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Fifty years on: putting the Antarctic Treaty into the history books

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Recent media coverage of the threatened collapse of the vast Wilkins ice shelf highlights the manner in which the established focus on global warming and the ozone hole has led Antarctica to be well and truly accepted as playing an integral role in global environmental systems. By contrast, histories of the 1950 and 1960s continue still to treat Antarctica largely as, to quote Philip Quigg (1983), ‘a Pole Apart’, that is a marginal region struggling for inclusion on most world maps. Despite the occasional newsworthy item, like the 1952 Anglo-Argentine clash at Hope Bay (Beck 1987: 18–21) or the 1955–1958 British Trans-Antarctic Expedition (Fuchs and Hillary 1958), Antarctic affairs have not been regarded, except perhaps in Argentina, Australia, Chile and New Zealand, as sufficiently mainstream during the 1950s and 1960s to warrant inclusion in national or global histories covering that period. As a result, it remains easy still to gloss over the 1959 Antarctic Treaty as possessing rather limited contemporary significance, and hence to dismiss it as a limited purpose agreement confined to a relatively marginal area. Indeed, for some commentators, the treaty was even interpreted as a lost opportunity in terms of failing either to internationalise the region or to resolve the longstanding Antarctic sovereignty problem.

In reality, the Antarctic Treaty, signed by twelve governments at Washington on 1 December 1959, can be properly understood only if viewed in the broader post-1945 cold war context. Apart from providing the fundamental postwar framework for international affairs, this east-west conflict escalated beyond Europe to cover other parts of the world, not excluding the vast cold continent of Antarctica. Indeed, during the 1950s the

leading powers feared that Antarctica was gradually being drawn into this broader conflict. For example, in July 1959 Henry Dater of the USA’s State Department asserted that:

Because of its position of leadership in *the Free World*, it is evident that the United States could not now withdraw from the Antarctic . . . National prestige has been committed . . . Our capacity for sustaining and leading an international endeavour there that will benefit all mankind is being watched not only by those nations *with us* in the Antarctic but also by non-committed nations everywhere. Antarctica simply cannot be separated from *the global matrix*. Science is *the shield* behind which these activities are carried out [author’s italics] (Beck 1986: 64–65).

References to, the ‘Free World’, ‘with us’, ‘the global matrix’, ‘non-committed’ and ‘the shield’ offer revealing insights into American official thinking at a time when sections of the American media were speculating about the, to quote the title of an article published in June 1959 and found in US government archives, ‘Red threat from Antarctica’ (*Missiles and Rockets: Magazine of World Astronautics* 1959: 15–16). In October 1959 worries about Soviet intentions led *The New York Times* to use the opening of the Antarctic treaty negotiations at Washington DC to stress that ‘it is in our interest to insure that this vast region should never be turned by the Russians into a kind of Antarctic Albania . . . Launching pads could be used by the USSR to blackmail the entire Southern Hemisphere from here’ (*The New York Times* 26 October 1959).

Of course, military experts might argue that such picturesque and ‘loaded’ language displayed an ignorance of both Antarctic and strategic realities, given the restricted range and operational effectiveness of contemporary submarines and missiles or the logistical difficulties posed by Antarctic conditions. However, it is worth quoting from such publications, which were read in official circles and which in turn articulated the assumptions underlying the thinking of many Americans. Similar perceptions influenced official thinking in other countries, particularly those located in the southern hemisphere, as Harold Macmillan, the British prime

minister, discovered in February 1958 when he visited Australia and New Zealand. Nor was the politico-strategic dimension irrelevant to the Soviet Union, where concerns were articulated about the perceived threat posed by 'western imperialists' to Antarctic peace in general and Soviet interests in particular (Toma 1956: 612–613).

Notwithstanding frequent references to its military capabilities and conflict potential, in reality Antarctica's politico-strategic role derived less from any government's concern to militarise or nuclearise the region but more from a desire to deny an advantage to a rival power bloc. In this sense, the continent possessed essentially a negative strategic utility, which proved a function of what might happen in the long term rather than of what had actually happened already. This aspect was reinforced by the long standing sovereignty issue, given the manner in which seven rival, occasionally overlapping, territorial claims (but there was some mutual recognition however), prompted tensions and occasional incidents. The refusal of the two superpowers to recognise existing claims merely complicated the problem. Looking back to the late 1950s, John Heap, who worked in the Polar Regions section of the British Foreign Office for nearly thirty years, pointed to the 'fear of chaos' over claims as a principal factor prompting the treaty's conclusion (Heap 1983: 105). For Heap, the treaty's benefits in the form of peaceful use and scientific cooperation, as pressed in the international media, 'should lead no one to believe that such altruism was in the minds of the negotiators; it was not. The parties gained little from it but what they all variously stood to lose without it made the exercise worthwhile'. In brief, the continuation of the demilitarised and denuclearised status of Antarctica, in conjunction with the shelving of sovereignty disputes, represented the basic *raison d'être* of the treaty.

The success of the 1959 Washington Conference was facilitated by what Vasili Kuznetsov (1960: 23), the Soviet delegate, described as 'favourable conditions', most notably by the cooperative framework provided by the Antarctic programme of International Geophysical Year (IGY) and the improvement in east-west relations signalled by recent progress in the Geneva nuclear weapons talks and the visit made in September 1959 to the USA by Nikita Khrushchev, the Soviet leader. In retrospect, it was perhaps fortunate that the treaty was concluded some five months before the serious Soviet-American rift consequent upon the U-2 spy plane affair as well as the serious crises centred upon Berlin and Cuba during the early 1960s.

Welcoming its conclusion, in December 1959 Sir Harold Caccia, the British ambassador in Washington, pressed the case for viewing the treaty's broader significance:

The problems of this remote and unpeopled region might be thought to be of little relevance to the great issues that concern the world today. But they are problems to which the 12 nations represented here have attached importance and which have created real difficulties for some of them. It is our hope

that the successful conclusion of this treaty will be a good omen and will contribute to the establishment of a climate more favourable to the settlement of other international questions. In that case, the treaty will have had an importance far transcending the Antarctica (*The Times* (London) 2 December 1959).

Despite being treated in both the contemporary press and present day histories of the period as a region 'of little relevance to the great issues that concern the world today', the 1959 Antarctic Treaty represented a substantial international achievement, as suggested by the manner in which it resulted from a lengthy and difficult series of secret meetings conducted by a working group (1958–1959) and the six week Washington Conference (Dodds 2007: 57–60). Quite apart from its novel, even precedent-setting, features relating to peaceful use and conflict management, the agreement was signed by both the American and Soviet governments. Indeed, *The Guardian* (2 December 1959) claimed that this was the first time that the Soviet Union had joined western governments in such an agreement since the start of the cold war. The inclusion of the seven claimant governments was also important in enabling the future containment of the tricky sovereignty issue. Unsurprisingly, in January 1960 the *Bulletin of the Atomic Scientists* presented the year as marking 'the Dawn of a New Decade' (*Bulletin of the Atomic Scientists* 1960: 3). Since 1947 this journal had used a so called 'clock of doom' to remind readers about the fearful destruction implicit in the development of atomic and nuclear weapons. Initially, the time was set at eight minutes to midnight, but subsequently the minute hand was advanced to two minutes to midnight in the light of advances in nuclear weapons technology. However, in January 1960 the clock was reversed for the first time, when the hands were put back to seven minutes to midnight because, the journal asserted, of the signature of the Antarctic Treaty, Khrushchev's visit to the USA, and the initiation of the Geneva test ban talks.

In effect, the Antarctic Treaty created a 'continent for peace' through provisions for demilitarisation, a nuclear weapons free zone, inspection, the suspension of sovereignty disputes, and international scientific cooperation. Moreover, it provided the basis for the establishment of the Antarctic Treaty system as a management regime. Following ratification by all signatories, the Antarctic Treaty came into effect in June 1961. Soon afterwards, in August 1961, *The Economist* (1961: 554) welcomed the creation of a twelve nation 'peace club' for a region, wherein 'nobody can be quite sure what future pitfalls need to be guarded against'.

A continent wholly demilitarised and open to unlimited inspection: this is not Utopia, but Antarctica as proposed by the Antarctic Treaty, to which twelve governments have subscribed. There, at the bottom of the world, an ice locked, blizzard wracked region, bigger by a half than Europe, has been marked as a peace preserve. Peace for scientists and explorers,

peace for penguins, the only permanent residents; no military bases or stores, no rocket launching sites and no nuclear explosions are to sully its unplumbed whiteness. The treaty is . . . the first truly self denying ordinance to be signed by, among others, all the nuclear powers.

At a time when we are celebrating the fiftieth anniversary of the treaty's signature, it is worth noting the way in which many commentators, including those who should have known better, came to assume that the treaty had a fixed thirty year duration. During the late 1970s and throughout the 1980s, this proved one of the most common points raised in questions at the end of any talk delivered by me on Antarctica, given the manner in which 1991 came to be viewed by many people as a critical date marking the end of the treaty. In part, this view was encouraged by initial press reports of the treaty's signature. Thus, *The Times* (2 December 1959) report was headlined 'Peaceful cooperation in Antarctica for 30 years': 'The treaty runs for 30 years, after which it will be reviewed'. Subsequently, 'reviewed', most notably the provisions allowing for a review conference 'after the expiration of thirty years from the date of entry into force of the present Treaty' (article XII), came to be interpreted as 'terminated'. Writing during the early 1970s Paul Daniels (1973: 44–45), a leading actor in the treaty negotiations, stated that 'the Treaty is to remain in effect for 30 years from the date of its entry into force on June 23 1961'. Soon afterwards, this line was echoed by Malcolm Booker, an Australian diplomat involved in the actual negotiations, who asserted that 'the treaty expires in 1991' (Booker 1978: 116). Nor did *The Times* avoid such errors, as highlighted in January 1983 when an editorial commenting on Margaret Thatcher's visit to the Falklands referred to Antarctica, 'whose Treaty is to be renewed in six years' time' (*The Times* (London) 10 January 1983). Thus, *The Times* committed a double mistake in respect not only to the matter of renewal but also to the irrelevance of the year 1989, even in the sphere of treaty review.

In reality, as events proved, the position was somewhat different. Lacking a specified duration, the treaty could last indefinitely without any need for renewal or renegotiation, let alone review. Significantly, the preamble employs the word 'forever' in regard to the treaty's objectives: 'it is in the interests of mankind that Antarctica shall continue forever to be used exclusively for peaceful purposes'. Appreciating the national and international benefits accruing from the preservation of the 1959 treaty, most notably the ATS, the Antarctic Treaty Consultative Parties (ATCPs) came increasingly to regard the treaty as a long term obligation extending into the indefinite future. Far from resulting in the expiry, let alone the review, of the treaty, 1991 was used by ATCPs to issue a celebratory declaration to mark the thirtieth anniversary of the 'outstandingly successful' Antarctic Treaty: 'The Antarctic Treaty Parties are proud of their achievements over the last 30 years and the example of peaceful cooperation

that the Treaty provides to the rest of the world' (ATCM 1991: 139). This sense of achievement and durability was reinforced by the almost simultaneous conclusion of negotiations for the comprehensive environmental protection regime embodied in the Protocol on Environmental Protection.

The 1959 Antarctic Treaty embodied both static and dynamic qualities, and this combination has enabled ATCPs not only to preserve Antarctica as a continent for peace but also to accommodate the ATS to a fast changing world. The ATS's responsibilities have been extended into new areas, most notably environmental protection and living resource management. Membership has expanded, while ATCPs have sought to ensure that the ATS has responded effectively to external challenges to the regime's validity and international acceptability (Beck 2004). Hitherto, the 1959 Antarctic Treaty has been largely ignored by history books. Hopefully the role of the Antarctic Treaty system in managing the treaty regime, preserving the peace of Antarctica, and protecting its environment during the past half century or so will find a much deserved place in future history books.

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Common interests in the international space of Antarctica

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The Antarctic Treaty was adopted by twelve nations in Washington, DC on 1 December 1959 with the interests of science and the progress of all mankind. Seven of these nations asserted territorial claims, including the overlapping claims of Argentina, Chile and the United Kingdom in the Antarctic Peninsula. The five other nations were non-claimants, including the United States and Soviet Union (now Russian Federation), which reserved rights to press claims in the future.

What compelled these nations to adopt the Antarctic Treaty and to establish the first institution to manage an international space beyond national jurisdictions? Why has the Antarctic Treaty succeeded in managing nearly ten percent of the Earth, for peaceful purposes only, continuously over the past half century? What are the 'common interests' of nations in the Antarctic?

Consider the situation in the 1950's. Antarctica could easily have become a region for testing or storing weapons, including nuclear weapons that existed in the United States, Soviet Union and United Kingdom. There were no native human inhabitants to object and Antarctica itself was a frozen desert, isolated at the southern end of the Earth surrounded by a vast ocean. Yet, Antarctica became the first nuclear-free zone on Earth where all activities of a military nature have been prohibited, except the use of military personnel or equipment for scientific research or for any other peaceful purpose.

The Antarctic Treaty is elegant in its simplicity; only requiring fourteen articles for its firm foundation to manage the region south of 60°S in the interests of all mankind 'for ever.' This agreement established a bridge of cooperation between the two superpowers and 10 other states on the basis of science, as kindled by the International Geophysical Year (IGY).

Established territorial adversaries such as Argentina, Chile and the United Kingdom agreed in Article IV of the Antarctic Treaty that no acts or activities shall constitute a basis for asserting, supporting or denying a claim while the Antarctic Treaty is in force. Open and

unfettered inspection was enabled by Article VII in all areas of Antarctica, including all stations, installations, and equipment. Bolstered by the freedom of scientific investigation and international cooperation through science, as provided in Articles II and III, the Antarctic Treaty created a framework for stewardship of an entire continent and its surrounding ocean in the interests of all mankind.

There was no 'magic bullet' in the Antarctic Treaty that at once solved problems for ever. Rather, the unique step that mankind made with the Antarctic Treaty was the establishment of an evolving process of consultation for nations continuously to adjust their solutions in relation to ever changing circumstances. As Article IX.1 of the Treaty noted:

Representatives of the Contracting Parties named in the preamble to the present Treaty shall meet at the City of Canberra within two months after date of entry into force of the Treaty, and thereafter at suitable intervals and places, for the purpose of exchanging information, consulting together on matters of common interest pertaining to Antarctica, and formulating and considering, and recommending to their Governments, measures in furtherance of the principles and objectives of the Treaty including measures regarding:

- A use of Antarctica for peaceful purposes only;
- B facilitation of scientific research in Antarctica;
- C facilitation of international scientific cooperation in Antarctica;
- D facilitation of the exercise of the rights of inspection provided for in Article VII of the Treaty;
- E questions relating to the exercise of jurisdiction in Antarctica;
- F preservation and conservation of living resources in Antarctica.

This consultative process was set in motion by President D. Eisenhower on 3 May 1958, when he invited all nations engaged in scientific activities in Antarctica during IGY to develop an administrative arrangement dedicated to the principle that the vast uninhabited wastes of Antarctica shall be used only for peaceful purposes. Over the next eighteen months, sixty secret meetings were held in the United States. Inclusion of the Soviet Union in these secret meetings is noteworthy, particularly because Eisenhower had to prevail over objections from his joint chiefs of staff. Without the Soviet Union, however, it is extremely unlikely that the Antarctic Treaty would have secured the kind of legitimacy and robustness that we have witnessed over the past half century.

Finally, on 15 October 1959, the conference on Antarctica was formally initiated in Washington, DC