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The Struggle for Arctic Regional Order: Developments and Prospects of Arctic Politics

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Abstract

The recent literature on international politics in the Arctic is divided into two perspectives: a realist perspective and liberalist one. The former emphasizes disagreements over resources and possible military confrontation while the latter emphasizes the existing cooperation and governance. Views that combine confrontational aspects with cooperative ones are scarce. This article is an attempt to make up for this research gap by putting forward an argument for an Arctic “regional order,” analogized by Hedley Bull’s concept of “international order,” which belongs to the third school of international relations theory. The main finding is that the leading Arctic power is the United States, whose preference has constituted two profound patterns of international activity in the Arctic throughout the 1990s and the 2000s. However, the diversification in international relations, which is currently in progress through participation of non-Arctic states in the form of bilateral cooperation with the Arctic states, could be sources of disorder.

Introduction

The impact of climate change affects not only the Arctic region but also the globe as a whole. Global warming has not only facilitated rapid ice-melting in the Arctic Ocean but also will cause global sea level rise and the disturbance of both the global climate system and the circulation of oceans (IPCC 2007; AMAP 2011).¹ However, the regional impact of climate change is not limited to these environmental issues. Due to ice-melting in the Arctic Ocean, there are expectations for an increase in marine activities such as offshore oil and gas exploitation, commercialization of shipping lanes, observation and research, possible fishing in the Central Arctic Ocean, tourism and military exercises. In fact, there are a considerable number of discovered oil and gas fields.² The number of international transits of the North-

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¹ Arctic Monitoring and Assessment Program (AMAP), *Snow, Water, Ice and Permafrost in the Arctic (SWIPA): Climate Change and the Cryosphere* (Oslo: AMAP, 2011). Accessed March 15, 2014: <http://www.apmap.no/documents/download/1448>; Intergovernmental Panel on Climate Change (IPCC), *Climate Change 2007: Synthesis Report* (Geneva: IPCC, 2007). Accessed March 15, 2014: http://www.ipcc.ch/pdf/assessment-report/ar4/syr/ar4_syr.pdf

² Although they are mostly located in land areas, there are sixty-one discovered Arctic oil and gas fields, which

east Passage has also increased more than ten times in the last few years. According to records of shipping in the Northern Sea Route, which is the Russian part of the Northeast Passage, international transits increased from four in 2010, to thirty-four in 2011, forty-six in 2012 and seventy-one in 2013, although these numbers are very minor compared with traditional maritime routes such as the Suez Canal. In terms of the Northwest Passage, there are no international transits, only domestic transits mainly for tourism.

Based on these prospects and facts, a number of articles have been published in the field of international relations. One of the prevailing perspectives is built on realist assumptions. Faced with rapid ice melting in the Arctic Ocean, this perspective emphasizes the possibility of a “scramble for the Arctic,” an “Arctic gold rush” and even the “militarization of the Arctic.”³

This perspective basically regards Arctic politics as being transformed into an object of high politics rather than one of low politics, which was the case in the 1990s. During the 1990s, most studies relating Arctic polities focused on international cooperation on environmental protection and international research collaboration.⁴

Another prevailing perspective is based on a liberalist assumption. The focus of this perspective centers on the nature of Arctic governance rather than disputes over, and competition for, resources.⁵ Stokke in particular focused on the interplay among institutions related to Arctic governance and their robustness and effectiveness. Young’s study depicts current international relations in the Arctic as an emerging process towards a regime complex, consisting of the institutions of Arctic governance.

What they have in common is that both perspectives attempt to explain the political implica-

exceed 500 million barrels of recoverable oil and natural gas. Forty-three of them are located in Russia, six are in Alaska, United States, eleven are in the Northwest Territories, Canada, and one is in Norway. However, there is far less optimism about the exploitation of Arctic natural resources, because of the cost of transportation over long-distances from the fields to the market. Although they can be offset by liquefaction and transport as liquefied natural gas (LNG), it is still expensive to build both LNG facilities and LNG tankers. Valur Ingimundarson, *The Geopolitics of Arctic Natural Resources* (Brussels: Directorate-General for External Policy for the Union, Policy Department, 2010), 11–13.

³ Scott Borgerson, “Arctic Meltdown: The Economic and Security Implications of Climate Change,” *Foreign Affairs* 87 (2008): 63–77; Charles K. Ebinger and Evie Zambetakis, “The Geopolitics of Arctic Melt,” *International Affairs* 85 (2009): 1215–1232; Roger Howard, *The Arctic Gold Rush: The New Race for Tomorrow’s Natural Resources* (London: Continuum, 2009); Richard Sale and Eugene Potapov, *The Scramble for the Arctic: Ownership, Exploitation and Conflict in the Far North* (London: Frances Lincoln, 2010); Rob Huebert, Heather Exner-Pirot, Adam Lajeunesse, and Jay Gulette, *Climate Change and International Security: The Arctic as a Bellwether* (Virginia: Center for Climate and Energy Solutions, 2012).

⁴ For instance, see Oran R. Young, “The Age of the Arctic,” *Foreign Policy* 61 (1985): 160–179; David D. Caron, “Toward an Arctic Environmental Regime,” *Ocean Development and International Law* 24 (1993): 377–392; David Scrivener, “Arctic Environmental Cooperation in Transition,” *Polar Record* 35 (1999): 51–58.

⁵ Ian G. Brosnan, Thomas M. Leschine and Edward L. Miles, “Cooperation or Conflict in a Changing Arctic?” *Ocean Development and International Law* 42:1/2 (2011): 173–210; Olav Schram Stokke and Geir Hønneland, eds. *International Cooperation and Arctic Governance: Regime Effectiveness and Northern Region Building* (New York: Routledge, 2007); Oran R. Young, “Informal Governance Mechanisms: Listening to the Voices of Non-Arctic States in Arctic Ocean Governance,” in *The Arctic in World Affairs: A North Pacific Dialogue on Arctic Marine Issues*, Oran R. Young, Jong Deog Kim and Yoon Hyung Kim (Seoul: Korea Maritime Institute, 2012), 279–303.

tions of the changes caused by rapid ice melting. By focusing different aspects of international relations in the Arctic, the former emphasizes disagreements over resources and possible military confrontation while the latter emphasizes the existing cooperation and governance in the region. Views which combine confrontational aspects with cooperative ones are scarce.⁶ This article is an attempt to make up for this research gap by submitting an argument for “regional order” in the Arctic, analogized by Hedley Bull’s concept of “international order,” which belongs to the English School of international relations theory. The English School is useful for the current article because one of this School’s advantages is its inclination towards providing a synthetic account of global politics that avoids the series of false dichotomies thrown up by realists and liberalists.⁷

The first section provides a definition of Arctic regional order. In the second section, it examines the four stages of the development of Arctic regional order. Third, it considers present issues in relation to Arctic regional order. In the conclusion, the advantages of regional order in the Arctic and its prospects are considered.

Arctic Regional Order

International Order in the English School Literature

The concept of “regional order” in this article is inspired by Bull’s argument on order. The concept of order means that a number of things are related to one another according to some pattern and that their relationship contains some discernible principle.⁸ When it comes to order in social life it does not mean any pattern or regularity in the relations of human individuals or groups, but it is a certain kind of such patterns which promote certain goals and values in social life. The certain goals and values consist of “security against violence,” “honoring of agreements,” “stability of possession,” and it would be hard to imagine society exiting without these three elements.⁹

On analogy of the order in social life, Bull defined the concept of order in international society as a pattern of activity that sustains the elementary or primary goals of the society of states, or international society.¹⁰ Despite this simple definition of international order, the main arguments for justifying

⁶ One exception regarding the Canadian security and interests, there is one example of this attempt. P. Whitney Lackenbauer, “Polar Race or Polar Saga?” in *Arctic Security in an Age of Climate Change*, ed. James Kraska (New York: Cambridge University Press, 2011), 218–243. And also there is the exceptional research conducted more holistically by combining different approaches of international relations theory: Njord Wegge, “The Political Order in the Arctic: Power Structures, Regimes and Influence,” *Polar Record* 47:2 (2011): 165–176.

⁷ Tim Dunne, “The English School,” in *The Oxford Handbook of International Relations*, eds. Christian Reus-Smit and Duncan Snidal (Oxford: Oxford University Press, 2008), 271.

⁸ Hedley Bull, *The Anarchical Society: A Study of Order in World Politics* (New York: Columbia University Press, 2002 [4th edition]), 3.

⁹ Ibid., 5.

¹⁰ Ibid., 8.

it can be attributed to the formulation of international order being based on the historical investigation of international society. For Bull, the notion of international society constituted an explicit stream in the Western scholarly tradition, which was labelled as the Grotian or internationalist tradition and stood between the realist or Hobbesian tradition and the universalist or Kantian tradition.¹¹ By summarizing the scholarly discussion related to the Grotian tradition, Bull showed the development of the notion of international society and argued that international society is an anarchical society in the sense that there is no central authority in international society.¹²

There are four goals sustained as international order in international society. Such goals are: 1) preservation of the system and society of states itself; 2) maintenance of the independence or external sovereignty of individual states based on recognition of outside authority; 3) maintenance of peace in the absence of war among member states of international society as the normal condition of their relationship, to be breached only in special circumstances and according to principles that are generally accepted; 4) the goals in all social life, consisting of reducing death or bodily harm resulting from violence, the keeping of promises, and stability of possession.¹³ Although, as noted above, order in international society was defined as a pattern of activity that sustains these elementary or primary goals of the society of states, what makes the international order function is a sense of common interests in these elementary goals, rules prescribing behavior that sustains these goals and institutions that help to make these rules effective.¹⁴ In terms of functional and causal explanations of international order, Bull argued that “these rules and institutions are part of the efficient causation of international order that they are among the necessary and sufficient conditions of its occurrence.”¹⁵

Bull’s argument on causal explanations of international order holds two levels of analysis, namely rules and institutions. As Bull discussed, the development among states of a sense of common interests sustaining the goals of international society marks the starting-point of maintenance of international order. Based on the sense of common interests among states, rules function to provide precise guidance as to what behavior is consistent with these goals. According to Bull, what plays a part in terms of rules are “three complexes of rules.” The first complex is called the “fundamental or constitutional normative principle.”¹⁶ This category of rules includes the idea identifying states as the supreme normative principle of the political organization of mankind; the idea identifying states as members of this society and the units competent to carry out political tasks within it. This fundamental or constitutional principle is presupposed in ordinary state conduct. This category of rules can be resumed at a regional level as guidance as to who the members of the regional society of states are.

The second category is called “the rules of coexistence.” These rules include restriction on vio-

¹¹ Ibid., 25.

¹² Ibid., chapter two.

¹³ Ibid., 16–18.

¹⁴ Ibid., 63–64.

¹⁵ Ibid., 71.

¹⁶ Ibid., 65.

lence in world politics or confinement of the legitimate use of violence to sovereign states. Subordinate to it, Bull raised rules regulating the many aspects of agreements among states and their implementation.¹⁷ Furthermore, this category also includes rules prescribing behavior that sustains the goal of the stabilization of each state's jurisdiction within its territory.

The third category of rules is concerned with the regulation of cooperation among states – whether on universal or on a more limited scale – above and beyond what is necessary for mere coexistence.¹⁸ This category includes rules that facilitate cooperation, not merely of a political and strategic, but also of a social and economic nature. According to Bull, these rules prescribe not merely behavior that is appropriate to the elementary or primary goals of international life, but also to “those more advanced or secondary goals that are a feature of an international society in which a consensus has been reached about a wider range of objectives than mere coexistence.”¹⁹

When it comes to institutions, Bull argued states are the principal societies. Other institutions include balance of power, international law, diplomatic mechanisms, and the managerial system of the great powers and wars. These institutions are all responsible for performing the functions of helping to make the rules effective. However, Bull did not spell out a full definition of what constitutes an institution, nor does he set out criteria for inclusion into, or exclusion from, this category.²⁰ In an attempt to deepen the understanding on institutions, Barry Buzan brought a classification of “primary institutions” and “secondary institutions.” Primary institutions are “relatively fundamental and durable practices, that are evolved more than designed;” and that “are constitutive of actors and their patterns of legitimate activity in relation to each other.”²¹ Secondary institutions are organizations or establishments founded for a specific purpose as defined by regime theory in the study of international relations. As Buzan found, the components of primary institutions, which have been a main focus of English School thinkers, differed from author to author. The purpose of this article is not to study the relevance of components of primary institutions, but to set an analytical framework of regional order for the Arctic region. Therefore, the following explanation on Arctic regional order instrumentally relies on Bull’s classification in terms of what primary institutions are. More importantly, it also makes use of Buzan’s classification of secondary institutions, in which regional manifestations are conceivable.

When considering the applicability of international order to analysis of the regional level, one faces a theoretical puzzle. This puzzle is about the global scale requirement imposed in English School thinking, more precisely in Bull’s formulation of international society. In English School thinking, examinations for revealing sub-global or regional manifestations of international social structure have either been marginalized by a focus on the global scale and universal principles, or resisted because regional

¹⁷ Ibid., 67.

¹⁸ Ibid.

¹⁹ Ibid.

²⁰ Barry Buzan, *From International to World Society?: English School Theory and the Social Structure of Globalisation* (Cambridge: Cambridge University Press, 2004), 169.

²¹ Ibid., 167.

manifestations of such structure are viewed as threats to the development of the global scale international society.²² As Buzan pointed out, the responsibility for this state of affairs can certainly be attributed to Bull since his argument paid no attention to regional level, although Bull did not exclude regional consideration related to international order.²³ There have been no general agreements among scholars of the English School on how to apply discussion of international society and international order to regional level, thus the question of geographical consideration remains underdeveloped.

In an attempt to overcome such global requirements in English School thinking, Buzan submitted a vanguard theory of international social structures that outlined the idea on the dynamics of the expansion of the European regional society into other societies.²⁴ With its vanguard explanation, Buzan maintained that sub-global developments of interstate society must not contradict global-level developments.²⁵ Although his attempt at bringing geography back to the English School is worthwhile, it reaffirmed the vanguard role of Europe for the development of contemporary interstate society, which was similar to other English School thinkers' understanding of the development of international society from the European, to the global society.²⁶ The historical explanation presupposes a region entailing some sorts of cultural homogeneity and inter-linkage of societies. However, taking account of the Arctic region, historic arguments concerning the development of international society are not helpful because there is no single cultural homogeneity over the region. One might argue that the indigenous population held some cultural similarity in the Arctic, but they lacked regional-wide inter-linkage throughout most of history.²⁷ Although Buzan paid attention to such a region where cultural homogeneity and inter-linkage are weak, he did not go further by formulating an analytical framework for analyzing the regional formation of international society in such regions. Therefore, an important question here is how to classify regionally manifested functions of components of international society from the functions on the global scale regardless of the degrees of thickness of cultural distinctiveness.

²² Ibid., 207.

²³ Ibid., 206.

²⁴ Ibid., 222–227

²⁵ Ibid., 223.

²⁶ Adam Watson, *The Evolution of International Society* (London: Routledge, 1992).

²⁷ The indigenous peoples assume an important role in the governance of the Arctic region. However, from the perspective of English School thinking, the circumpolar world of the indigenous peoples constitutes elements of a “world society” or the solidarist view rather than an “international society” or the pluralist view. This article focuses on Arctic regional order, a regional version of international society, thus it was omitted. This does not mean the circumpolar world of indigenous peoples is insignificant. Without the incorporation of the indigenous world, any consideration on Arctic politics would be incomplete. In this sense, analysis on Arctic regional order submits just one aspects of the Arctic regional world.

Framing the Struggle for Arctic Regional Order

This article identifies regional international order by considering the functions of components related to the formation of international order into a regional or sub-global level or by elaborating the functions of the components that contribute to regional manifestations of international social structure. Considering the present situation of the Arctic international order sustained by the functions of rules and institutions in the region, there are regional manifestations of three complexes of rules and their institutions, although the degrees of their manifestations differ. In terms of a fundamental or constitutional normative principle, there has been a common rule regulating membership that constitutes regional society in the Arctic. For the time being, the principal actors are composed of the Arctic Eight (Canada, Denmark, Finland, Iceland, Norway, Russia, Sweden and the United States). This understanding was confirmed in the founding document of the Arctic Council. However, the primary institution supporting this rule is not the Arctic Council but diplomacy. The Arctic Council merely provides regular intergovernmental consideration and consultation or a high level forum among the Arctic Eight rather than being an organizational body. In this sense, the Arctic Council functions as the secondary institution subordinating diplomacy in the Arctic region. More importantly, mainly because of a lack of an agreed upon definition of the Arctic region in geographical terms, there was a political struggle over being identified as an Arctic state. The clarification of the principal actor embraces its primary importance for constituting the society and thus for regional order in the Arctic.

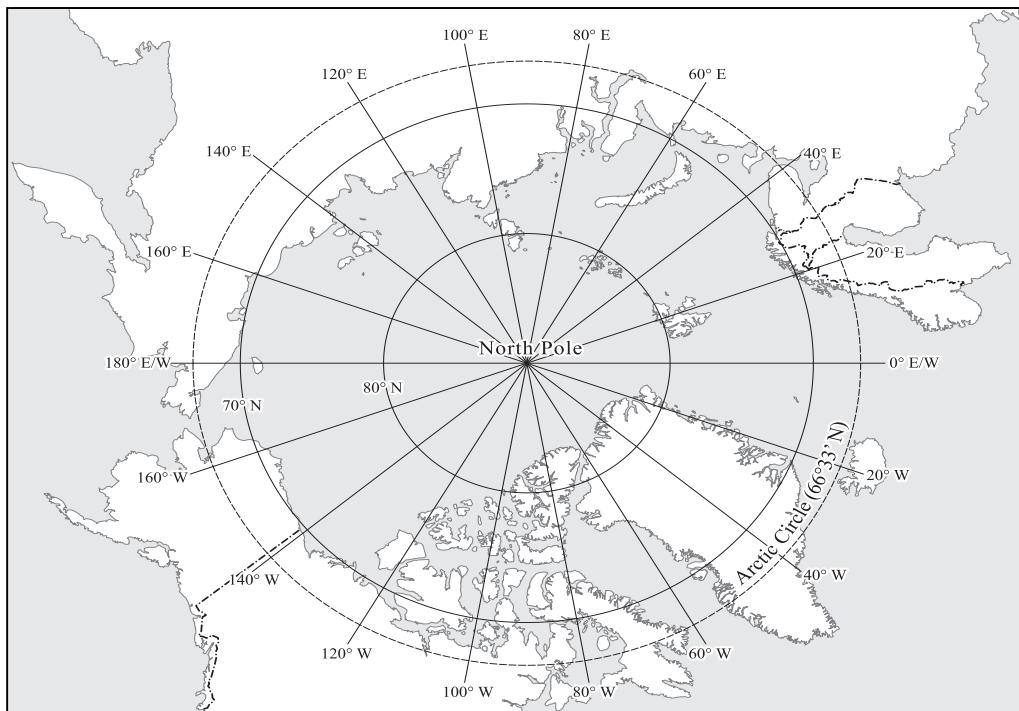


Figure 1: Arctic Circle

When it comes to the rules of coexistence – consisting of restrictions on the use of violence, presupposition of international law and the stabilization of each state's jurisdiction over its own persons and territory – there are few regional manifestations, except the Svalbard Treaty of 1920. Instead, in the Arctic there are numerous rules and institutions which apply. Maintaining maritime sovereignty of Arctic states largely depends on the prescriptions under the UNCLOS. This agreement provides both basic concepts of the maritime areas (e.g., internal waters, territorial waters, contiguous zone, economic exclusive zone, continental shelf, high seas, and ice-covered areas), and provides not only the sovereign rights and jurisdiction over maritime areas for coastal states but also secures freedom of navigation and the rights of innocent passage and of transit passage for operators of shipping. The Arctic states ratified UNCLOS except the United States, which nevertheless agreed on it as customary law. Even though there exist some disputes over maritime and territorial boundaries in the Arctic Ocean,²⁸ UNCLOS has been a main secondary institution regarding maritime sovereignty for the Arctic states. The primary institution of UNCLOS is considered to be international laws.

In terms of the rules regulating cooperation among states, the regional distinctiveness is a shared understanding on functional domains where the Arctic states agreed to cooperate, exceeding merely advancing their coexistence. The first and regionally dominant domain of rules has been environmental protection, assisted by international laws and diplomacy as primary institutions. The 1911 Convention for the Preservation and Protection of Fur Seals, the Svalbard Treaty of 1920 and the 1973 Agreement on the Conservation of Polar Bears can be seen as the secondary institutions subordinate to international laws. The ranges of subject for protection regulated under these regional secondary institutions are limited to those such as seals, polar bears and other specific resources. However, the Arctic states have negotiated to expand its functional areas by launching non-binding agreements such as the 1991 Arctic Environmental Protection Strategy (AEPS) and the 1996 Arctic Council, which are the secondary institutions subordinate to diplomacy as primary institutions. The distinctive expansion occurred when the Arctic Council incorporated sustainable development with a special reference to indigenous peoples as a distinctive domain for cooperation in addition to environmental protection. More recently, the Arctic states succeeded in developing new regional secondary institutions such as the 2011 Agreement on Co-operation on Aeronautical and Maritime Search and Rescue in the Arctic; the 2013 Agreement on Cooperation on Marine Oil Pollution Preparedness and Response in the Arctic, both of which are regionally binding international law.

What is obvious in the arguments of the regional manifestation of the three complexes of rules and their institutions is that there are changes in regionally established secondary institutions in the

²⁸ There are the six unresolved disputes in the Arctic Ocean: 1) the maritime border between Canada and the United States in the Beaufort Sea; 2) the maritime border between Russia and the United States in the Bering Sea and Chukchi Sea; 3) the sovereignty over the Hans Islands between Canada and Denmark; 4) the delimitation of the continental shelf adjunct the North Pole; 5) the maritime rights in the water of the Svalbard; and 6) the legal status of the Northwest and Northeast Passages. Donald Rothwell, *The Polar Regions and the Development of International Law* (Cambridge: Cambridge University Press, 1996), 171–212.

domains of the fundamental or constitutional normative principle and of rules regulating cooperation. There are few regional manifestations of secondary institutions in the domain of rules of coexistence, where the preponderance of rules and institutions on the global scale is obvious. In other word, Arctic regional order is not stable in the former two domains. Changes in these two domains show the dynamics of political processes forming the Arctic regional order. This dynamic takes a form of political struggle in the sense that agenda-setting, negotiation and completion occur among the regional states in the Arctic.

The dynamic in the domain of the fundamental or constitutional normative principle has appeared in the form of political struggle in pursuit of mutual recognition of status as “Arctic States,” which mean legitimate actors in the Arctic. This can be defined as a membership issue. The dynamic in the domain of the rules regulating cooperation has appeared in the form of political struggle for setting fields of cooperation in line with a certain state’s preference. This can be termed the issue of selection of functional fields of cooperation. These two issues are the main themes which have constantly been the focus of political struggles among states pushing their own agendas. The development and transformation of Arctic regional order within these two issues is examined in the next section by dividing them into the following four stages: 1) the initial emergence of the Arctic Five membership; 2) the transfer into a framework of the Arctic Eight membership; 3) the challenge posed by the legacy of the framework of the Arctic Five membership; and 4) consolidation of the framework of the Arctic Eight membership.

Development of Arctic Regional Order

The Initial Emergence of the Arctic Five Membership

The prototype of cooperation among the Arctic states emerged during the Cold War era, although military confrontation dominated the thinking of decision-makers in the Arctic states and thus limited the utility and scope of international activity in the Arctic. There were proposals brought forward for multilateral cooperation, but most were not realized, as in the 1950s and 60s the Arctic was a location for strategic overflight by long range bomber aircrafts; and in the 1970s and 80s it became a theater for naval supremacy when the Soviet Union built up its Northern Fleet.²⁹

However, there was an exception in the détente period. Multilateral cooperation was achieved when the Arctic “ice states” (Canada, Denmark, Norway, the Soviet Union and the United States, same as the Arctic Five) signed the Multilateral Conservation of Polar Bears Agreement in November 1973, which entered into force on 26 May 1976. Under this regime, the hunting, killing and capturing of polar bears were prohibited both in national territories of the ice states and in international waters, with five exceptions.³⁰ The legal procedures for conservation of polar bears had been enacted internally with do-

²⁹ Ibid., 222–223.

³⁰ See Article III of this treaty. It notes five exceptions: 1) for bona fide scientific purposes; 2) by the member states for conservation purposes; 3) to prevent serious disturbances to the management of other living resources; 4) by

mestic legislation in each member state, as the main reason for the polar bear agreement conservation was to deal with the fact that a significant number of polar bears cross international boundaries and that sizable polar bear populations use areas outside the jurisdiction of any national government.³¹

Polar bears live only in the Arctic rim states of Canada, Denmark (Greenland), Norway (Svalbard), Russia, and the United States, and thus it was natural that these five Arctic states conclude an agreement for the conservation of polar bears. However, at the last stage of the negotiations, the treatment of non-Arctic states was also discussed. The representative from the Soviet Union showed strong opposition to this and thus membership was limited to the five ice states. While the emergence of the Arctic Five framework was fortuitous, it was considered as the legitimate framework for recognizing regional members or actors of the Arctic region.³² However, as mentioned above, power relations between super-powers did not empower this framework other than for conservation of polar bears until power relations changed in the second half of the 1980s.

Transfer to the Arctic Eight Membership

The legitimacy of the Arctic Five framework was replaced by the Arctic Eight framework when the Arctic Circumpolar states, namely the Arctic Eight, decided to establish the International Arctic Science Committee (IASC), a non-governmental scientific organization in 1990. IASC is the Arctic counterpart of the Scientific Committee on Antarctic Research (SCAR). The first suggestion to have such scientific cooperation in the Arctic was made at the 1957 meeting of the International Council of Scientific Unions (ICSU), when a proposal for a Special Committee for Arctic and Antarctic Research (SCAAR) was made.³³ This decision was taken as part of the initiation of the International Polar Year in 1957. However, mainly because the Arctic had already been partitioned into two blocs, a committee for the Antarctic, the Special Committee on Antarctic Research, was created as a scientific committee of the ICSU in 1958. The name was changed later to the Scientific Committee on Antarctic Research (SCAR). As Roots observed, the suggestion to establish an Arctic equivalent to SCAR has been put forward since 1960.³⁴ However, most international scientific cooperation was organized within these blocs and thus not

local people using traditional methods in the exercise of their traditional rights and in accord with the laws of that Party (the Native exemption); 5) wherever polar bears have or might have been subject to taking by traditional means by (each country's) nationals. *The Multilateral Conservation of Polar Bears Agreement*, Oslo, November 15, 1973.

³¹ Anne Fikkan, Gail Osherenko and Alexander Arikainen, "Polar Bears: The Importance of Simplicity," in *Polar Politics: Creating International Environmental Regimes*, eds. Oran R. Young and Gail Osherenko (Ithaca: Cornell University Press, 1993), 107–108.

³² Ibid., 122.

³³ "IASC Handbook," *International Arctic Science Committee (IASC)*. Accessed September 22, 2012: http://www.iasc.info/files/IASC_Handbook.pdf

³⁴ Fred Roots, "Cooperation in Arctic Science: Background and Requirements," in *Arctic Alternatives: Civility or Militarism in the Circumpolar North* (Canadian Papers in Peace Studies), ed. Franklyn Griffiths, (Toronto: Science

on a pan-Arctic scale.

Along with changes in international circumstances under the new détente in the 1980s, the Soviet Union came to open its borders to Western scientists.³⁵ Under these circumstances, American scientists began to discuss formalization of Arctic cooperation in science. In July 1986, American scientists began to discuss the idea of an Arctic equivalent of SCAR. The United States argued for membership to be open to all states with active interests or scientific programs in the Arctic region.³⁶ In the following meeting at Oslo in 1987, it was decided to establish an Intergovernmental Forum on Arctic Science Issues.

The indirect acceptance of enlargement of the Arctic states from the Arctic Five to the Arctic Circumpolar eight states came from the Russian side. On 1 October 1987, Gorbachev unilaterally declared that the Soviet Union was prepared to collaborate with “sub-Arctic states” in the field of scientific research in the Arctic.³⁷ After Gorbachev’s speech, Soviet participation in these discussions became more active and the establishment of the IASC was recommended at the Stockholm meeting of Arctic Scientists held in March 1988³⁸ and the IASC was established in 1990.

Although the IASC was a non-governmental body and open to any country engaged in significant Arctic research, the importance of the IASC was that it made it clear the Arctic countries were the Arctic Circumpolar countries, namely the Arctic Eight. The founding document of the IASC clearly states that the activities of the IASC should be consistent with the regional interests of the Arctic countries³⁹ (General Principle 6).

Gorbachev’s Murmansk speech had further implications. The first implication affected Finland, which was in pursuit of enlarging its freedom of diplomatic action during the Cold War. Faced with the unprecedented remarks by the Soviet leader, Finland enlarged its diplomatic presence in the Arctic. On 20 September 1989, Finland sent letters to other circumpolar governments to discuss environmental cooperation in the Arctic. After an intensive process of negotiation, which was called the “Rovaniemi Process,” the AEPS was established based on a non-binding political declaration in 1991. The main purpose of the AEPS is to eliminate six environmental pollutants: persistent organic contaminants, oil, heavy metals, noise, radioactivity, and acidification.⁴⁰ In order to achieve this, the AEPS established four working groups: the Arctic Monitoring and Assessment Program (AMAP); Conservation of the Arctic

for Peace, 1992), 151, quoted in E. C. H. Keskitalo, *Negotiating the Arctic: The Construction of an International Region* (New York and London: Routledge, 2004), 45.

³⁵ Clive Archer, “General Features of Political Development and Possibilities for Cooperation in the Arctic,” *Current Research on Peace and Violence* 11:4 (1988): 141.

³⁶ Fikkan et al., “Polar Bears,” 122.

³⁷ Mikhail Gorbachev, “Untitled Speech Given at the Ceremonial Meeting on the Occasion of the Presentation of the Order of Lenin and the Gold Star Medal to the City of Murmansk on October 1, 1987.” Accessed May 20, 2013: http://www.barentsinfo.fi/docs/Gorbachev_speech.pdf

³⁸ Archer, “General Features,” 141.

³⁹ See General Principle 6, “IASC Handbook.”

⁴⁰ “Arctic Environmental Protection Strategy,” *Arctic Environmental Protection (AEPS)*. Accessed December 10, 2012: <http://www.arctic-council.org/index.php/en/about/documents/category/4-founding-documents>

Flora and Fauna (CAFF); Emergency Prevention, Preparedness and Response (EPPR); and Protection of the Arctic Marine Environment (PAME). Later, the Task Force of Sustainable Development was also established in order to reflect demands for the social well-being of indigenous peoples, who participated in the AEPS as observers.

Coinciding with the Finnish initiative toward the AEPS, Canadian private think tanks offered from 1988 to 1991 a few recommendations that mostly called for the establishment of an international organizational body dealing with Arctic issues. The basic agenda embodied into the international body are: 1) expansion of interaction among residents in the Circumpolar Arctic; 2) improvement of environmental protection in the vulnerable Arctic ecosystem; 3) reduction of armed forces in the Arctic; 4) the guarantee of economic, political and social rights for indigenous peoples in the Arctic.⁴¹

From 1991 to 1994, Canada began a process to negotiate for the establishment of an organizational body with other Arctic Circumpolar states and the Inuit Circumpolar Council (ICC), which was the leading international organ for indigenous peoples in the Arctic. The biggest obstacle was a lack of engagement from the United States. The administration of George H.W. Bush doubted Canada's plan for establishing an organizational body that might have negative effects on the position of United States, which prioritized security in the Arctic. However, based on the strong push from Alaska, the United States changed its position when the Clinton administration manifested its Arctic policy in 1994. It included the following issues: 1) the protection of the Arctic environment and preservation of natural resources in the region; 2) environmentally sustainable management of resources and development of the Arctic economy for strengthening cooperation among the states of the Arctic Eight; 3) the engagement of the indigenous populations in the decision-making regarding issues which affected them.⁴² Even in the 1994 formulation of the Arctic Policy of the United States, there was considerable difference in opinions between Canada and the United States. The United States was mainly opposed to the incorporation of security as an issue-area and to making the body a permanent one.

Faced with the U.S. opposition to the Canadian plan, Canada compromised in 1996 by altering its plan to make it more acceptable to the United States. As a result, Canada finally succeeded in reaching an agreement establishing the Arctic Council with other Arctic Circumpolar states on 19 September 1996. The Arctic Council took over the four working groups and one task force of the AEPS in 1998.

Through the formation of the IASC, the AEPS and the Arctic Council, the Arctic Eight became the legitimate framework for dealing with environment protection and sustainable development. The emergence of the Arctic Eight framework became possible at first due to the changes of opinion in the

⁴¹ Douglas G. Nord, "Canada as a Northern Nation: Finding a Role for the Arctic Council," in *Handbook of Canadian Foreign Policy*, eds. Patrick James, Nelson Michaud and Marc J. O'Reilly (Oxford: Lexington Books, 2006), 299.

⁴² Bruce A. Russell, "The Arctic Environmental Protection Strategy and the New Arctic Council." Accessed December 25, 2012: <http://arcticcircle.uconn.edu/NatResources/Policy/uspolicy1.html>

Soviet leadership and later due to the collapse of the Soviet Union. In other words, it was possible due to the shift in power relations from a bipolar world to a unipolar world.

A Challenge by the Legacy of the Arctic Five Membership

As sea ice has retreated drastically in the Arctic, prospects for development of exploitation of oil and gas and commercialization of transit through the Arctic Ocean have gained an air of reality. The Northeast Passage was nearly an ice-free route in the summer of 2005, and it happened in the Northwest Passage in 2007. Coinciding with these events, the International Polar Year (IPY) commenced from March 2007. It came fifty years after the International Geophysical Year was held. During the IPY, more than two hundred research programs were conducted in more than sixty countries.

This circumstance affected international relations in the Arctic. As part of a series of marine research, Russian explorer Artur Chilingarov planted the Russian flag on the seabed under the North Pole on 2 August 2007. Partly because the U.S. Geological Survey had released the fact that twenty-four percent of the world's undiscovered resources of oil and gas were in the Arctic, the Russian action attracted considerable attention. Global media reported it as the beginning of an "Arctic resource race," or "Arctic gold rush." The planting was merely a symbolic action which did not have any legal effect in terms of jurisdiction over the continental shelf around the North Pole.⁴³ However, concerns for sovereign rights and jurisdiction over the Arctic Ocean emerged as important issues among the Arctic coastal states.

Under these circumstances, the Danish government took the initiative. A high level meeting was convened at Ilulissat in Greenland, Denmark, in May 2008. This meeting turned out to be controversial because Finland, Iceland, and Sweden, in addition to the representatives of indigenous peoples, were not invited. It adopted the Ilulissat Declaration in which the Arctic Five noted the ongoing changes in the Arctic related to climate change, and reaffirmed their commitment to the orderly resolution of issues regarding territorial claims and jurisdiction under the existing framework of international law, including UNCLOS. They also rejected the need for a new comprehensive legal regime to govern the Arctic Ocean. They expressed their willingness to take steps, both nationally and in cooperation among the five and other interested parties to ensure the protection of the Arctic marine environment, and specifically to strengthen measures for the safety of shipping and reduction of vessel-based pollution; and they also expressed their interest in strengthening cooperation in science and the exchange of research information.⁴⁴ This meeting was not necessarily intended to institutionalize the Arctic Five as a framework dealing with Arctic governance; however, it was politically significant that there were possibilities for the Arctic Five

⁴³ Fujio Ohnishi, "Rossia no Hokkyokuten Kokki Setchikoi to Noruwe Gaiko no Doko [Review of the Norwegian Diplomatic Response toward the Russian Planting of the National Flag on the Seabed of the North Pole]," *Kokusai Kankei Kenkyu [Studies in International Relations]*, 28:4 (2008): 161–162.

⁴⁴ Brooks B. Yeager, "The Ilulissat Declaration: Background and Implications for Arctic Governance." Accessed June 25, 2013: <http://www.arcticgovernance.org/getfile.php/991607.1529.vwurfpecxs/Ilulissat+Declaration+Implications+ver2+fr+CFM+12+05+08.pdf>

to consolidate themselves as a different forum from the Arctic Council.⁴⁵

This prospect was increased when Canada led the second meeting of the Arctic Five in March 2010. However, the establishment of a new forum governing the Arctic Ocean was not the intention of the United States. Regarding its Arctic policy, the United States has repeatedly declared its preference for the Arctic Eight framework for international cooperation in the Arctic.⁴⁶ Secretary of State Clinton condemned the Canadian government for excluding the Arctic Circumpolar states and the indigenous peoples from this conference.⁴⁷ Faced with strong objection from the United States, the framework of the Arctic Eight largely lost its political impetus to become a meaningful forum. The Arctic Eight grouping's superiority over the Arctic Five was confirmed at the ministerial meeting in Nuuk, Greenland, in 2011.

Consolidation of the Arctic Eight Membership

While the Arctic Eight framework was challenged by one of the Arctic Five, it has been reinvigorated since the start of the twenty-first century. The main factor is climate change, which forced the Arctic Council to address its regional impact. At the second ministerial meeting of the Arctic Council at Barrow, Alaska, in 2000, ministers endorsed the initiation of the Arctic Climate Impact Assessment (ACIA) as a collaborative project among the AMAP, CAFF and IASC. The United States provided secretarial support. The ACIA was tasked with evaluating and synthesizing knowledge on climate variability in the Arctic in order to address the consequences of climate change for the Arctic environment, human health, social structures, cultures, and economies. The ACIA involved more than three hundred scientists, other experts, and knowledgeable members of the indigenous communities. The ACIA submitted a synthesis report in 2004 and a scientific one in 2005. At the same time, the Barrow ministerial meeting endorsed the Arctic Contaminants Action Program (ACAP) in order to identify relevant actions to eliminate the adverse effects of environmental pollutants, which are closely connected to climate change. The ACAP formally became a working group of the Arctic Council.

In recent years, the Arctic Council has strengthened its political centripetal force. In 2011, the Cooperation on Aeronautical and Maritime Search and Rescue in the Arctic was signed at a ministerial meeting in Nuuk, Greenland, after two years of preparatory work by a task force of the Arctic Council. The first Arctic Council Search and Rescue exercise took place in October 2011 in Whitehorse, Yukon,

⁴⁵ Torbørn Pedersen, "Debates over the Role of the Arctic Council," *Ocean Development and International Law* 43:2 (2012): 149–152.

⁴⁶ The U.S. preference for limiting membership to eight nations was specified in the 2004 Presidential Decision Directive (PDD-26), and also was reaffirmed in the 2009 National Security Presidential Directive and Homeland Security Presidential Directive (NSPD-66/HSPD-25). More recently, the 2013 National Strategy for the Arctic region demonstrated its preference for the Arctic Council to advance U.S. interests in the Arctic region. These statements are important because they imply the tacit rejection of other multilateral forums.

⁴⁷ Barry Zellen, "Cold Front: Hillary, Ottawa, and the Inuit: A Year after the Inuit Re-Assert their Sovereignty, Washington Takes Their Side," *Journal of Military and Strategic Studies* 12:3 (2010): 5.

and a subsequent exercise took place in September 2012 in a remote area along Greenland's east coast. Moreover, the member states of the Arctic Council concluded the second binding agreement on Arctic Marine Oil Pollution Preparedness and Response in May 2013. In addition, the permanent secretariat of the Arctic Council was established in Tromsø, Norway. These trends imply that the Arctic Council, which started as a high level forum for coordination of policies among the member states, is developing in the direction of becoming a more influential framework for binding agreements. To sum up, the Arctic Eight framework experienced its consolidation through the development of the Arctic Council by adding new issue areas such as adaptation to climate change and search and rescue during the last decade.

A New Agenda for the Globalizing Arctic

While the Arctic Eight membership seems firmly consolidated, there is also a new trend which may affect the present regional order in the Arctic. The heightened pressure of reshaping the geographical landscape under global climate change accelerated the process of integration of the Arctic economy into the global market. Globalization brings new global players such as the EU and China, Japan, and South Korea, which are non-Arctic states, into Arctic politics, thus affecting the present regional order in the Arctic. Now that non-Arctic states have the right to engage in a range of activities in parts of the Arctic basin under the terms of UNCLOS, the Arctic Eight states need to consider how to go about the business of building bilateral and multilateral relationships with new global players.

The Arctic Eight states made clear a common response at the ministerial meeting of the Arctic Council in Kiruna, Sweden, in May 2013. The Arctic Eight placed the six applicants of non-Arctic States (Japan, China, India, South Korea, Singapore and Italy) within the institutional settings of the Arctic Council by according them observer status.

However, it is uncertain whether the concerns of the non-Arctic states and their interests would be legitimately represented in the Arctic Council.⁴⁸ This is because the rights of the observers are so limited that they may not have sufficient impact on the decision making process of the Arctic Council. One of the potentially important topics in this context will be fisheries in the Central Arctic Ocean where the economic exclusive zone conjuncts to the high sea. It is said that fish stocks will expand their territory northward when the sea temperature of the Arctic Ocean increases.⁴⁹ There is now no international agreement to regulate highly migratory fish stocks. In addition, tourism will be also a common concern between the Arctic and the non-Arctic states. The issue of black carbon and shipping-based pollution are also of interest for the non-Arctic states; however, these two issues are now under negotiation in the

⁴⁸ Young, "Informal Governance Mechanisms," 280–282.

⁴⁹ David Fluharty, "Arctic Marine Living Resources," in *The Arctic in World Affairs: A North Pacific Dialogue on Arctic Marine Issues*, eds. Oran R. Young et al. (Seoul: Korea Maritime Institute, 2012), 166–169. For an opposing view: Harald Loeng, "The Future of Potential Arctic Fisheries," paper presented at the 2013 North Pacific Arctic Conference, Honolulu, Hawaii, August 21–23, 2013.

International Maritime Organization where the Arctic and the non-Arctic states participate on terms of equality.

Concluding Remarks

The first advantage of the approach adopted in this study is that it provides a broader view on Arctic international politics than the realists' military-focused view and the liberalists' governance-focused view. The regional order perspective can offer a more complete understanding by incorporating both security and environmental concerns.

The second advantage to this examination of regional order in the Arctic is that it reveals the influence of the great powers on present Arctic international relations. There is an inequality in power among the Arctic states that affects their relationships. In other words, Arctic international politics is in the condition of an "anarchical society of states," a term coined by Bull. In an anarchical society, there is no world government, and patterns of international activity are formed based on power politics among the Arctic states.

This matches with the two main findings in this study. In the first place, the leading Arctic power is obviously the United States, which has mainly worked as a regulator that placed boundaries on the range of the membership and on the issue-areas under regional cooperation in the Arctic. This statement might differ from the prevailing view that the United States is a reluctant Arctic state. This is true in the sense that priorities on Arctic issues within U.S. external policy are not high and that U.S. interests in the Arctic region have not attracted significant attention from its decision-making community. However, even though Arctic priorities within the United States remain low, it does not mean that its political role is not influential over other Arctic states. As a matter of fact, the United States strongly resisted the Canadian initiative to incorporate security issues into the agenda of the Arctic Council. This was because such an agenda might encroach on U.S. security interests. When Canada tried to pursue the reinvigoration of the Arctic five membership, the explicit opposition made by the United States affected other Arctic costal states, although the United States had shown some interests in such new enterprises for a short period in 2008. One may also counter that the status of regulatory power can be attributed to the position of Russia. Russia, under Putin, has assumed a leading role and changed the entire debate on the Arctic, particularly after the flag planting incident in 2008. However, this does not mean that it has a regulatory power. This difference in roles of the United States and of Russia can be attributed to the former's position in global politics. As the only superpower after the disintegration of the Soviet Union, with first-class military-political capabilities and having an economy to support such capabilities, the United States possessed a broad spectrum of capabilities and acted as a fountainhead of universal values of the type necessary to underpin international society.⁵⁰ The global profile of the United States naturally affected the struggles

⁵⁰ Barry Buzan and Ole Wæver, *Regions and Powers: The Structure of International Security* (Cambridge: Cambridge University Press, 2003), 34–35.

for Arctic regional order. As discussed earlier, such a role can be summarized as a regulatory power in the sense it decides the direction of membership issues and functional areas of cooperation rather than being the initiator of new agendas. Therefore, the main finding of this article regarding the U.S. role as a regulatory player is empirically justified. In other words, the United States has acted as protector of the existing regional order in the Arctic since the 1990s.

Although it was not the focus of this article, the initiatives for regional cooperation can also be explained by small or middle powers' incentives to better locate themselves in the power constellations of international relations. These initiatives could have been taken because the bipolar system was being replaced with a unipolar one under which small or middle states came to be less subordinate to diplomatic pressures than those in a bi-polar system and could therefore make use of Arctic issues as a means of achieving their national interests.

What now can we expect in the future development of Arctic regional order? One of the considerations we can draw from this study is that the participation of non-Arctic states in Arctic politics may alter the present regional order by affecting the issue of membership and of issue-areas in the regional society of the Arctic. The participation of non-Arctic states will gradually develop in the direction of bilateral relations rather than multilateral ones, and shift from environment protection-oriented cooperation to a business-oriented one. This possibly paves the way for a new pattern of international activity in the Arctic. For example, China is markedly moving in this direction.⁵¹ If China continues to commit in this direction, the role of the United States as regulatory player may be undermined, as its regulatory power mostly affects multilateral, not bilateral, activity. Thus, increases in bilateral cooperation would be sources of disorder. In other words, diversification in international relations in the Arctic necessarily affects the present regional order, which is regulated by the United States. If multilateral cooperation such as the Arctic Council moves to adjust its role in line with business-oriented cooperation, the degree of regional disorder will be tempered. In any case, Arctic regional society cannot close its door to new global players, as it expects benefits to emerge from new possibilities. Irrationally closing its door would cause unnecessary tension with the outside world. To conclude, Arctic society is entering into a new phase in which the relevant regional order must be rebuilt.

51 Fujio Ohnishi, "Hokkyoku Gabanannsu no Wakugumi wo Meguru Kobo: Hokkyoku Hyogikai no Obuzabaa Mondai [Struggle for the Framework of Arctic Governance: The Issue of Observer Status in the Arctic Council]," *Hokkyokukai Kiho [Arctic Ocean Quarterly]* 15 (2012): 46–47; Fujio Ohnishi, Hwan Sehee and Satoru Nagao, "Hokkyoku to hi Hokkyokuken Syokoku [The Arctic Region and the Non-Arctic States]," *Hokkyokukai kiho [Arctic Ocean Quarterly]* 16 (2013): 5758.