," *American Review of Canadian Studies* 29 (1999): 416.

¹⁰⁸ Franckx, *Maritime claims in the Arctic*, 98.

Not unlike the *Manhattan* incident, the *Polar Sea* picked a rather poor time to raise issues of Canadian sovereignty, for in the mid-1980s Canadian identity and nationalism were again intensifying. One trigger for this was the Canada Act of 1982. Passed by the British Parliament, it provided for the patriation of Canada's constitution, and was the last step in a process to give Canada complete legislative independence, making it entirely autonomous and equal in stature to the United Kingdom in any substantial sense. This only served to whet the fervor of nationalistic Canadians, who, as can be seen, were more vocal (and confrontational) during the passage of the *Polar Sea*. The change over time as the issue gained more recognition by the public is also telling. A Gallup poll taken in 1985 showed that 49% of Canadians felt that the Northwest Passage was owned by Canada. Among those polled who were familiar with the *Polar Sea* incident, however, that figure rose to 70%.¹⁰⁹ By 1987, a similar Gallup poll showed that 85% of Canadians, after watching the much-publicized interactions between the American and Canadian governments, believed that Canada owned the Northwest Passage.¹¹⁰

In 1988, it seemed that matters might finally rest. America and Canada signed the Arctic Cooperation Agreement, pledging to use their icebreakers to aid navigation in Arctic waters. The United States also agreed to seek Canadian consent before sending icebreakers through waters Canada *considers* internal.¹¹¹ Notably, the agreement did not cover U.S. submarines, warships, or vessels owned by private interests, which basically comprise the entire list of vessels that ever created issues in the first place.¹¹² Nevertheless, the agreement demonstrated that the United States would yield somewhat to the passions of public opinion that demanded that Canadian sovereignty receive some lip service, though only insofar as U.S. interests were

¹⁰⁹ "Northwest Passage Ours 49% say," *Toronto Star*, October 28, 1985.

¹¹⁰ "85% Think Canada Owns Northwest Passage: Poll," *Toronto Star*, June 8, 1987.

¹¹¹ Canadian Institute for International Peace and Security, *Factsheet 8. Sovereignty: Canada and the Arctic*, Ottawa: March 1989.

¹¹² *Ibid.*

not affected, so there remains a question of exactly what “sovereignty” that truly represents for Canada.

Why a single game of football played atop the North Pole should have such import for many Canadians is now eminently understandable. The current government in Canada has for years made a promise to protect Arctic sovereignty a cornerstone of its policy. The U.S. submarine *Charlotte* surfacing at the North Pole in 2005, with a high probability that it had transited Canadian waters without announcing itself, understandably inflamed the passions of a public familiar with a long line of perceived American usurpations. This revived debate over the installation of an Arctic sensor grid that remains ongoing to this day, and there are also plans, which have existed in one form or another since the passage of the *Manhattan*, to build a fleet of Arctic-capable Canadian icebreakers to more effectively assert Canadian sovereignty in the region. Global climate change is also playing a role, as melting polar ice means that the Northwest Passage will be a reality for normally equipped ships within the foreseeable future. Anticipating this, the Canadian government has instituted a requirement that all ships transiting the Northwest Passage register with the Canadian government, a policy that has yet to meet with a serious American challenge, but almost undoubtedly will.

The history of Canadian Arctic sovereignty shows a consistent record of confrontation with the United States. Indeed, it might even be argued that this confrontation was the key to the formation of Canada’s Arctic sovereignty policy, which certainly happened in a highly reactive manner. To recognize this fact is more important than ever, even as historical approaches to the topic gain new relevancy. The environmental approach has garnered more attention as increased traffic in the Arctic threatens its unadulterated nature; indigenous rights have come into play more than ever before as proposed deepwater ports in predominantly native communities raise

questions of where control properly rests; generally improved accessibility to the region has opened up issues on new fronts both military and economic. Other nations have also risen to confront Canadian control in the region, from Russia to various European states. However, when looking at these present issues affecting Canadian Arctic sovereignty, it is critical to remember that the general fervor over Arctic sovereignty in the North can be traced for over a century to the actions and challenges of their neighbor south of the border. An understanding of how Canada's reactive, defensive sovereignty policies were derived goes a long way in explaining its actions and reactions at present.

Another crucial recognition when considering Arctic sovereignty is the role of Canadian identity. Many scholars have debated for decades about the nature of the dominant forces driving the creation of a Canadian identity, and while this is more of a psychological and ethnological project, it is worthy of note that many leading academics contend that a major component of Canadian identity can be found in its drawing of distinctions with the United States, as well as taking extreme caution concerning American actions that might infringe on Canadian sovereignty or independence. The treatment of the Arctic sovereignty issue as a facet of the ongoing push by Canadians to develop an identity independent of their southern neighbor lends new understanding to the conflict. Control of the Arctic certainly may have at best begun as a mercenary calculation to gain control of more *terra firma*, but decades of confrontation with the United States gradually shifted the issue in the public's opinion to one of maintaining an inimitable region and collection of resources as a wholly integral part of Canadian identity. In 2006, Canadian Prime Minister Stephen Harper proclaimed that the history of the Arctic's connection with the country "ha[s] planted the North deep in the Canadian soul. We live in a

northern country. We see ourselves as a northern people.”¹¹³ As the sovereignty issue has continued to be a significant issue between the United States and Canada, and promises to take on renewed international import in the near future, it is important to understand the historical context that drove the Arctic to become cherished by Canadians, and even a central part of their identity. Perhaps only then will American policymakers understand why each renewed attempt they make to encroach upon or traverse the Arctic meets with renewed Canadian furor, and with this understanding, be able to work with their counterparts to the north toward further resolving what has been a contentious issue in Canada for most of that nation’s history.

¹¹³ Stephen Harper, “The Call of the North,” Office of the Prime Minister, <http://www.pm.gc.ca/eng/media.asp?id=1285>.

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