Canada-US Security and Defence Relations: A Continentalist-Institutionalist Perspective

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This paper advocates that Canada take a resolutely continentalist and institutionalist approach to its security and defence relationship with the United States: "continentalist" in that it recommends increased Canadian cooperation—even integration— with American defence measures, and "institutionalist" in that it is based on the idea that bilateral institutions have enabled Canada to defend and promote its interests. The report's main recommendation is that the existing network of institutions relating to the security and defence of North America should be both developed and expanded. The strategy recommended is prudent, lucid and incremental.

The paper is divided into three parts. The first section reviews the current threats to North America and the problems associated with the management of the Canadian-American relationship. The second section describes the strategy of "lucid continentalism" and indicates how such a strategy can alleviate, at least in part, these threats and difficulties. The final section discusses some specific aspects of the approach.

I Threats and Problems

a. Asymmetric threats

The factors affecting North American security can be briefly summarized as follows. The uncontested military superiority of the United States is the principal characteristic of the current security environment. Furthermore, no other entity, be it China, Russia, or a unified Europe, appears in a position to challenge American dominance in the so-called "foreseeable future." American supremacy is not limited to military and economic matters but extends to technological, cultural, ideological, and intellectual arenas. Secondly, it is unlikely that the United States, given its military superiority, will face a conventional or nuclear threat from another great power. The threats to its territory are of an "asymmetrical" nature and arise from possible aggressive action taken by a much weaker power. In the current context, the concept of asymmetrical threats includes the possible use of nuclear, chemical or biological arms, terrorism, subversion, civil disorder and guerrilla warfare. Thirdly, it is impossible to evaluate the probability of the execution of such an attack in the near future. The risk, although slight, that such an attack would be carried out against—or from—Canada, is nonetheless of great importance. Apart from possibly affecting the life and well being of

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Canadians and temporarily paralyzing the Canadian government, the risks of such an attack are bound up with the Canadian-American relationship. In fact, the risk to Canada arises from this very relationship: an American adversary may wish to demonstrate its ability to strike at North America or to take advantage of the interdependence of certain sectors (such as communication and energy) by destroying installations on Canadian territory. The worst-case scenario is that an American enemy might take advantage of a weakness in Canadian defence and security measures to strike at the United States, thereby causing the US to tighten border controls, with ensuing catastrophic effects on the economies of both countries.

b. Problems of the Canadian-American relationship

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Canadians are much more troubled by what they are inclined to see as American paranoia relating to these asymmetric threats than they are by the threats themselves. Clearly, however, Canadians cannot afford to disregard the American state of mind. The Canadian economy, highly integrated with that of the United States, is affected by decisions made in Washington, and many Canadians are susceptible to ideas and feelings of insecurity emanating from the US. The Canadian government must thus take these fears into account when acting, even if it does not share them. In order to maintain a workable relationship with the United States, the Canadian government must be guided by the principle that Canada should not be a source of insecurity and concern for the American government and its people. Ottawa must therefore ensure that no group hostile to the US operates within Canada. This approach is the price that must be paid if Canada wants the Americans to leave the border open for trade and refrain from intervening in Canadian internal security matters.

The Canadian political elite, although aware of the necessity of keeping the border open to legitimate traffic, is concerned that closer collaboration with the US on security matters will reduce Canadian sovereignty. Many feel that any association with the US results in a lessening of Canada's ability to define and execute its own policies. In fact, it is arguable that it is more Canadian identity than sovereignty that is threatened. Those who favour greater integration with the United States tend to consider only the economic and security aspects of the question, neglecting the role played by identity in Canadian policy. Any policy of rapprochement with the United States must bear an unmistakable Canadian imprimatur in order to be acceptable to Canadian leaders and the population at large: that is, it must respond to Canadian interests (and not a desire expressed by Washington), it must be consistent with the values of Canadian society, and, above all, it must contain mechanisms to regulate crises and unforeseen situations. In other words, an agreement with the United States must not be perceived as a Trojan horse.

Maintaining one's identity implies control over the formulation of one's worldview; the present geopolitical context requires vigilance on this score. Since the mid-1990s—and, on a much greater scale since 9/11—part of the American political and military elite appears won over to an hysterical and messianic vision of the world as divided between the partisans of Good and Evil, the resolution of whose problems necessitates the use of force. The Canadian government must be careful not to be seduced by this discourse and not to accept wholesale the American leaders' definition of the

threat. Because Canada's security measures are adopted primarily in response to worries expressed by the Americans, the room for manoeuvre is small; if the government is not guided by caution and a critical spirit, it risks losing credibility in the eyes of the Canadian population and of those foreign governments baffled by the American approach. To sum up: Canada, with an economy and society closely linked to those of the United States, cannot afford to ignore American fears, but must, with caution and lucidity, put into place measures to deal with what Washington perceives as threats. How best to do this in the present context?

II North-American institutions.

a. **The primacy of continental defence**

The importance of defence and security in North America dictates the adoption of a continentalist approach. Because the stakes are so high, wherever there is a conflict between overseas missions and those relating to continental and territorial defence, the latter must take priority. While there is merit in the assertion that Canada should contribute to the war against terrorism overseas, such a policy must never lead to the adoption of a policy that places such missions on an equal footing with continental defence. The two undertakings involve different and sometimes contradictory activities and priorities; in a context of limited resources, one must take precedence. Although overseas missions are more visible and are perhaps likely to be politically beneficial in the short term, they are also more risky. Canada's vital security challenges are first and foremost in North America. If terrorists were to launch an attack from Canadian soil or otherwise make use of Canadian territory, the consequences would be catastrophic for the Canadian society and economy. With the possible exception of the period during the 1950s when Soviet bombers were capable of attacking North America, Canadian territory is more important that it has ever been since the beginning of the 20th century. This strategic consideration alone justifies redirecting Canadian defence and security efforts to the North American continent. Furthermore, this is the area in which the Canadian government stands to make its greatest political and economic gains.

b. The advantages of continentalism

Although continentalism does not always get a good press, it responds well to Canada's economic, strategic, political and social needs. Canada possesses numerous strong points that can usefully be exploited. The first has to do with the high degree of interdependence between the Canadian and American societies. The fact that they are inextricably intertwined is not just a reality that must be confronted: it also represents an opportunity and a clear advantage. In the same way that Ottawa is obliged to take certain measures in order to maintain access to the vital American market, Washington finds itself restricted as to the nature of possible retaliatory measures at its disposal.

Canada's second advantage relates to the convergence of certain fundamental sociopolitical values in the two countries. While it is true that the respective peoples have different values and different "strategic cultures"—in particular concerning the use of force and the purpose of defence policy—it is also true that both societies are both firmly anchored in the liberal democratic tradition, characterized by an emphasis on the rights

and freedoms of the individual, the rule of law, the depoliticization of conflicts and their resolution by peaceful means, free enterprise, and private property.

These two factors explain in large part the genesis and evolution of the network of bilateral institutions in North America. This network serves Canada's interests particularly well, in that it enables Canada to resist American pressures and to form a relationship that would be otherwise very unbalanced. This network should therefore be protected, strengthened, even enlarged.

With the exception of the North American Aerospace Defense Command (NORAD), the Canadian public is unfamiliar with the Canadian-American security institutions. Even the Canadian government does not know the exact number of agreements relating to defence (excluding civil agencies) in existence between the countries; the figures most often advanced are 80 treaties, 250 protocols and 145 "bilateral forums".[1] These bilateral institutions, which have enabled Canada to protect certain of its most important defence and security interests[2], offer four major advantages. The first is of a tactical nature: for example, the institutions allow Canada to have access to American information that would otherwise be unobtainable, and to control more efficiently Canadian airspace and coasts. Secondly, institutionalized co-operation favours increased American confidence in Canada in two ways. Measures adopted by the two countries have greater global effect, and Canada's demonstration of good faith and willingness to contribute to continental defence promotes American confidence. The third advantage stems from the permanent nature of these institutions: they guarantee a form of continuity that will survive the ups and downs of the relationship between the political leaders of the two countries at any given time— the difficulties between JFK and John Diefenbaker, LBJ and Lester Pearson, or Jean Chrétien and George W. Bush come to mind.

Finally, these institutions permit the limitation of possible damages that could arise from Canada's relationship with the United States. Contrary to the assertions of some writers, Ottawa's closer collaboration with the United States does not translate into greater Canadian influence over the broad orientation of American security and defence policy. Nonetheless, in part because of regular (and frequent) contact with American representatives, these institutions ensure that the Canadian voice will be heard before the American authorities adopt measures that could have an effect on what happens in Canadian territory. However, the chief merit of these institutions from the Canadian standpoint is that they perpetuate the norms, rules and decision-making mechanisms that avoid the possible abuse and limit the negative effects arising from the fundamentally unbalanced relationship. Since the final quarter of the 19th century, these bilateral institutions have been founded on similar principles, which spread from one institution to another.

The above-mentioned grounds are sufficient to justify strengthening these institutional links. There is, however, a greater reason to shake the political leaders out of the habitual mood of apathy and pusillanimity that prevails in this area: this institutional network, which has done yeoman service to Canadian interests in the past, is currently threatened. The creation of such American security institutions as the Department of

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[1] Government of Canada, Senate, Report of the Standing Committee on National Security and Defence, *The Defence of North America: A Canadian Responsibility*, Ottawa, September 2002, p. 28.

[2] The important question of the defence and security industry is beyond the scope of this paper.

Homeland Security (DHS) and the U.S. Northern Command (Northcom), and the putting into place of a ballistic missile defence program (BMD), pose serious questions. To the extent that these solely national initiatives undertake measures that might otherwise have been cooperative, they may foster the view among the American political elite that collaboration with Canada can henceforth be dispensed with. There is therefore a risk that the bilateral institutions will be bypassed and that Canada will be marginalized. Canada should therefore act as quickly as possible, before the role of these new entities has been fully established. The following section makes certain suggestions in this regard.

III PROPOSED ACTIONS

Many experts and commentators have pointed out the advantages of a closer association with the United States and the adoption of joint security measures. Economists and business people are concerned with keeping the American border open for the free flow of Canadian goods and services. From this standpoint, defence and security matters are seen as a means of getting the attention of the American government and as bargaining chips for obtaining concessions in the commercial arena.[3] This approach is both counterproductive and dangerous: counterproductive, because it is unlikely to work and because its disregard for the national identity issue risks arousing the distrust of the Canadian population, and dangerous because it breaks with the principle of the "compartmentalization of spheres of activity" and because it is not based on an analysis of the real needs of Canada and the United States.[4] In my view, the proper approach is that of "lucid and prudent aggressive continentalism," which involves the gradual strengthening and broadening of the North American institutional network in accordance with clearly identified principles.

The general principles

Ideally the two countries would issue a declaration (in the absence of a formal treaty) setting forth the goals of bilateral cooperation within the framework of the fight against asymmetric threats and making clear the principles upon which such cooperation is based. These principles are especially important for Canada, since they will dictate the boundaries of the area for cooperative activity and will provide the Canadian government with its best defences against American influence. However, as Denis Stairs notes, neither government appears at present to favour such a formal approach[5]. The present context appears therefore to dictate a "step by step" or "incrementalist" approach— the one that in fact leads to the conclusion of most bilateral agreements[6]. It involves the

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[3] See, for example, Wendy Dobson, "Shaping the Future of the North American Economic Space. A Framework for Action, " *C.D. Howe Institute Commentary*, no. 162, April, 2002; Coalition pour des frontières sécuritaires et efficaces sur le plan commercial, *Plan d'action pour des frontières sécuritaires et efficaces sur le plan commercial*, December, 1001, www.chamber.ca.

[4] For my objections to the linking of commerce and security, see "Honey, are you still mad at me? I've changed, you know…," *International Journal* 58, no. 4, Autumn 2003, 571-590.

[5] Denis Stairs, "Challenges and Opportunities for Canadian Foreign Policy in the Paul Martin Era," *International Journal* 58, no. 4, Autumn 2003, 495-496.

[6] For various scenarios see Stéphane Roussel, "The Blueprint of Fortress North America" in David Rudd and Nicholas Furneaux, eds., *Fortress North America? What "Continental Security" means for Canada*, CISS, Toronto, 12-19, and "Sécurité, souveraineté ou prospérité? Le Canada et le périmètre de sécurité nord-américain », *Options politiques*, vol 23, April 2002, 15-22.

signing of agreements of limited scope between agencies or ministries in various sectors, in the absence of a broad framework that a formal political declaration would provide. This approach has the advantage of being able to avoid sensitive pockets of resistance, whether they be among politicians or the population at large.

The agreements signed as a result of this approach by sector must be based on the same principles that have guided those signed since the latter part of the 19th century, to wit:

1. Collegiality. Decisions should be made collectively, when the subject matter permits, and the process should allow for the expression of diverse points of view.
2. Permanence. Representatives of the two parties should meet as regularly and frequently as is possible in the circumstances in order to establish a fruitful work relationship that is characterized by mutual trust.
3. Equal representation. Each country should have equal representation on a committee established under the provisions of an agreement.
4. Depoliticization of problems. Delegations on committees should be composed of civil servants or military personnel (rather than politicians) in order that "technical" solutions to problems may be found and ideological or partisan considerations avoided.
5. Precision. The text of the agreement should be as precise as possible concerning the areas of its application in order to establish implicit limits.
6. The authority of the host government is paramount when joint activities are carried out on its soil.
7. No joint activity carried out within the context of these agreements shall form a precedent for the claiming future rights of any nature.
8. A symbolic consideration (oral, monetary or otherwise) shall be given for any recourse had to the services or resources of the other party, in order to negate any inference that the agreement has created an acquired right.

A further characteristic of "lucid continentalism" is the strict compartmentalization of sectors of activity. The possibility that strengthened military and civil security measures may beneficially affect the free circulation of people and goods should not be emphasized. In the first place, the principle of compartmentalization has served Canada well in the past, and breaching it would set a dangerous precedent. In the second place, "de-compartmentalization" signifies the simultaneous pursuit of very different objectives, each having many ramifications and very diverse interests. Such complexity could only result in an impasse in negotiations. If a link must be made--and it were better not--between the vast areas of commerce and security, it should only be done by the politicians, not the agencies concerned. In the third place, the creation of such links would simultaneously foster expectations among certain segments of the population that could never be fulfilled and upset other parts of the civil and political society. While no strengthening of security measures could ever guarantee that the American border would remain open to legitimate traffic, such measures will inevitably be perceived by some as reducing Canadian sovereignty. The principle of compartmentalization means that progress or benefits in one area should never be linked to obtaining concessions or results in another.

It is likewise important not to be overly influenced by the not infrequent rhetorical excesses emanating from the United States, where, for some, everything has become a security matter. This rhetoric can be used to justify demands and concessions that would be otherwise unacceptable at both the societal and governmental levels, and that in addition may in fact have little to do with security concerns. Canadian leaders must be capable of identifying the veritable security imperatives and of negotiating agreements that implicitly limit the areas for cooperation.

Strengthening the Canadian-US institutional cloth

Certain initiatives should be undertaken, in accordance with these principles, to gradually strengthen the defence institutions in the face of asymmetrical threats. The first is obvious and has been frequently mentioned: the mandate of the Binational Planning Group, set to expire in 2004, must be renewed. The Group should keep its present functions relating to coastal security, intelligence, and emergency preparedness, but it should also be given the task of studying its own transformation into a permanent organism with an enlarged mandate. The ultimate goal would be to expand the NORAD agreement to include land and sea forces.[7]

Secondly, cooperation could be increased in other areas, such as: -
Surveillance of maritime borders;
-Tasks related to Homeland Security, such as catastrophe preparedness;
-Monitoring the Atlantic and Pacific approaches to North America;
-Intelligence;
-The recruiting and training of Special Forces trained in the fight against terrorism;
-Cyber warfare.

Thirdly, Canada could attempt to create a closer relationship with Mexico in these areas. In the long term, Mexican participation in measures concerning the defence and security of the North American continent seems inevitable. Canada should therefore take the take the lead in this area, rather than be a passive observer of a phenomenon, which, like the American initiatives described above, will transform the North American institutional fabric. Among other things, Canada is particularly well positioned to play the role of intermediary between the Mexican society and armed forces and the American forces.[8]

[7] Dwight N. Mason, "Canadian Defense Priorities: What Might the United States Like to See?," *Policy Papers on the Americas*, vol. XV, no. 1, March 2004, 3-5.

[8] See Athanasios Hristoulas and Stéphane Roussel, "Le trilatéralisme sécuritaire en Amérique du Nord : Rêve ou réalité?" in Albert Legault, ed., *Le Canada dans l'orbite américaine : Mort des théories intégrationnistes?*, Québec, Presses de l'Université Laval, publication forthcoming, 2004.