The domestic politics of disputed Arctic boundaries: the Canadian case

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Received August 2012; first published online 28 February 2013

ABSTRACT. This article presents a model for the analysis of the domestic-international nexus of Arctic politics. It offers a preliminary attempt at mapping the domestic politics of Arctic boundary disputes in Canada. It explores the potential impact of domestic politics on such disputes by identifying the interests of domestic stakeholders in the Canadian Arctic. The paper views maritime boundary negotiations as a 'two-level game' in which negotiations occur internationally and domestically. The paper argues that the domestic level negotiation is contingent on how the issues are 'framed' between policymakers and their constituents. The paper identifies ways that domestic actors can reduce the number of acceptable outcomes in a two-level game, thereby impeding cooperation.

Introduction

The Arctic Ocean is becoming more accessible at a time when states have a sovereign imperative to claim exclusive jurisdiction over maritime areas. Combined with the Arctic Ocean's geography, this creates overlapping boundary claims that give political importance to contested maritime space. Simultaneously, global economic growth is conditioned upon access to affordable resources and commodities, the last vestiges of which are purportedly buried under the Arctic Ocean. In addition to resource consuming economies the world over, the Arctic coastal states, Canada, Greenland/Denmark, Norway, Russia and the United States, harbour ambitions to access offshore resources. This 'perfect storm' has led some to conclude that Arctic states are engaged in a 'race' to secure some portion of the 'Arctic Grail' (Sale and Potapov 2010; Ebinger and Zambetakis 2009; Borgerson 2008). The increased accessibility of the Arctic will result in a greater human presence there under conditions of resource scarcity and political uncertainty (Howard 2009). In this context, Huebert's (2010: 5) observation that Arctic states are 'talking cooperation, but...preparing for conflict' is chilling.

However, fears of a scramble for Arctic wealth have been tempered by a number of cooperative overtures between coastal states. Some scholars maintain that humanity sits at the cusp of a 'polar saga' that will be characterised by sustainable development, innovative governance solutions and the peaceful resolution of existing and as yet undefined maritime boundary disputes (Lackenbauer 2009: 19; Byers 2010). For example, Norway and Russia settled their disputed boundary in the Barents Sea and Canada and Denmark seem close to delimiting the Lincoln Sea (New York Times. 27 April 2010; Foreign Affairs 2012). In 2008 all five coastal states pledged to settle their boundary issues according to the UN Convention on the Law of the Sea (UNCLOS) and are reportedly abiding by well established legal processes for making and settling maritime claims (Riddell-Dixon 2008).

Problematically, the domestic politics of contested sovereignty and jurisdiction is not always so straightforward. There is evidence in fact that Arctic leaders have been engaged in threat inflation in an effort to reinvigorate their national identities (Manicom in press). As Lackenbauer observes, assertive statements by politicians in Canada and in Russia 'may be a simple case of political theatre in the high Arctic, staged by politicians on both sides of the Arctic Ocean, to convince their domestic constituents that they are protecting vital national interests' (Lackenbauer 2010: 893). In some cases domestic politics are capable of undermining otherwise straightforward boundary negotiations.

In an effort to explore the domestic political challenges associated with Arctic maritime boundary delimitation, this article offers a preliminary assessment of the direction of domestic debates on maritime boundary issues in the Arctic in Canada. The intention is first to contribute to scholarship on Arctic issues by drawing attention to the often overlooked domestic side of international negotiations and second, to illustrate the ways in which domestic constituencies can influence these negotiations. The theoretical discussion centres on two processes that shape the domestic context of international negotiations within a given claimant state, thereby identifying the conditions under which leaders are sensitive to domestic political concerns. The first process is the top-down process of 'issue-framing', the process by which political actors construct and communicate the stakes in a given foreign policy area to other political actors. This, in turn, informs the second, bottom-up process, in which domestic politics can affect the number of acceptable outcomes, or 'win-sets', to policymakers. The article builds upon Putnam's (1988) two-level games model by introducing the concept of issue framing to the framework, which should permit a more precise empirical formulation of the parameters of win-sets (Bosold and Oppermann 2006; Morascvik 1993; Milner 1997). The theoretical discussion uses examples from East Asia's maritime boundary disputes to illustrate how domestic politics can constrain maritime boundary cooperation (Manicom 2011).

The empirical focus of the paper is concerned with the political uncertainty surrounding potential overlapping claims to the extended continental shelf in the Arctic Ocean between Canada, Russia and Denmark. confirmation of the very existence of an overlap could be decades away as all claimants must first map their seabeds and register their claims with the UN Commission on the Limits of the Continental Shelf (CLCS). Negotiations could occur before, after or during this process. The second section explores how policymakers and their constituents frame extended continental shelf issues and the third section assesses the direction of domestic debates in Canada over negotiations on the extended continental shelf. The paper identifies an overlap in Arctic perspectives between the Harper government and Canadian Inuit, but concludes that these two perspectives may diverge as negotiations with Russia approach.

Domestic politics and international bargaining

The field of international relations has increasingly preoccupied itself with the domestic side of international politics (Gourevitch 2002). There is a compelling theoretical logic to exploring the domestic side of maritime boundary issues (Huth 1996). As a product of advances in technology, offshore areas are more important to states as a source of material wealth, which in turn gives rise to domestic constituencies with an interest in its exploitation and preservation such as fisheries groups, the oil and gas sector and conservationists. Aside from these material considerations, there are intangible factors as well. Disputed space is an inherent part of the domestic conceptions of a nation's identity which in turn impacts foreign policy. Far from existing only at a subconscious level, policymakers and citizens are aware of the component parts of national identity and can leverage these aspects for political advantage. Policymakers may use the existence of threats to an identity to legitimise their rule by drawing on historical myths of persecution at the hands of rival states. Likewise domestic interest groups can pressure elites to ensure that they adequately advocate on behalf of the people when these threats are perceived to be manifest (Trumbore 1998). These processes correspond with two theoretical concepts from the international relations literature; Putnam's two-level games and the concept of issue 'framing'.

Putnam conceptualised the interaction between domestic politics and international negotiations as a two-level game in which officials engage in two separate sets of negotiations. At Level I, policymaking elites negotiate with another state to arrive at an agreement on some issue of national importance. At Level II, policymaking elites are engaged in a negotiation with domestic actors that have stakes in the outcome of the international agreement. In a democracy the spectrum of acceptable options is determined by the preferences

of Level II rather than Level I. Putnam (1988) calls this spectrum the 'win-set'; the set of possibilities that will gain informal domestic acceptance or formal ratification. One of the central challenges to emerge from this metaphor, as with many theories, is the identification of policymakers' preferences, those of their Level I negotiating partners and their perception and interpretation of the preferences of Level II actors. According to Putnam, domestic groups are motivated to respond to a Level I bargain by the distribution of its perceived costs. When the costs of an agreement are concentrated among one group, that group will respond by pressuring leaders to alter the agreement and narrow the 'win-set' for policymakers. This nominally makes international agreement more difficult because the total set of acceptable terms is reduced. In short, domestic political groups may agitate to ensure their interests are protected against loss or to capture a larger share of the gains of an international agreement. For example, petroleum companies might lobby in support of an agreement that reduces the political risks surrounding undefined borders. Likewise fisheries groups might lobby against agreements that are perceived to restrict access to formerly traditional fishing grounds.

Putnam (1988: 436) treats the parameters of domestic support loosely, defining ratification as 'any decision-process at Level II that is required to endorse or implement a Level I agreement, whether formally or informally.' Ratification can be conceptualised as a spectrum with the effect of anticipated public reaction at the informal end and treaty ratification by the elected houses of both governments as the most formal outcome. Likewise, cooperation, defined simply as the alignment of one state's preferences with those of another, lends itself to a wide array of agreements, from informal *notes verbale* to formal treaties. As a result, ratification may simply refer to calculations made by policy elites in anticipation of domestic preferences.

In regions beyond the Arctic, Level II activism has undermined cooperation in maritime boundary disputes. In June 2008 China and Japan concluded lengthy discussions towards a joint development zone (JDZ) in the disputed East China Sea. However, implementation talks have yet to begin, apparently because the agreement remains unpopular with the Chinese populace and the Chinese military (Asahi Shimbun, Tokyo, 1 June 2010). Chinese leaders are caught between pressure from Japanese interlocutors at Level I to implement the agreement and pressure from Level II to abrogate the agreement. Similarly, the interests of coastal enforcement agencies, local governments and industry coalesce to prevent lasting cooperation between China and its neighbours in the South China Sea. Despite taking action to reduce tensions with Vietnam and the Philippines, such initiatives taken by the policymaking centre in Beijing are undermined by the bureaucratic interests of local actors in fully enforcing Chinese jurisdiction in contested waters (ICG 2012). The resulting political crises prevent progress towards dispute resolution.

Similarly, there are perceived intangible costs to cooperation. For example, the maritime areas of the East China Sea between China and Japan have increasingly been viewed as integral to the national identities of these states and the exercise of jurisdiction in disputed waters by the other as a national security threat (Manicom 2008). Chinese leaders fear punishment by their citizens for not sufficiently adhering to the myths they have fostered about defending the Chinese motherland from foreign invaders, specifically Japan, which makes cooperation more difficult (Shirk 2007). Furthermore, both the material and intangible dimensions of the domestic political importance of maritime boundaries can interact to affect the outcome of a negotiation. For example, in 1996 a renegotiated fisheries agreement with China was widely supported in Japan. While it would result in reduced catch levels, it was widely supported by the Japanese fisheries industry as a protection against unregulated Chinese fishing off the Japanese coast. Intending to undermine the negotiations, a Japanese nationalist group called Nihon Seinensha, sailed to the disputed Senkaku/Diaoyu islands to plant a flag to assert Japan's sovereignty, which triggered a diplomatic crisis. Although the fisheries agreement was to the benefit of Japanese fishermen, nationalist groups were able to delay ratification by casting the agreement as a threat to Japanese sovereignty (Chung 2007: 58-61). Consequently, the final agreement does not apply to the waters surrounding the Senkaku/Diaoyu islands. Intangible concerns did not prevent the conclusion of an agreement, but they affected the scope of its mandate, and by extension the scale of material resources protected.

Putnam only briefly discusses the interests and preferences of the 'chief negotiator', the head of state that is engaged in negotiations at Level I and II, but notes that this actor may have interests that go beyond negotiating a deal at Level I that is supported by Level II. This actor may be seeking to improve domestic standing or perhaps seek a grand bargain as part of a legacy building exercise. The interests of this actor can be empirically observed by the way to actor conveys the stakes to Level II. The concept of 'framing', the messages delivered by political elites to their constituents that inform expectations, is a useful mechanism to trace this process. Policymakers will attempt to frame certain issues for public consumption in an effort to manage expectations and better insulate themselves from domestic criticism in the event of a perceived policy failure. Alternatively, policy elites actively try to shape the expectations of the domestic climate in such a way that would increase their acceptance of a given deal. How issues are framed by policymakers can yield clues as to their preferences regarding a potential boundary negotiation.

Framing effects occur when policymakers are evaluating their options with regard to their understanding of the *status quo* (Levy 1997: 36). Framing stakes in terms of loss or gain has an effect on the risk acceptance of decision makers. For instance, if a territorial agreement

is cast in terms of gaining 5% of the territory claimed, decision makers are less likely to oppose the agreement and risk a renegotiation that could lead to less territory. By contrast, if the issue is described as losing 95% of claimed territory, decision-makers are more likely to accept the risks associated with redressing the loss. Framing is thus both an individual psychological process as well as an instrumental one used to sell policies to domestic audiences (Hudson 2007: 91). Negative impact on a government's domestic standing form part of leaders' calculations visà-vis the risks of a given choice, provided governments are aware of, and can accurately predict, the degree of domestic political backlash. Leaders make the effort to frame the issue domestically to affect the probability of ratification by Level II (Mints and DeRouen Jr. 2010: 149).

This top-down/bottom-up dynamic does not occur in a vacuum. Level II actors may accept their government's version of the stakes, costs and benefits of an international agreement. However, they are also affected by alternative 'frames' such as perspectives from other Level II actors such as the media, industry associations, lobby groups, NGOs, and opposition political parties. These actors advance alternative versions of the stakes in a process called 'counterframing' (Mintz and DeRouen Jr. 2010: 154). For example, one scholar has explained how the civilian maritime research community, working with sections of the Japanese defence establishment and the media, triggered a re-evaluation of Japan's ocean policy in light of China's growing maritime presence (Akiyama 2007). This undermined the government's cautious message towards China's behaviour and galvanised the country into developing a framework through which Japan could better articulate and execute policy towards its maritime areas.

The impact of Level II frames on cooperation is illustrated by the fate of the Joint Marine Seismic Undertaking (JMSU) concluded between Vietnam, the Philippines and China in March 2005, which set out the parameters of joint marine mapping of an area claimed by all three in the South China Sea. Opposition politicians in the Philippines were heavily critical of the deal and tried to link the issue with rising popular anti-Chinese resentment. After it was revealed that part of the survey area was located in uncontested Philippine waters, the opposition accused President Arroyo of trying to bargain away Philippine territory in exchange for Chinese aid dollars (Storey 2008). Domestic resistance mounted and as a result survey activities ceased. Consequently, the only tangible confidence building measure between claimants to the South China Sea lapsed in July 2008. In light of the impact of domestic politics on disputed maritime boundary negotiations elsewhere in the world, it is worthwhile to identify Level I and Level II stakeholders in the Canadian Arctic and assess how they interpret and frame Arctic issues in order to assess their possible impact on future negotiations over the extended continental shelf.

Arctic stakeholders in Canada

Arctic issues have become a more prominent part of the Canadian political landscape in recent years. However, the importance of the myriad of challenges that surround 'the Arctic' is defined differently by a host of government, non-government, commercial and popular interests. For the purpose of this preliminary analysis, Level II stakeholders include, among others, opposition political parties, environmental interests, industry interests and northern indigenous peoples' perspectives. The view of the Canadian public is reflected by available public opinion surveys. Beginning with the frame employed by Level I, Arctic sovereignty has traditionally been a crisis issue in Canadian politics triggered by perceived threats to Canada's claims, such as the voyage of the Manhattan and Polar Sea vessels through the northwest passage, and the reciprocal visits to Hans Island by Danish and Canadian Defence Ministers in 2005. Stephen Harper's Conservative Party of Canada raised Arctic sovereignty as an election issue in the 2006 election campaign following an increase in international attention stemming from climate change and its impact on the north. This posture contained an element of political expediency as Harper was able to undermine Liberal Party accusations that the Conservatives were too pro-American by amplifying the threat to Canadian Arctic sovereignty of American nuclear submarines passing under thawing Arctic ice (Flanagan 2009: 346). Harper used his first press conference as Prime Minister to reiterate this view and, speaking in Igaluit in August 2006, argued 'It is no exaggeration to say that the need to assert our sovereignty and take action to protect our territorial integrity in the Arctic has never been more urgent' (Harper 2006). Conservative campaign documents from 2006 promised to build three Arctic icebreakers to assert Canada's Arctic sovereignty over the north. Canada's 'chief negotiator' placed the Arctic high on the foreign policy agenda as soon as he came to power. Subsequent developments, such as Russia's expedition to plant a flag pole on the seabed of the North Pole in August 2007, seemed to support the threatened sovereignty narrative coming from Ottawa.

The Harper government frame has been decidedly non-specific as to the nature of the threat to Canada's North. According to a speech in 2007, 'the North needs new attention. New opportunities are emerging across the Arctic, and new challenges from other shores' (Harper 2007). Efforts to rename the northwest passage the 'Canadian' northwest passage create the impression that others challenge Canadian sovereignty over this waterway (Boswell 2009). In this view, sovereignty over the passage is threatened by the prospect of greater shipping through a waterway that Canada views as internal waters rather than an international strait. On another front Russia, which like all coastal Arctic states will make a claim to an extended continental shelf beyond its 200nm EEZ into the Arctic Ocean, is accused of pursuing this claim in an assertive fashion. The Russian claim attracts attention

because its initial submission was rejected by the CLCS in 2001 and it has subsequently been more active in its subsea mapping efforts. These efforts have been mirrored by repeated statements from Russian leaders stressing the importance of the Arctic shelf to the Russian state and more active Russian military exercises in the North (DNI.ru Daily News, Moscow, 22 October 2008). States have exclusive jurisdiction over commercial elements of the seabed and subsoil for the purposes of exploitation of mineral and hydrocarbon deposits, which Russian leaders claim is integral to Russian's future as a resource state (Government of Russian Federation 2008).

'Threats' to Canadian sovereignty have been conflated with the challenge of claiming an extended continental shelf, an issue of maritime boundary delimitation. Aside from Hans Island, there is no challenge to Canadian territorial sovereignty in the Arctic. However, government ministers have characterised the process of mapping the extended continental shelf, an area over which coastal states have the least amount of jurisdictional entitlement, as an exercise in extending Canadian territory. For example, then Foreign Minister Lawrence Cannon suggested that Canada's Polar Continental Shelf Program, designed to facilitate scientific research in the Arctic, was in fact reinforcing Canada's sovereignty by 'occupying the territory' (Blanchfield 2010). Similarly, the then Minister of National Resources Gary Lunn, in announcing findings that the Lomonosov Ridge was attached to the North American continent, stated 'the need to demonstrate our sovereignty in the Arctic has never been more important, which is why our government has made this research a top priority' (NRC 2008).

This frame is supported by Canadian reactions to perceived challenges from Russia. In addition to overreacting to the 2007 flag pole incident and the resumption of cold war era bomber patrols, Minister of Defence Peter McKay described the detection of Russian aircraft near Canadian airspace as 'convenient' on the eve of a visit by US President Barrack Obama. This occurred despite the fact that both Russian and Canadian military officials described the flights as routine (CTV News, Toronto, 27 February 2009). These actions undermine the cooperative turn in Canadian behaviour in 2008 marked by joint surveys with Russia and a joint search and rescue exercise with Denmark and the US in 2010. There is evidence that these reactions appear to be calculated. Recently leaked documents indicate that Harper is aware that involving the NATO alliance into the Arctic dispute would be viewed as an escalation by Moscow and he is reportedly sanguine about these threats in private (Wikileaks 2011; Globe and Mail, Toronto, 11 May 2011).

This conflation of sovereignty with maritime jurisdiction has been mirrored by an effort to emphasise the material salience of the Arctic. The 2008 Conservative campaign platform promised to defend Canadian Arctic sovereignty, pledged to 'assert Canada's rights over our Arctic waters', and characterised the resource wealth of the Arctic as 'key strategic assets' (CPC 2008).

According to the 2008 Speech from the Throne, 'the natural gas that lies beneath Canada's North represents both an untapped source of clean fuel and an unequalled avenue to creating economic opportunities for northern people' (Jean 2008). In August 2008, Harper (2008) announced a new geo-mapping mission to exploit the 'precious resources buried under the sea ice and tundra.' Given that the most prospective commercially viable mineral deposits are located within the recognized EEZs of coastal Arctic states, the 'threat' to this purported resource wealth is not clear. Canada's 'chief negotiator' has framed Arctic issues as a broadly defined challenge to Canadian sovereignty from its former cold war adversary.

This confrontational 'use it or lose it' rhetoric featured most prominently during the 2006–2007 period. More cooperative rhetoric has followed the Ilulissat declaration issued by the five coastal Arctic states in May 2008. In 2009 Ottawa released a northern strategy under the auspices of the Department of Indian Affairs and Northern Development (2009) that focused on the exercise of sovereignty and the role of northern indigenous communities. Foreign Affairs (2010) subsequently released the statement on Canada's Arctic foreign policy which highlighted Canadian cooperation and diplomacy in the north. Although the 2010 Speech from the Throne pledged to continue to 'vigorously defend Canada's Arctic sovereignty', without specifying a threat to that sovereignty, the speech also pledged to 'work with other northern countries to settle boundary disagreements' (Jean 2010). However, these messages retain the view that threats to 'sovereignty' remain. Elected officials persist with this narrative despite the absence of a competing claim to territorial sovereignty in the Arctic, with the exception of Hans Island. Canadian policymakers have made explicit reference to threats to Canadian airspace over the Arctic, mapping efforts on the extended continental shelf and have made implicit reference to threats through the oftrepeated assertion that 'use it or lose it is the first principle of sovereignty' (Harper 2007).

The Harper government narrative forces opposition parties to tread carefully lest they be accused of not defending Canadian sovereignty. Consequently, there was bipartisan support for Conservative MP David Kramp's private member's bill to add the word 'Canadian' to the northwest passage in 2009. Opposition parties have thus criticised the style of Conservative Arctic policy rather than its substance. New Democratic Party (NDP) foreign affairs critic Paul Dewar has been critical of the government's delay in appointing a head to the Canadian Polar Commission. The Liberal Party has accused the Harper government of militarising the issue and of an insufficient focus on the impact on Inuit communities. The Liberal Party argues that 'stewardship', investing in secondary and post-secondary education, implementing land claims agreements and introducing a moratorium on offshore drilling in Arctic waters, is as important as sovereignty (LPC 2010: 12–13).

Will this threatened sovereignty narrative gain traction with Level II stakeholders outside of politics? To assess the resonance of these messages the analysis explores three Level II stakeholders with a plausible or explicitly stated interest in negotiation over the extended continental shelf; environmentalists, energy companies, and institutions representing northern indigenous Canadians. First, environmentalists' overriding concern is slowing and adapting to the changing environment in a warming north. If reversing climate change is not possible, then adjusting to the environmental threats posed by human activity in the Arctic is equally important. This human presence brings with it greater risk of pollution and accidents such as oil spills (Stewart 2010). In this view, the focus on disputed boundaries and militarisation has impeded the multilateral cooperation necessary to manage existing environmental challenges as well as emerging issues such as trans-Arctic shipping, commercial fishing and offshore oil and gas development (Huebert and Yeager 2008: 33). Existing international regimes can only identify potential challenges and produce response guidelines; there is no mechanism that binds states to act (VanderZwaag and others 2008). Disputes over sovereignty and maritime delimitation therefore are a tragic distraction from the issues that are more important, urgent and occurring in areas that are not disputed.

Although clearly defined government authority over Arctic space could bring regulatory clarity and improved environmental regimes, some groups may not favour the resolution of boundary issues if it hastens resource development. For instance, in response to the recent Russia-Norway agreement, a Greenpeace spokesman noted, 'it just shows the greediness of Russia and Norway that the first thing they talked about is not global warming, which is what's making this area suddenly accessible, but resource extraction' (*New York Times*. 27 April 2010). Negotiations between Canada and Russia may elicit similar responses.

Secondly, any northern 'resource race' would presumably feature a role for the international energy industry. Indeed, this industry is undoubtedly interested in the development of offshore resources and is developing innovative solutions to overcome the considerable costs and barriers presented by the Arctic's operating environment (Anderson 2010). However, to the extent that oil companies are interested in the international relations of the Arctic, they perceive these issues through the lens of political risk. Concerns over resource nationalism in an era of tense boundary disputes are not profitable and can undermine agreements with host governments (Econ 2007: 16-24). For instance, there is enormous interest in developing the resources of the Beaufort Sea, once the boundary dispute is settled. Some have argued that concerns over environmental degradation are overblown and that sustainable exploitation of Arctic resource is not only possible and but appropriate in the context of the role of oil in sustaining global economic growth (Palmer 2009). It should be noted that the oil industry has not yet participated in Arctic Council discussions on energy development, although industry associations are seeking just such a role (Funston 2008). The oil and gas industry is likely to welcome boundary negotiations as reducing the political uncertainties associated with exploration, notwithstanding the considerable challenges of drilling offshore. Current large scale projects are in undisputed sections of the Kara Sea and the Beaufort Sea.

Northern indigenous communities compose a diverse Arctic stakeholder that commands a strong degree of political legitimacy. The Inuit are the group most often associated with questions of Arctic sovereignty, but hardly the only indigenous group that lives in the north, which is also home to Métis, Dene, and numerous other first nations peoples. Collectively, northern indigenous groups seek to assert their perspective at all levels of Arctic politics, in order to ensure a voice in any 'southern' project that takes place in circumpolar north. They advocate improved social and economic conditions in the north that protects their traditional way of life. Due to space limitations this section explores Inuit perspectives to assess their preferences as they relate to negotiations over the extended continental shelf. The analysis considers three principal organisations that manifest Inuit interests in different political contexts; the government of Nunavut, the pan-Canadian Inuit lobby group the Inuit Tapiriit Kanatami (ITK) and the transnational Inuit organisation the Inuit Circumpolar Council (ICC).

Inuit representatives claim they are entitled to a voice on issues relating to Canadian Arctic sovereignty (CBC News, Toronto, 22 August 2007) and argue that they are the source of Canadian Arctic sovereignty, by virtue of their occupation and use of Arctic lands and waterways. As a consequence 'Canada will have difficulty in asserting its claim to sovereignty if its Arctic citizens do not enjoy a standard of living on par with that of southern Canadians' (Mifflin 2007: 55). According to this argument, sovereignty can be better demonstrated with the development of infrastructure and economic opportunities in the north than with the establishment of a military presence. Fenge (2007-2008) has argued that the full implementation of the Nunavut Land Claims Agreement, specifically articles 12 and 15, could go a long way to reinforcing Canada's claims to Arctic sovereignty. The Inuit, more than any other Level II stakeholder, claim a right to be involved in the formation of government policy towards sovereignty issues.

The Inuit, through the ICC, also claim a right to be consulted on both domestic and international aspects of Arctic policy (Wilson 2007). According to section 4.2 of its Declaration on Sovereignty in the Arctic, the ICC (2009) claims:

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. The development of international institutions in the Arctic, such as multi-

level governance systems and indigenous peoples' organizations, must transcend Arctic states' agendas on sovereignty and sovereign rights and the traditional monopoly claimed by states in the area of foreign affairs.

In a statement made at the conclusion of its 11th General Assembly in Nuuk Greenland, the ICC asserted Inuit rights associated with the management of the Arctic marine environment. It also called on the ICC, based on the Declaration on Sovereignty in the Arctic, to promote Inuit interests 'with respect to governance across the circumpolar region' and further instructs the ICC to 'engage in formal discussion on addressing key issues raised in the Circumpolar Inuit Declaration on Sovereignty in the Arctic with Russia, Canada and Denmark' (ICC 2010). The latter could be interpreted as the basis of an Inuit call to their home governments to accept an Inuit role in boundary negotiations. The ICC declaration was made in response to the Ilulissat declaration, in which Arctic coastal states pledged to settle outstanding boundary issues using UNCLOS principles. Indigenous groups, which were not invited to the Ilulissat meeting, seized on the opportunity to make a statement of their own on their place in Arctic sovereignty (Koivurova 2010). ICC-Greenland president Aqqaluk Lynge (2007) implicitly rejected a coastal state-led approach to boundary discussions by arguing that the Arctic Council is the appropriate forum for addressing 'who owns the Arctic'. The declaration could thus be interpreted as an effort by the ICC to establish a seat for itself at the international bargaining table on maritime boundaries, or at minimum, to position itself for a larger role than otherwise in negotiations. The ICC already claims the right to an exclusive role in non-renewable resource development (ICC 2011).

This effort is a manifestation of a growing legal and normative pretext for indigenous participation in international affairs, with Ottawa's consent (Loukacheva 2007). For instance, under Article 5 of the Nunavut Land Claims Treaty (1993) indigenous peoples are to be consulted prior to any formation of international government policy relating to wildlife issues within the Nunavut area. This perspective may extend to input into disputed boundary issues. For instance, ICC Greenland has argued that it is entitled to participate in the settlement of Arctic boundary issues (Loukacheva 2009: 55), although Inuit in Greenland enjoy a broader array of self-government powers than do Inuit in Canada. It is unclear whether such a perspective includes the negotiations of an international maritime boundary on extended continental shelves beyond 200nm.

Some argue that there is a domestic legal basis for consultation of Inuit in international boundary negotiations. Byers (2009: 103) has argued that any settlement to the Beaufort Sea dispute with the United States would need to include consultation with the Inuvialuit of the Yukon and Northwest Territories (NWT) on the grounds 'the contested area falls within the Inuvialuit Settlement

Region...specifically...the Yukon North Slope, where a special conservation regime protects wildlife and aboriginal harvesting interests.' By contrast, the extended continental shelf reaches off the coast of the Northwest Territories and Nunavut well beyond areas traditionally used by Inuit. Furthermore, in Canada authority over the management of offshore seabed areas resides with the federal government, not territorial governments. For instance Yukon does not have authority over offshore oil and gas production in the Beaufort Sea and NWT's authority is also limited to onshore resources (Feehan 2009: 348–366). Devolution negotiations with the NWT and with Nunavut seem stalled for the time being (Alcantara 2012).

Although devolution of authority over offshore areas beyond Nunavut's territorial boundaries would be exceptional, it remains to be seen whether the Nunavut territorial government would argue for a voice in international boundary negotiations based on existing land claims agreements. In 2007 then Nunavut Premier Paul Okalik called for Nunavummiut 'to exercise the same degree of control over - and benefit from - our resources as . . . any other Canadian' (White 2009: 295). However, most analysts have interpreted these ambitions to apply to the internal waters of Nunavut, rather than to offshore areas beyond the territorial sea (Loukacheva 2007: 140-142; Feehan 2009). Legally, the seabed beyond the territorial sea is under the jurisdiction of the federal government, but in practice Ottawa has negotiated these rights away to the provinces (McDorman 1989). Article 3 of the Nunavut Land Claims Agreement (NLCA 1993) does not suggest that the Nunavut Settlement Area extends beyond the 12nm territorial sea. The NLCA explicitly defines marine areas as the waterways within the boundary exclusive of internal waterways and notes that territorial jurisdiction extends to the sea floor and seabed. It would be difficult therefore for Nunavut to make a case for devolution of authority beyond 12nm on this basis. Nevertheless, in view of the statements by former-Premier Okalik above, it is possible that the government of Nunavut may push for jurisdiction over extended maritime areas and as a corollary, request a role in international maritime boundary negotiations over the extended continental shelf.

Beyond Nunavut, the ITK's (2008: 11) Integrated Arctic Strategy provides an explicit definition of the Arctic as 'the same geographic areas as Inuit Nunaat, the land and marine areas that make up the modern Inuit and claims agreements that stretch from the Beaufort Sea region to Labrador' as well as a north component that is composed of the remainder of Canada's three territories not included above. It is unclear whether this could be interpreted to include the extended continental shelf. Relevant marine areas are specified as 'all the marine zones that form the alternate channels of the Northwest Passage through the NWT/Nunavut archipelago' (ITK 2008: 11). However, the strategy also calls for an 'Arctic' solution for maritime jurisdictional disputes, which

suggests at minimum that these Level II actors expect to be consulted by policymakers in Ottawa engaged in international negotiations (ITK 2008: 13–15).

It remains to be seen whether this effort will resonate in Ottawa. If indeed the ICC claims a right to be involved in international boundary negotiations, Ottawa may counter that such a claim is beyond the purview of Inuit internationalism. Boundary negotiations are, after all, the ultimate expression of national sovereignty, which is exclusively under the purview of the executive branch of government in Canada. Furthermore, the negotiation in question, with Russia and Denmark over the delimitation of the extended continental shelf, is located well beyond any northern land claim area. It would be difficult for indigenous representatives to argue for a seat at the table on the basis that the outcome would directly affect their welfare given the remoteness of the area in question, well beyond 200nm from the Canadian coastline in the Arctic Ocean. Regardless of their presence at the international bargaining table, Inuit groups may frame extended continental shelf issues in a variety of ways. Inuit could push for a maximalist claim in a boundary negotiation or seek to delegitimise the process if they were not being consulted by Ottawa.

Framing, win-sets and negotiations over the continental shelf

The history of the Canadian Arctic could be told as one of bargaining between the groups noted above (Grant 1988; Zellen 2009; Grant 2010: chapter 11). Indigenous groups have been in partnership with oil companies in the past, as well as with environmental groups, to achieve their aims. The future will be no different. Although the barriers to drilling on the extended continental shelf are considerable, higher oil prices will continue to drive exploration and innovative methods of production and transport. The interaction between policymakers and stakeholders will inform how Canadians perceive the political stakes in future boundary negotiations over the extended continental shelf. Despite findings that Canadian foreign policy is more resistant to public opinion than other democracies, it is useful to analyse the frames the public is exposed to because people tend to bring existing biases to issues about which they are unsure (Soroka and Wlezien 2004; Chong and Druckman 2007: 11). The analysis assumes boundary negotiations occur after submissions have cleared the CLCS. Given that this body has a 27 year backlog as a product of deadlines associated with the widespread ratification of UNCLOS in 1996, public attitudes will be forged over a long period. The interaction between these frames may play out in the formation and mobilisation of support or opposition to a boundary agreement over the next three decades. This long lead time could have one of two impacts on domestic debates about the Arctic. On the one hand Arctic issues could fade into irrelevance as politicians move on to other issues. The Arctic was not an election issue in the 2011 federal election for instance. On the other hand, this intervening period could allow popular sentiments on the Arctic to become more hostile to cooperation as Arctic issues become increasingly indivisible in the Canadian mindset. The framing of Arctic issues in the current context affects the future domestic context in which negotiations over the extended continental shelf boundary will occur.

The Canadian public seemed to be motivated by the Harper government frame between 2006 and 2009. Sovereignty in the Arctic is framed by Level I to be under threat on multiple fronts, primarily from Russia, which seeks to use military threats to intimidate Canada, in an apparent effort to claim a greater share of resource rich ocean space. Thus, Canada must map its extended continental shelf as part of an effort to occupy territory and protect sovereignty. This effort is generally cooperative, but as the continental shelf is Canadian territory, a rival Russian claim is clearly without merit. This Russian threat is the most serious of a series of threats to Canada's north. This frame may explain why polling data found significant support for a hard line on Arctic issues from Canadians and why Russia was ranked as the least preferred partner in dealing with Arctic issues (Ekos 2011: 36, 42). This is consistent with polling data from 2007 and 2008, which showed that over half of Canadians viewed Russia as the primary challenge to Canada's Arctic sovereignty (Canseco 2008). In the period since the 2011 federal election, the Arctic has not featured prominently in government messages and it thus unsurprising that southern Canadians now view Arctic security as a less pressing issue that other concerns compared to a year prior (Nanos Research 2012). Canadian public opinion seems to mirror the Level I frame regarding Russian Arctic intentions when the issue is topical.

However, despite the resonance of the threat frame with popular opinion, these messages seem completely absent from the second process which, according to Putnam, will determine win-sets: the perspective of Level II Arctic stakeholders. Industry interests are concerned about the negative impact of boundary disputes on the risks and costs of doing business in the Arctic, while environmentalists view boundary disputes as an impediment to collective action on transnational challenges. Both would view such disputes as distractions from the real issues or as providing an unwelcome uncertainty to inter-state relations in the Arctic. Neither would oppose cooperation. Despite significant differences, not least of which is their transnational approach to Arctic issues, the Inuit frame overlaps with that of the Harper government in as much as both view the Arctic as a pressing concern that is under threat. According to ITK President Mary Simon (2009), 'the Arctic is a region of Canada whose time has come.' However, the Inuit have been reluctant to portray maritime boundary disputes with other countries as zero-sum, perhaps because doing so could distract from their primary message of Arctic stewardship. The boundary dispute with Russia remains important, but less so than institution and infrastructure development in northern communities. For example, the ITK's Integrated Arctic Strategy (2008) devotes the majority of the report to stewardship plans for the Arctic, rather than sovereignty concerns.

The Inuit are distinct from other Level II actors discussed herein in that they may claim a right to be involved in the process of negotiation. The Inuit could influence the broader domestic context of boundary negotiations in two ways. First, an effort by the government of Nunavut, ICC Canada or the ITK to press for a role in international boundary negotiations over the continental shelf could reinforce the Harper government's conflation of sovereignty with jurisdiction. Including the perspective of a sub-national actor linked to a sovereignty claim could muddy the waters of negotiations over jurisdiction. This in turn could harden Canadian attitudes towards compromise. Alternatively, the Inuit frame has not demonised Russia in any way. In fact, northern Canadians are slightly more sanguine than their southern counterparts on the role of Russia as an Arctic state (Ekos 2011: 36). Inuit Canadians could therefore play an important role in stressing the importance of cooperation with Russia on settling the issue of the extended continental shelf to the Canadian public.

The period prior to negotiations with Russia will witness further developments in indigenous internationalisation that could affect negotiations. If in fact the government of Nunavut pushes for devolution of offshore areas, this could witness increased pressure on the 'sovereignty' question by pan-Canadian Inuit groups like ITK, and transnational groups like the ICC. Those sympathetic to Nunavut's view could frame an Arctic boundary negotiations as illegitimate if it were not seen to have adequate input from the government of Nunavut, the ITK or ICC-Canada. Alternatively, the latter could lobby their Danish and Canadian governments for a maximalist claim to the shelf, thereby reducing win-sets and making compromise for difficult. Either case could affect the climate of international negotiations by limiting options for Level I and presenting alternative frames to Canadians at Level II. Ottawa could also embrace a role for Inuit at international boundary negotiations in order to attach the legitimacy associated with Inuit claims to the Arctic to a maximalist claim. This would allow negotiators to point to the needs of a marginalised domestic constituency to strengthen their bargaining position with Russia via a reduced win-set at Level II (Putnam 1988: 444).

Conclusion

This article has presented a model for the analysis of the domestic-international nexus of Arctic politics. It has explored the potential impact of domestic politics on Arctic boundary disputes by identifying the interests of stakeholders in the Arctic and offered a preliminary attempt at mapping the domestic politics of Arctic boundary issues in Canada. Examples from East Asia were used to illustrate the mechanisms of issue framing and its impact on win-sets. By combining the notion of issue framing with Putnam's two-level games, it was possible to shed light on the parameters of anticipated winsets for Level II actors. International agreements need to gain ratification by domestic constituencies. Whether they do is a product of how boundary issues are framed by political leaders to their constituents in both material and intangible terms.

By linking Arctic resource development with a Russian threat narrative, the Conservative party linked its foreign policy agenda to an assertive Arctic posture between 2006 and 2009 (Globe and Mail, Toronto, 11 May 2011). Concessions on these points thus expose the government to accusations of hypocrisy, which could force it to harden its position in a formal negotiation. This frame could narrow win-sets if it is picked up by Level II actors. The Ekos poll noted above illustrates that this may already be occurring. However, Level II actors with a direct stake in Arctic issues do not seem to be motivated by the Level I frame on Arctic threats from Russia. There may be a role for these Level II actors in advancing a counterframe that stresses the shortcomings of the Arctic-threat narrative. In any event, such a process is contingent on the continued political salience of Arctic issues for the next three decades. Whether this issue will have political resonance in the future is a product of how issues are framed between now and then. Future research efforts could expand the list of stakeholders to include relevant government departments, other territorial and provincial governments, Inuit regional associations, the fisheries industry and civil society groups in Canada and beyond. Arctic scholars have not yet scratched the surface of research on the domestic aspects of Arctic boundary issues.

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