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Note

J.E. Bernier and the historical record

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ABSTRACT. In the 1920s, Canada developed and promoted a sector claim to the Arctic archipelago based on the 1880 transfer from Great Britain and on subsequent occupation, as expressed in licensing, patrols, and posts. The fact that in July 1909 the government-sponsored explorer J.E. Bernier had claimed the sector by planting a flag, indeed, the fact that Canada had him planting flags at all, complicated if not contradicted this narrative. This research note shows that Canadian government officials of the 1920s misunderstood or, more likely, deliberately mischaracterised Bernier's earlier sovereignty work, and in doing so have distorted our historical understanding of it. The note also argues that, contrary to recent writing in this journal, it is likely that Bernier did not make an earlier sector claim in August 1907.

Introduction

On 1 July 1909, J.E. Bernier, captain of the Canadian patrol ship *Arctic*, bolted a plaque to Parry's Rock on Melville Island and claimed for Canada the entire Arctic archipelago, all the way to the North Pole. It was an audacious act, introducing to international practice what became known as the sector principle, under which northern nations would assert ownership of all the territory between their western and eastern boundaries to the Pole. It was more audacious because Bernier acted without the direction of the government employing him. The significance of Bernier's declaration has been contested ever since, its dubious legitimacy battling with the fact that it was made at all. Was it a beachhead, positioning Canada for subsequent more meaningful demonstrations of sovereignty? Or was it irrelevant, perhaps even weakening Canadian title that came from Great Britain's 1880 transfer of its northern possessions? Yet when the authors of a recent book on Canadian sovereignty disdain Bernier's act as 'totally symbolic' (Coates 2008: 29) while the Canadian Prime Minister praises it as akin to completion of the transcontinental railroad (Harper 2008), they are essentially in agreement that its meaning rests in its mythic character. They just disagree concerning whether that counts for much. In a 2010 article, I explored the roots of Bernier's act in the context of his decade-long attempt to have Canada sponsor him on an expedition to the Pole, and his 1909 acceptance that Peary or Cook would make it first. I also argued that although Bernier was modern enough to recognise the value of making the claim so theatrically he was not quite modern enough to believe his fame would rest on such a fundamentally symbolic act, and so was often surprisingly cavalier in describing it thereafter (MacEachern 2010).

In a recent research note in this journal, Janice Cavell bypasses the symbolic value of Bernier's sector claim and argues, more so than any previous writer, that he actively harmed Canadian interests. She contends that in the 1920s the work by Interior ministry civil servants to promote a sector claim based on actual occupation was almost undone by the attention still devoted to Bernier. What's more, those who study Bernier today, myself explicitly included, risk repeating this. Cavell's note ends, 'Canadian writers who elevate Bernier and his claims are inadvertently doing a disservice to their country' (Cavell 2012: 3), thus framing a matter of historical enquiry in terms of national loyalty. Cavell herself has published on Bernier three times in this journal during the past two years, including a research note that identified an August 1907 claim he made as an earlier, overlooked sector claim. Thus elevating it, in other words (Cavell 2010, 2011, 2012).

I made the same discovery about the 1907 claim when researching my 2010 article. I emphatically deny Cavell's claim in her March 2012 note in *Polar Record* that she led me to my find. Although we were in contact early in the research process, we ultimately researched and wrote our works independently.

My continuing research on Bernier has uncovered evidence that questions the narrative Cavell presents. She sees Bernier in the late 1920s as lobbying to win public recognition for his two sector claims (including to have his 1907 one revealed) and senior civil servants as thwarting his efforts so as to protect the version of the sector principle that they were championing. This narrative is offered as proof of how 'deeply misguided' Bernier was. But my research shows that Bernier's sovereignty work earlier in the century was either misunderstood or, more likely, deliberately mischaracterised by these officials. The episode therefore speaks less to how Bernier 'obscured the strong foundation' of the civil servants' work (Cavell 2012: 3) and more to how they obscured his. The evidence also suggests that Bernier did not in fact make a sector claim in August 1907.

Rewriting history

When J.E. Bernier retired in 1925, he embarked on a public campaign to win recognition for his contributions to Arctic exploration and sovereignty. Officials in the Department of the Interior closely monitored stories about him in the press. In a 1928 instance cited by Cavell, Oswald Sterling Finnie, Director of the North-West Territories and Yukon Branch, complained to his superior about what Bernier was saying. Most troubling to Finnie, 'His statements make it appear that we had some doubt as to the validity of the Imperial Order in Council of 1880, and that it was necessary to supplement that by planting the flag' (Finnie, O.S. 1928). But Bernier had not mentioned the 1880 transfer, so Finnie's criticism was evidently directed less at Bernier's statements about his missions than at the necessity of the missions themselves.

The Interior ministry of the 1920s was advancing a linear version of Arctic sovereignty, under which once granted the archipelago, Canada slowly but unwaveringly took steps to occupy it. Bernier's flag-planting complicated, if not contradicted, this narrative by suggesting that Canada had felt obliged to claim the lands once again. But the inconvenient truth was that early in the century Canada *did* have doubts about the 1880 title, which was why the Wilfrid Laurier government had directed Bernier to take possession of each northern island he reached. That these were Bernier's orders is beyond dispute, evident in the government's official orders, his official published reports, and Hansard. (See, for example, Gourdeau 1906; Bernier 1909:

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12; Canada, House of Commons 1908: 4748; Cavell 2011: 303). Since the documents surrounding the title were held by Britain for forty years and only forwarded to the Ministry of the Interior in 1921 (Grant 2010: 167), there is the temptation to suppose that Finnie did not know that his predecessors harboured doubts, or why. But there was sufficient institutional memory to summon up policy of two decades earlier, and the published accounts of the *Arctic* voyages outlined the motivation and practice of claiming land regardless. Finnie took issue with Bernier fundamentally not because he thought the Captain was revising history but because the Captain personified the actual history.

A more egregious episode occurred two years later. On 12 November 1930, the press reported that the Canadian government was paying the Norwegian explorer Otto Sverdrup $67,000 for his maps and papers. This was, in truth, so that Norway would relinquish its claims to the Sverdrup Islands. The very next day, J.E. Bernier wrote to the Acting Prime Minister Sir George Perley reminding him of his long service (Bernier 1930). Whereas Cavell interprets Bernier as seeking a polite response he could use in his publicity campaign and perhaps permission finally to broadcast his 1907 sector claim, it is clear he was hoping for financial compensation along the line of Sverdrup's. (Just that month, he had asked that his annual pension be raised by half (Anon. 1930)). Bernier's letter was sent to O.S. Finnie, who drafted a memo for his superior. Finnie had spent much of that autumn representing his ministry in the Sverdrup negotiations, and knew that the Norwegians had explicitly stated that relinquishing the islands in no way constituted an acceptance of the sector principle (Steen 1930). It is likely that he felt it was no time for Bernier to be indulged. Finnie's memo began, 'there is no record showing that Captain Bernier was ever, at any time, formally commissioned by our Government to claim any areas in the Arctic for Canada' (Finnie, O.S. 1930). As noted above, this was factually wrong, as published and unpublished records of Bernier's voyages attested, and it is difficult to imagine that Finnie did not know it. Even the fact that Finnie proceeded to call it absurd for the Captain to have claimed islands distant from where he was, let alone the whole sector, negated his initial argument that Bernier had no right to claim any areas at all.

Cavell calls Finnie's memo 'perhaps the clearest statement of the government's stand on Bernier and his proclamations' (Cavell 2012: 2). But in discussing it she paraphrases Finnie's quotation above as a denial of Bernier's 'sweeping claims' and refers to the memo later as a rejection of Bernier's 'sector claims', failing to note that Finnie rejected the legitimacy of Bernier making any claims whatsoever. In doing so, she gives Finnie's opinion a credibility it does not deserve. The irony is that if Cavell had pointed out Finnie's misinformation it would have strengthened her argument, by showing just how far Interior civil servants were willing to go to ensure that their version of history held sway.

One claim or two?

Cavell and I separately uncovered the fact that in a 3 October 1907 letter to his superiors, Bernier described a claim he had made on 12 August in sector terms: 'We took possession of North Lincoln and Cone Island, and all adjacent islands, as far as ninety degrees north.' A small, handwritten 'x' beside the final phrase indicates the Laurier government rejected this categorisation (Bernier 1907b). Bernier was presumably told not to speak of the claim in sector terms again, and he did not describe it as such in his official report. Cavell now treats this apparent sector claim as a given, citing Bernier's '1907 sector claim' or plural 'sector claims' at least ten times in her most recent note (Cavell 2012).

But there is every reason to believe Bernier did not actually make a sector claim on 12 August 1907. The diary of *Arctic* crewman J.A. Simpson makes that day's landings to have been entirely without ceremony. And without the presence of Captain Bernier himself: it was only the Chief and Second Officers who went ashore and took possession (Simpson 1907). Nor is there any indication in the archival record of the Canadian government being concerned that a cairn sitting in the north, accessible to explorers and whalers of other nations, referred to the claim in sector terms. Indeed, when a record left on Cone Island by *Arctic* was discovered by an Inuk in 1920 and turned over to Canada by the Danish government, it matched word-for-word how it was described in the official report (Bernier 1907a, 1909: 50). The only evidence whatsoever that a 12 August 1907 sector claim took place is the six words 'as far as ninety degrees north' written almost two months later. But that phrasing may just have been Bernier's unthinking shorthand for the known islands beyond Ellesmere or a belated reflection of what he wished he had claimed. There is no evidence that Bernier challenged or was disappointed by the government's refusal to have that day's claim described as a sector claim.

In fact, having examined not only the relevant government records at Library and Archives Canada but also Bernier's extensive personal papers at Archives Nationales du Québec, I have found no evidence that Bernier ever mentioned a 1907 sector claim again. Cavell attempts to demonstrate the significance of the 12 August 1907 claim by noting Bernier's references to it in later correspondence, but she offers no example of him describing it in sector terms. Just the opposite, in fact. When Bernier contacted the Acting Prime Minister, Perley, in the 1930 episode discussed earlier, his description of the 12 August 1907 claim was taken from his official report, that is, in the phrasing he used *after* expunging the sector reference he had originally reported (Bernier 1930). Cavell nonetheless argues that Bernier may have been hoping to finally get the chance to reveal his 1907 sector claim. But how could this hope be strengthened by his describing the claim in other than sector terms?

Cavell's overrating of Bernier's 1907 claim has the paradoxical effect of helping her underrate his 1909 one. Her recent note argues that Bernier's highly symbolic claims have long eclipsed the more down-to-earth case for occupation, built on posts and patrols, which the Interior civil servants developed. As such, she draws no meaningful distinction between the two sector claims, between on the one hand six never-repeated words and on the other a declaration that was made with ceremony on a plaque attached to the side of Parry's Rock, was recognised by the Canadian government, was publicised by the media, was published in the official report, and has become a staple in discussion of Canadian Arctic sovereignty right down to the present.

If Bernier's historical role now risks misinterpretation, I bear some responsibility, having also written of how his October 1907 letter showed him defining a claim in sector terms. But to me the significance of the 1907 letter is that it puts his 1909 claim in a new light. Whether Bernier had intended to provoke a reaction from the Laurier government or not, he learned in 1907 that it expressly did not want him making a sector claim. And yet given the first chance to do so, in 1909 he did just that. He

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just did it with much more ceremony, making it more difficult for the government to refuse what he had done.

Conclusion

In many ways the Interior officials were right about Bernier and his 1909 sector claim. He was by all accounts something of a megalomaniac. He gave himself too much credit for his role in Canadian Arctic sovereignty. His version of the sector principle, devoid of national political authority, let alone international legal precedent, had less legitimacy than the one subsequently developed in Interior, so his continued presence on the scene was a distraction if not an impediment. But none of that changes the historical context in which Bernier made his claims, or changes the fact that the Interior civil servants rewrote the historical record for their own purposes when dealing with him. And for a historian to point that out has nothing to do with patriotism.

In evaluating Bernier's contribution, I side with an author who sailed with him in the 1920s and wrote several profiles on him later in life. Of Bernier having claimed islands everywhere, he wrote, 'His critics laughed at this practice as well as at the Captain's vanity, but at least it was a Canadian who was now affirming Canada's ownership of the archipelago which . . . had been transferred – but in somewhat vague terms – by the British Government to Canada in 1880.' That is the conclusion reached by Richard Finnie, writer, filmmaker, and son of Oswald Sterling (Finnie, R.S. 1942: 20).

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