Does Climate Change Redefine Sovereignty?

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Canada's North is the frontline in the global climate change challenge. Nowhere else in our country, or on our planet, are the early effects of climate change so plain. Nowhere else in Canada are communities and traditional ways of life so clearly at risk due to climate change. (NRTEE "Message from the Round Table)

In 1965, the Canadian philosopher George Grant argued "Canadians have to recognize the limitations on sovereignty in a nation that lives beside the most powerful country on earth" (Grant 2000). Today, it could be argued that climate change could radically impact the already contested concept of sovereignty. Specifically, Canada needs to access how state sovereignty will be affected by environmental challenges now widely associated with changing Arctic conditions.

If, as George Grant has it, there are limitations on sovereignty, how best are we to understand these limitations advanced by melting sea ice and permafrost thaw? How might Inuit influence the balance between state sovereignty and climate change? We are undoubtedly at a crossroads as to how best to conceptualize a world maimed by rising sea levels and increasingly severe storm activity.

First, I will give a brief description of sovereignty understood through the Peace of Westphalia. Secondly, I introduce Robert Latham's concept for which he coined the term "social sovereignty." Historically, other types of sovereignties have coexisted with state sovereignty. This is applicable to the 2008 *A Circumpolar Inuit Declaration of Sovereignty in the Arctic.* Third, I examine the correlation between climate change and political action suggesting that leadership (sovereignty) is increasingly present at the transnational and subnational level. Finally, I argue that the *Inuit Declaration* takes an enlightened view of sovereignty which is compatible with state sovereignty.

Sovereignty: A Concept in Motion

The Government of Canada and Inuit have distinctively different views of sovereignty. Whereas Government references the tools of security to defend the nation's sovereign borders, Inuit view sovereignty as a fluid concept in which internal and external sovereignties coexist. Shelagh Grant

aptly stated: "Arctic sovereignty is no longer simply a legal right to land ownership, but has developed into a broader concept characterized by many shades of grey" (Grant 2010).

Sovereignty is now and always has been a contested concept. Perhaps for this reason many scholars have been hesitant to address the subject (Philpott 2004). Not only does sovereignty apply to the internal authority of state but it also pertains to international relations, or the external aspects of state relations. More recently, new actors such as the European Union and the United Nations raise the possibility that external influences challenge how we think of state sovereignty (Philpott 2004).

Traditionally, sovereignty is broadly conceptualized as the "supreme legitimate authority within a territory. … Supreme authority within a territory implies both undisputed supremacy over the land's inhabitants and independence from unwanted intervention by an outside authority"(Philpott 2004). Yet, if we are to think of this in terms of the Arctic and melting sea ice – a region comprising eight Arctic nations and indigenous peoples with varying degrees of self-governance – how authority is applied is fraught with complexity. Sheila Watt-Cloutier, past chair of the Inuit Circumpolar Council argues, "Arctic sovereignty and climate change are two sides of the same coin" (Grant 2010).

In Canada, sovereignty has often been at the center of debate. World War II and Cold War geopolitics resulted in more of an American military presence in Canada's Far North than Canadian (Bonesteel 2006). Today, Arctic sovereignty is again causing angst brought on by renewed geopolitical interest precipitated by the effects of climate change.

In a 2006 paper prepared for the Government of Canada the authors affirmed that the definition of sovereignty is "somewhat elusive" (Carnaghan and Goody 2006) raising the issue of state 'responsibility' and 'stewardship.' Former National Defence Minister Bill Graham had stated, "Sovereignty is a question of exercising, actively, your responsibilities in an area," which is fundamentally attached to state security. Of equal importance is the idea of stewardship which is directly related to "use and occupancy," or de facto sovereignty. De facto sovereignty, applied by the Canadian Government is realized through the presence of Inuit and other northern indigenous peoples. Again during World War II and the Cold War Inuit were relocated to the Far North when Canada was "concerned about de facto Canadian sovereignty arising from the presence of the

United States in the Arctic" (Makavik Corp. 2005). Historically and at present this is significant in terms of the validity of Canada's sovereign claims (Carnaghan and Goody 2006).

On August 19, 2010 the desires of Canada's sovereign claim were brought forth in the *Statement on Canada's Arctic Foreign Policy*, (2010) which arguably articulated a heightened sense of assertiveness. In pursuance of establishing Canada's role as an Arctic power, the *Statement* sets policy that emphasizes both the domestic and foreign dimension of the nation's geostrategic interests. To that end the four policy areas included are: *Exercising Sovereignty; Political Economic and Social Development; Protecting the Arctic Environment; and Improving and Devolving Governance: Empowering the People of the North.*

Fundamentally focused on securitizing Canada's sovereign interests the *Statement* asserts: "We are putting the full resources of the Government of Canada behind the exercise of our sovereignty, sovereign rights and jurisdiction in the Arctic." Shortly after, Prime Minister Stephen Harper stated that Canada's Arctic sovereignty is a "non-negotiable priority" (CBC News 2010).

Indeed it appears that Government is focused on the security dimension of Canada's Arctic policy. Plans call for implementation of "significant new commitments to allow Canada to better monitor, protect and patrol its Arctic land, sea and sky and to keep pace with changes in the region," such as providing the Canadian Forces with the tools necessary for an "increased presence in the Arctic." Investment into military-oriented capabilities is expected to result in the "most powerful icebreaker ever," new patrol ships and development of berthing and refueling facilities in Nanisivik. Support for NORAD and new technologies are slated to enhance Canada's surveillance capacity (Canada 2010).

Similarly the *Statement's* subsequent three pillars link to the exercise of sovereignty which potentially requires a defense component. The 2nd pillar: Political, Economic and Social Development relates to the acquisition of energy and other natural resource products. Natural resources are commonly associated with power-grabs and conflict (Klare 2008). The 3rd pillar: Protection of the Arctic environment is dual purposed: through the enactment of the *Arctic Waters Pollution Prevention Act,* Canada not only enforces domestic anti-pollution regulations, it is also a means by which shipping safety laws are applied to Canada's claim to sovereign jurisdiction over Arctic waters (Charron 2005). Lastly and certainly the least developed of the

pillars, “Improving and Devolving Governance: Empowering the Peoples of the North” is essential to Canada’s claim of de facto Arctic sovereignty (Grant 2010). As mentioned above, articulations of Inuit presence are a means by which Government establishes sovereign authority in this sparsely populated region of Canada. Moreover, sovereignty is linked to self-determination and the rights of people to reach their political aspirations. Accordingly, Michael Byers states, “Inuit have already exercised self-determination in a manner that strengthens Canadian sovereignty” (Byers 2009).

The *Statement* was received with mixed reactions. Rob Huebert commented that the *Statement* was released concurrent to "probably the most ambitious and powerful" military operation in the North: Nanook (Gurzu 2010). Michael Buyers welcomed the switch from military to diplomatic language (Byers 2009). Overall, the messaging was considered “dual” or “unclear” (Gurzu 2010).

Yet, it could be argued that the *Statement* presents a more antagonistic position to the detriment of past assertions of cooperation. Whereas today securitization of borders and natural resources take precedence, in the not so distant past Canada looked beyond its northern borders seeking negotiation, cooperation and inclusiveness. In contrast the post-Cold War years emphasized “Canada’s foreign policy tradition of promoting international cooperation” (Canada 2008). Now little thought is given to this once Canadian ideal.

While most would acknowledge that a degree of traditional defense capabilities is necessary it is questionable as to what extent this strategy will safeguard Canada’s sovereignty and national security. James Der Derian (2007), Research Professor at the Watson Institute for International Studies at Brown University argues, “We believe sovereignty will keep us safe.” Yet today’s “Global events defy sovereignty.”

Alternate View of Sovereignty

> *Sovereignty is a contested concept … and does not have a fixed meaning. Old ideas of sovereignty are breaking down as different governance models, such as the European Union evolve. Sovereignties overlap and are frequently divided within federations in creative ways to recognize the rights of people.*
> (A Circumpolar Inuit Declaration on Sovereignty in the Arctic)

Increasing the state is confronted by extreme weather events and trans-boundary organizations that conditionally challenge the absolute authority of state. Organizations such as multinational corporations and intergovernmental bodies such as the Inuit Circumpolar Council (ICC) operate

independently of and alongside the state advancing strategic interests that are definitively transboundary in scope. The very idea that the ICC asserts the interests of a distinct peoples located across four nations, calls into question the notion that the sovereign state is absolute. Now that the effects of climate change are increasingly visible, state leaders are challenged to consider its implications on sovereignty in far less abstract terms. Extreme weather events defy borders that cumulatively are global in scope.

For reasons like these scholars have questioned the limitations of state sovereignty for millennia, nuanced by the particulars of time and place. Robert Latham (2000), now Director of the York Centre for International Security Studies at York University, developed an innovative theory for which he coined the term “Social Sovereignty” to describe sovereignty in broader terms beyond the state entity. Latham (2000) states: “Sovereignty can be and historically has been understood as an attribute not just of states but of other social organizations as well.” With the view that power is associated with social structures (guided by internal laws and codes of conduct) rather than an agent (for example, the state), sovereignty is then conceptualized so that it can be applied to other domains beyond the state.

Defining a “social sovereignty” relies on differentiating qualities distinctive to authority from that of sovereignty. Sovereignty, understood as a discrete attribute, is based on an organizations capacity to design guiding principles and practices, and maintain the institution within which the social order is constructed. Authority is “the ability to place action” into a specific framework thereby affecting political outcomes. In that ‘boundaries’ are defined by an organizations structural capacity as opposed to territorial borders, social sovereignties “do not displace the broad-based forms of governance associated with states” (Latham 2000) In other words state and non-state actors have enduring structures (governance) and are potentially able to co-manage a social space.

A prime representation of Latham’s social sovereignty is the Inuit Circumpolar Council (ICC) which functions within and across state territorial limits and projects “aspirations of changing political ideology and policy at the domestic, regional and international levels” (Shadian 2010). Furthermore the ICC is networked into a broader community of Arctic-based organizations thereby increasing its strategic capabilities. Whereas Canada’s Inuit Tapiriit Kanatami, for instance, represent the interests of Inuit at the national level, at the transnational level the ICC formally unites Inuit beyond the divisions of territorial boundaries. Collectively the sum of the

various Inuit organizations provides greater potency for the community (Shadian 2010). As permanent participants at the Arctic Council the ICC furthers the interests of Inuit by actively participating in Council program areas such as the Arctic Monitoring and Assessment Programme (AMAP) and Conservation of Arctic Flora and Fauna (CAFF) activities on contaminants and climate change (Inuit Circumpolar Council Canada Arctic Council). Viewed as a social sovereignty, the ICC is a self-governing and autonomous organization that lays "somewhere between total independence" and integration into the central authority of state (Latham 2000).

Indeed, the ICC does not seek statehood but rather has developed an internal structure of governance that projects a distinct collective political identity. As such it has attained a degree of sovereignty (Shadian 2010). Where the ICC has been particularly influential is in the protection of the Arctic environment and more broadly the debate on climate change.

Arctic Climate Change: When Threat Defies Borders

In 2009 the National Round Table on the Environment and the Economy (NRTEE) reported in *True North: Adapting Infrastructure to Climate Change in Northern Canada*: "Canada's North is on the frontline of climate change. Nowhere else are the effects and stakes of failing to adapt so high" (2009). Yet in North America alone, large scale plans to mitigate greenhouse gas emissions (GHG) are largely disregarded. In 2008, the United States ranked third in total GHG emissions per capita followed by Canada which ranked 4th despite signing on to the Kyoto Protocol (World Resources Institute 2010). In 2010 at the United Nations climate talks in Cancun, Canada received the dubious 'Fossil of the Day' award for its intentions to undermine the Kyoto Protocol (Oxfam 2010).

Worldwide consensus on climate change strategy remains largely unresolved and pointedly contentious. At the 2009 United Nations Climate Change Conference in Copenhagen (COP15) "bitter divisions, confusion and setbacks" marked the proceedings (Pew Center 2009).

While national and global leadership has fundamentally failed, transnational and subnational associations have picked up the gauntlet in efforts to reduce GHG emissions. Examined here are the Inuit Circumpolar Council and the more recent establishment of the C40 initiative, a multi-city consortium focused on climate change policy. Both are actively pursuing strategy focused on climate change and the well being of their respective populations. And both represent social sovereignties as effective political actors on the transnational stage.

Founded in 2005, the *C40* is a city-based climate leadership initiative committed to working cooperatively on tackling the challenges associated with climate change and urban development. “Climate change,” notes the C40 leadership group is the “**most pressing environmental, social and economic problem facing the planet.** The consequences of climate change are global and long-term” (C40 a).

Indeed, the scientific publication Nature said: “With nations largely paralyzed on this front, cities have emerged as a testing ground for cutting greenhouse gas emissions and for adapting to the changes that warming will bring” (Rosenzweig et al 2010)

Large cities from Addis Ababa, Ethiopia with a population greater than 3 million to Beijing, China and Delhi, India both with populations in excess of 15 million to New York and Toronto participate in the C40 initiative advancing policies and alliances to “accelerate the uptake of climate-friendly technologies and influence the market place” (C40 b). Home to half the world’s population, cities expect a growth rate which would result in 70 percent of the global population living in cities by 2050. In that cities have been complicit in causing climate change, they must also be part of the solution.

Urban centers are responsible for more than 70 percent of global CO_2 emissions and face the dual challenge of slowing climate change while ensuring economic stability (C40 News 2010). Many of the world’s largest cities are at risk of severe flooding as was the case in 2005 when Hurricane Katrina devastated New Orleans.

In 2006 C40 partnered with the *Clinton Climate Initiative*, introducing large-scale projects to increase energy efficiencies and develop strategy to supply cities with clean energy. For example, New York has implemented the *Climate Change Action Plan* whereby the city’s infrastructure will be improved through introducing sustainable practice guidelines: Long-term planning is expected to result in ‘greener’ energy-efficient buildings and a better quality of life for the city’s residents. Mayor Michael Bloomberg’s plan commits the city to reducing emissions by 30% by 2030 (PLANYC 2030 a).

Yet long-term planning has its challenges. In 2008 Bloomberg proposed legislation that would have imposed a congestion tax of $8 on vehicles entering the City of New York. The legislation

aimed to reduce traffic congestion thus emissions and provide revenue for improvements to its public transportation network. However a bitter fight ensued and the proposed legislation failed to reach the floor of the City Assembly. At the State level the Republican-led Legislature allowed the clock to run out before a vote was taken. NYC lost out on $354 million in federal mass transit aid. Bloomberg fumed: “It takes a special type of cowardice for elected officials to refuse to stand up and vote their conscious on an issue that has been debated” (Confessore 2008).

Like most cities, New York has challenges related to population growth and aging infrastructure. For instance, NYC mass transit network requires both upgrading and expansion in order to meet the cities economic needs (PLANYC 2030 b). One novel approach is the encouragement of alternative modes of transportation such as cycling and walking, promoting both as healthy, emission-free and low-cost modes of travel. Plans are underway whereby 1,800 miles of bike lanes will be in place by 2030, of which 504 miles are designed to separate bikers from oncoming vehicle traffic through constructing an island of street parking (PLANYC 2030 b). Clearly, bike lanes alone are a modest improvement to New York City’s infrastructure, yet as a visual moniker it contributes to shifting public thinking and habits in a city far removed from the present effects of climate change.

Whereas the C40 initiative has assumed an urban-based leadership role, the ICC leads Inuit-based strategy on climate change, both with transnational impacts. It is no small achievement that at the transnational level the ICC represents the interests of 155-thousand people scattered across four countries.

Since inception in 1977, the ICC has developed and promoted long term pan-Arctic strategies directed toward protection of the regional environment. In the wider context, the ICC has implemented climate change strategy that now resonates beyond the boundaries of the Arctic region.

In Resolution 2003-01, *Climate Change and Inuit Human Rights,* the ICC formalized priorities with the view of advancing its presence as an international actor. Strategy was implemented to attract media attention to the effects of climate change and most notably engagement in high-level forums was paramount. The ICC sought to “influence international discussions and decisions, particularly related to the post-Kyoto Protocol commitment period after 2008” (Inuit Circumpolar Council 2003). In 2003 this brought to light the increasing capacity of the ICC to project the Inuit

narrative onto the international stage (Shadian 2010).

Indeed, the ICC has had a lasting impact on environmental issues since the founding principles established a mandate to "preserve the Arctic environment" and "empower Arctic aboriginal peoples" at the domestic and international levels (Shadian 2010). In 1999 Shelia Watt-Cloutier, then ICC Chair, provided testimony to a United Nations panel on Persistent Organic Pollutants (POPs). Pesticides and industrial pollutants, such as DDT, found in the atmosphere, water and land had resulted in contaminated food. Watt-Cloutier stated, "that concentrations of certain POPs in Inuit women's blood and breast milk are five to ten times higher than women in southern Canada" (Nativenews 1999). In 2004 the Stockholm Convention on Persistent Organic Pollutants entered into force. According to Jessica Shadian (2010), "The ICC, through political persistence and a savvy media campaign, became an influential political actor throughout the discussions."

In March 2004, Watt-Cloutier's provided written testimony on Arctic climate change to the US Senate Committee on Commerce, Science and Transportation, chaired by John McCain. Joe Lieberman (then D-CT) and McCain (R-AZ) had already introduced the *Climate Stewardship Act* which was defeated in 2003 (Pew Center 2003). However, in an ongoing effort to gain bipartisan support for legislation on reduction of GHG emissions, Watt-Cloutier's testimony persuaded McCain that a fact-finding mission to the Arctic was essential to the decision-making process (Inuit Circumpolar Council 2004). By September 2004, Watt-Cloutier was invited to Washington. "Protect the Arctic and you will save the planet," she argued. "Use us as your early warning system" (Peg 2004). The Inuit perspective had provided a crucial link to the reality of climate change. In 2005 and again in 2007 the bill was reintroduced under the title of *Climate Stewardship and Innovation Act.* To date the bill has not passed. Yet, in that climate change legislation had reached the floor of the U.S. Senate, the ICCs strategy to become an influential actor in the larger debate must be considered a success.

In 2008, at the *International Expert Group Meeting on Indigenous Peoples & Climate Change* in Australia, then ICC Chair Patricia Cochran emphasized the harsh effects that permafrost thaw was having on the Arctic infrastructure. Coastal erosion of up to 100 feet had damaged houses, airports and roads to the extent that entire Inuit villages were forced to relocate at great expense. In another location the drinking water supply was contaminated by advancing sea water and the town dump which was precariously close to the sea threatened to dump its contents and damage marine life for years to come. Cochran (2008) argued, "…we refuse to play the role of powerless

victim."

Leading up to COP15 in December 2009, Aqqaluk Lynge, now chair of the ICC, was invited to Scotland by the *Royal Scottish Geographical Society* where he addressed the issues of "international co-operation among Inuit" and the impact that climate change was having on Arctic peoples (Inuit Circumpolar Council 2009).

In a particularly poignant speech delivered at the University of Edinburgh, Lynge addressed the intersection of climate change, self-determination and by extension, alludes to the idea of Inuit sovereignty. Drawing on the past where outside influences created "Artificial boundaries … through a process of domination and colonization," Lynge (2009) established a parallel to the impact of climate change as a "culture-changing" event. Deepening this line of reasoning, he noted the advancement of Greenland as a self-governing "country," which has "a unique form of governance that combines Greenlandic and Danish elements" (Lynge 2009). By developing a discourse that includes colonization, climate change, land and self-determination in effect Lynge is constructing the framework of Inuit sovereignty. In that political authority is projected through the self-governing ICC, the Inuit polity is establishing the foundations of a social sovereignty. Sovereignty does not "entail exclusive claims to territory" (Latham 2000). Shadian concurs with Latham and adds:

> Rather, the sovereignty of the ICC depends on the ability to maintain the legitimacy of the myth… The Inuit have transcended their historical role as the outside 'other' throughout colonization and have become part of a larger ongoing reconstruction of the inside (Shadian 2010).

Conclusion

Climate change and sovereignty are inextricably linked. Where Sheila Watt-Cloutier refers to Arctic sovereignty and climate change as "two sides of the same coin," (Grant 2010) Shelagh Grant views its nexus as an "impending crisis" (Grant 2010). Yet, how this is managed remains unclear. Contradictory messaging conveyed through media have caused public confusion as to what constitutes the signs of climate change: And the Government of Canada is reluctant to support large-scale GHG emission reduction projects which could result in backlash at the voting booth.

To a large extent this is related to the regional economic interests of western provinces dependent on oil sands production. A 2009 study sponsored by Toronto Dominion Bank found that even a minimal reduction in GHG emissions proposed by the present government would slow, but certainly not end, economic growth in both Alberta and Saskatchewan (Grant 2010), two provinces from which Prime Minister Harper receives much support. This may suggest that despite government-supported studies advocating for climate change action such as the National Round Table on the Environment and the Economy's report *True North: Adapting Infrastructure to Climate Change in Northern Canada* that Government will lean toward minimal climate change measures in the interest of political longevity.

With a tangible variance between southern-based perceptions of climate change (NRTEE 2009) and Arctic environmental realities, Government is more inclined to support measures discernible to its southern-based constituency. As a result Government may assume that the appearance of an Arctic military presence will increase political capital both nationally and internationally.

From the national perspective, the perception of increased Arctic military capabilities represents an assertion of sovereignty that serves to allay uncertainties of a southern-based audience concerned that competing foreign claims may impinge on Canada's Arctic interests. There is a degree of truth to this but equally it plays well to Canada's nationalistic attachment to its Far North.

Internationally, a Canadian strategy with a strong military component is a means by which Government aims to strengthen international recognition of its Arctic authority and sovereign claim. "Use it, or lose it," if you will. From the perspective of Canada-US security relations, the extent of which cannot be underestimated, perception plays a large part in determining policy. Particularly since 9/11, Canada does not want to be seen as a weak link in continental security and defense. However, a conventional view of defense and security may overlook the full potential of a robust Inuit community.

As early as 1930 Inuit 'use and occupancy' of the nation's Arctic Archipelago have symbolized Canada's de facto sovereignty (Byers 2009). Yet, today the gap between reality and myth remains markedly visible. Furthermore, states are often reluctant to support climate change strategy beneficial to Inuit peoples (Ford 2009). As a consequence Inuit have vigorously pursued their own interests with the view that global environmental security will be enhanced through a

coordinated global effort (Inuit Declaration 2009).

When the Inuit Circumpolar Council released the *Circumpolar Inuit Declaration on Arctic Sovereignty* in April 2009, Inuit displayed a pronounced acumen in matters related to sovereignty and climate change. And it is without doubt that Inuit are resolve in their strategy to remain prominent actors in national, regional and international forums.

Shaped by the vision of an inclusive and peaceful Arctic region the *Declaration* (2009) states: "The conduct of international relations in the Arctic and the resolution of international disputes in the Arctic are not the sole preserve of Arctic states or other states; they are also within the purview of the Arctic's indigenous peoples." Indeed, I would argue that Inuit, on the forefront of environmental change, have a first-hand knowledge of its effects on sovereignty.

Whether or not national and/or international regimes adequately address climate change strategy is yet to be seen. Regardless, environmental changes continue to challenge the traditional understanding of sovereignty. In that Inuit view the Arctic as a location of 'inclusion, compromise and harmony,' it is reminiscent of Mikhail Gorbachev's famous 1987 Murmansk speech in which he proclaimed that the Arctic should become "a zone of peace and fruitful cooperation" (Shuster 2010) a sentiment recently repeated by Prime Minister Vladimir Putin. Indeed, Lloyd Axworthy (2008), former Minister of Foreign Affairs argued that rather than Government being at the "forefront of muscle flexing," Canada has in place a "collaborative system of policy-making among the governments and peoples of the circumpolar region." Climate change is the game changer of the twenty-first century.

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