

TERRORISM AND RESPONSE:

The Impact of the War on Terrorism on the Canadian-American Security Relationship

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Introduction

Only time will tell if the terrorist attack on the US on 9/11 was a one-off, an anomalous event, or actually represented a breakthrough in terrorist capability, heralding a potential revolution in Terrorism Affairs.¹ For the United States, it was a terrifying surprise attack, mass murder on an exponential scale, and a national tragedy. While Canadians expressed heartfelt sympathy for our closest neighbours, for most Canadians it was a near miss; we dodged the bullet. Only 24 Canadians were killed in the attack on the World Trade Center. The immediate impact on Canada was limited primarily to looking after thousands of airline passengers stranded when their flights to the US were cancelled or diverted. There was a longer-term, but temporary economic impact arising from delays at border crossings and from the grounding of air traffic.² Nevertheless, nearly a year later, the aftershocks continue to be felt north of the border. This paper will reflect on the impact of those events and the subsequent War on Terrorism on Canada and Canadian-American security relations. It will consider first, the terrorist threat to Canada, and second, the Canadian response to it, situating both within the wider context of Canadian-American relations. The paper will then try to draw some conclusions about the implications for the Canada-US security and defence relationship. It will argue that short of a sustained terrorist campaign within North America, the current War on Terrorism will not

alter that relationship in a major way.

The Terrorist Threat to Canada

On 17 September 2001, the Prime Minister told the House of Commons that: Al am not aware at this time of a cell known to the police to be operating in Canada with the intention of carrying out terrorism in Canada or elsewhere.³ He repeated this view at a Liberal Party dinner in October. Coming in the wake of the most costly terrorist attack in history, against our closest neighbour, these remarks seemed - and still seem - extraordinary. Yet, in a very real sense his statement reflected not only Canadian perceptions of the post-9/11 situation, but also the Canadian reality, which is an anomalous position of vulnerability and invulnerability. This is not an unfamiliar position for Canada; throughout the Cold War, it was said that Canada was both undefendable and unconquerable. The perceived risk to Canada was not that it would a major target or theatre of a war between the superpowers, but rather that it would be caught in the crossfire. I believe this paper will show that Canada=s current position with regard to terrorism is quite similar and thus that the PM=s statement is, at one and the same time, both right and wrong.

The Prime Minister=s view is probably correct in the sense that no terrorist group, except possibly al-Qaeda, is *likely* to target Canada or Canadians *just for the sake of killing and terrorizing Canadians*. Although Canada has played an active role in the War on Terrorism, it has been a >bit part=, all but eclipsed by the higher profile of the United States and Britain. Moreover, Osama Bin Laden has been quite clear that his dispute is with the US (AThe Great Satan≡) and its Middle East allies: Israel, Saudi Arabia, and Egypt.⁴ Canada may be a staunch American ally, but it carries very little weight in the world. So, attacking Canadian targets for their own sake doesn=t make strategic sense; it would gain al-Qaeda nothing. Why waste limited resources on a bit player, when the main enemy and a Atarget-rich environment≡ is Aright next door≡ ?

Which brings us to the part of the PM=s statement which is incorrect. Canada is at *some* degree of risk *because* we share a common border (which cannot be made wholly secure), *and* because our economies and infrastructures are so closely integrated. So a terrorist threat to the US could affect Canada *indirectly* but seriously. There are at least four terrorist threat scenarios in this

regard. While not inevitable, these are not impossible; the first two have already happened.

While none of the 9/11 terrorists appear to have entered the US via Canada, slipping instead through an equally porous American border bureaucracy directly from Europe and Britain, the US had every right and reason to cast a nervous eye toward its longest undefended border, because at least one previous attempted attack *did* originate here. In December 1999, Ahmed Ressay was arrested trying to smuggle explosives across the BC/Washington border, en route to bombing Los Angeles airport in a way that would have caused mass casualties (although not on the scale of 9/11). Ressay had entered Canada illegally in 1994, using false documents and claiming refugee status. In fact, he had been a member of the Algerian Islamist GIA terrorist group. Settling among the expatriate Algerian community in Montreal, he became part of a small network of Algerian Islamist extremists operating in Canada, whose efforts were directed toward planning an attack on the US. Canadian immigration was unaware of his terrorist background and lost track of him. He sustained himself on welfare and by petty crime, while avoiding capture by the police. In 1998, he travelled to Afghanistan and trained for six months in al-Qaeda camps, but the Canadian Security Intelligence Service (CSIS) didn't know about him. It was as if Ressay didn't exist. Only vigilance at the US border - and his attempted escape - led to his arrest.⁵

This is the scenario that worries Americans, and it ought to concern Canadians. The problem is that Ressay was not alone; even before he surfaced CSIS had acknowledged that most terrorist groups have a presence in Canada. They engage in propaganda, recruiting, and fund-raising, more or less openly. But as the Ressay case shows, some also have the capability to carry out attacks in other countries and have moved beyond mere talk to planning operations.⁶ CSIS is keeping under surveillance some fifty groups and several hundred terrorists and supporters.⁷ As of early 2002 four al-Qaeda members were being held in Canadian jails on immigration-related charges.⁸ Several other suspected or alleged members with connections to Canada have been deported to the US, where they are being detained for questioning, or have been put on trial.⁹ None have been implicated in the 9/11 attacks. Moreover, these numbers are not large and should not be blown out of proportion; they don't make Canada a haven for terrorists. But, since 9/11 the extent of al-Qaeda's global network of

Asleeper≡cells and its efforts to hide them have become clearer.¹⁰ So, it is probably prudent to assume that some others remain undetected in Canada. If there were to be a mass-casualty attack on the scale of 9/11 or worse, leaving behind a trail that led back to Canada, there would be very serious consequences for Canadian-American relations and for Canadian sovereignty and security. It is in Canada=s interest to ensure that never happens.

The second potential threat to Canadians could arise from attacks on Aenemy≡ targets in Canada. These could include diplomatic installations, personnel, businesses, and tourists from certain countries, and targets identified as AJewish≡.¹¹ Terrorists have long considered diplomatic missions and their staffs as legitimate, high-value targets. Since they have to be accessible, it is difficult to provide air-tight security for them. Several have been attacked in Canada; British trade commissioner James Cross was the first, kidnapped by the FLQ in 1970.¹² A Turkish diplomat was assassinated in Ottawa in 1982, and the Turkish embassy seized in 1985.¹³ An Indian cabinet minister was attacked in BC in 1986.¹⁴ There are at least eight countries whose diplomatic offices and representatives probably would be at high risk of attack by al-Qaeda or similar groups that operate in Canada: the US, Israel, Britain, Saudi Arabia, Egypt, India, Pakistan, and Russia. Between them, they have eight embassies or high commissions in Ottawa, plus 21 consular offices across the country, together employing several hundred persons. Given past experience in Canada and elsewhere, it is not difficult to imagine an attack on any of these. And it is worth recalling that when the US embassies were bombed in Africa in 1998, most of the hundreds who died were not American diplomats but local innocent bystanders who simply were in the wrong place at the wrong time. A large bomb attack on a foreign mission here could have the same effect.

Likewise, foreign business interests could be targeted. As an advanced post-industrial G-8 nation, whose economy is Aglobalized≡, Canada is host to offices, factories, and sales outlets of many multi-national corporations. Many major American firms have a presence in Canada: the Big Three auto makers; computer and telecommunications companies; airlines; banks and investment firms; aerospace; oil companies; petrochemical; and pulp and paper, just to name a few. They employ tens of thousands of people at hundreds of locations across the country. Since the very nature of business implies

openness to customers and others, their physical security is minimal - meant to deter or prevent theft and vandalism rather than attack. There are not enough police, troops, or private security personnel to guarantee foolproof 24/7 protection for Canadian, let alone foreign, businesses in Canada. It would take very little effort and skill to mount an attack on one of these sites, causing damage and casualties - most of whom would be Canadians. The fact that it has not happened yet *may* be the best indicator that the foreign terrorist presence in Canada is minimal, dormant, or at least under control, for the time being. But we should not assume it will stay that way in perpetuity. If similar targets elsewhere are made more secure and Canadian ones do not follow suit, then the probability of an attack here is likely to increase. While we cannot guarantee security while remaining an open society, we owe it to ourselves and to those we invite to do business here not to let Canada become a free-fire zone \cong for terrorists.

The American business presence in Canada is only one dimension of the national >target profile=. The third terrorism scenario that could have consequences for Canada would be an attack on shared Critical Infrastructures (CI). Canada and the US share a number of CI that are vital to the functioning of both countries and their economies. These include energy generation and distribution: power stations, electricity grids, and natural gas pipelines; Canada exports a lot of energy to the US.¹⁵ The transportation networks are largely integrated and serve both countries. This applies to railways, bridges, the St. Lawrence Seaway, airlines, and air traffic control. Trade between Canada and the US exceeds \$1.9 billion per day; 82% of Canadian exports go to the US.¹⁶ Finally, there is the telecommunications network, especially telephone and the Internet, which is vital to commerce for both countries and flows seamlessly between them.¹⁷ Disruption of any of these, by physical and/or cyber attack would be costly for the economies of both countries. And as the 1998 Ice Storm demonstrated, the failure of power distribution in winter costs lives.¹⁸

The final threat resides in the Nightmare scenarios \cong , such as a major chemical, biological, radiological, or nuclear (CBRN) attack on an American city in close proximity to the Canadian border, for eg., Detroit. While there is no consensus on the likelihood of a large-scale, mass casualty event in the near term, it cannot be dismissed out of hand. We know al-Qaeda has attempted to acquire or develop Weapons of Mass Destruction (WMD) and that it probably has the financial power to buy them.¹⁹ The

9/11 attacks demonstrated a willingness to cause mass casualties (3,005 dead; 6,297 injured). The previously assumed prohibition against terrorists using CBRN has been breached at least three times: by the nerve gas attack in Tokyo in 1995; by the Chechens' use of a radiological device in Moscow;²⁰ and by the as-yet unsolved Anthrax attack in the US after 9/11 (which may not have been an al-Qaeda attack). So, the US and other national governments have to take the possible threat - and thus any warnings - seriously. The WMD attack scenario suggested above could have two consequences for Canada. First, depending on the type and scale of the attack and weather conditions, it is possible that its lethal effects could spread across the border into Canada, in the form of radioactive fallout, a cloud of poison gas or biological toxin, or a deadly epidemic. This would immediately put Canadian lives at risk, requiring a mobilization of responses, including public health and other emergency services, detection systems, quarantining and decontamination, and mass evacuations, with the attendant disruptions of normal life, commerce, transportation, communications, and public services. The second possible consequence could be the requirement to receive, house, sustain, and treat American casualties and refugees from an attack that does not immediately impact Canadians themselves. Again, this would require a mobilization of Canadian resources, some of which might have to be sent into the US to assist disaster recovery there.

There is another CBRN attack scenario, which would more directly affect Canada. This posits an attack on a Canadian nuclear power plant, such as the Pickering station just east of Toronto. An attack could have two potential objectives and outcomes. The first would be to sabotage the plant, causing the release of radioactive material, which would be carried into the US by the prevailing winds. While this would not cause large numbers of immediate casualties, it would generate panic and force evacuations in both countries, as well as imposing a massive and costly decontamination task. A second, alternate objective might be to capture a plant, holding it for ransom, for example, to force the US to release all the prisoners held at Camp X-Ray in Cuba. The threat behind the ransom, of course, would be to sabotage the plant if the demands are not met, with the consequences described above. This would also cause panic in Canada's largest city and probably would put the Canadian government under a lot of pressure to persuade the US to meet the terrorists' demands. Refusal could

result in a major crisis in Canada-US relations.

All of this notwithstanding, it would be a mistake, not to mention irresponsible, to suggest that these catastrophic scenarios are either imminent or inevitable. The same could be said for the two previous scenarios. The 9/11 attacks notwithstanding, al-Qaeda's members aren't >supermen=, and the War on Terrorism in Afghanistan and elsewhere has dealt it a blow. The problem is that we cannot rule out any of the scenarios with a high degree of confidence, because there are gaps in our knowledge. There is great uncertainty about al-Qaeda's residual capabilities, future plans, and the status of its resources (people and funding).²¹ Because of that uncertainty, we must assume that some degree of threat remains. So, what is Canada doing about it ?

Canadian Counter-Terrorism Efforts

The Canadian response to 9/11 has been multi-faceted, involving military operations, anti-terrorism legislation, financial resources, border security measures, and police and intelligence activity, among others. It developed with - for Canada - remarkable speed, although not without some confusion and debate about what to do and how to do it. Moreover, it exposed some glaring weaknesses in Canada's preparedness to deal with terrorism at home and to participate in the war against it abroad.²² In many respects, Canada has been playing >catch up= since 9/11, and is fortunate that, except for the military, its institutions, plans, and resources have not been truly tested by contact with the enemy. This portion of the paper will examine the Canadian response in the military, legal, and security domains.

Canada's military involvement in the War on Terrorism has been the most visible portion of the response. In October Canada deployed a naval task group, eventually totalling six ships, to the Arabian Sea to assist American and other coalition warships in conducting sea control operations. The naval contingent, some 2,000 strong, was the largest component of the Canadian military action, code-named Operation Apollo. At about the same time, a small contingent (about 40 personnel) of Joint Task Force 2 - Canada's anti-terrorist unit - deployed to Afghanistan to fight alongside American and coalition special forces against the Taliban and al-Qaeda. In November, Canada announced that it would deploy a battalion battle group of some 750 troops to Afghanistan to fight remnants of the Taliban and al-Qaeda. The deployment began in January; the unit became operational in February and was reinforced

by additional troops, bringing its strength up to about 900. It conducted a number of joint operations with US forces over the next several months. In May 2002, the Canadian government announced that the battalion would not be replaced. It completed re-deployment to Canada in July. In addition to these combat units, the Canadian Forces also deployed three transport aircraft to support CF operations in the theatre. A reduced naval and air transport presence remains in place for the time being.²³

Given the size of Canada's regular forces, this was a substantial commitment in numerical terms. Moreover, individually and as formed units, the deployed forces appear to have performed well. But, the deployment also laid bare all of the weaknesses of the Canadian Forces, eg: low state of readiness, insufficient personnel, inadequate equipment and logistical support, and lack of strategic mobility. Given its small size and on-going operations elsewhere, deploying a single battalion group (less than 1,000 personnel) to Afghanistan stressed the army to the limit.²⁴ Far from being the AFirst in, first out≡ that the former Minister of National Defence had once advocated, the Canadian troops were among the last to arrive, some four months after the American forces. Barely four months later the government announced that they would not be replaced. Though the troops had seen relatively little action, the operation could not be sustained beyond a six-month tour. While this confirmed everything that parliamentary committees and external critics had said about the state of the Canadian Forces, it also said a great deal about the priorities of the Canadian government. Maintaining Canada's peacekeeping operations comes first; the War on Terrorism is clearly a second-tier priority.

By comparison with the army deployment, the naval contribution was disproportionately large. Yet, while it has conducted hundreds of boarding operations and searches in the Arabian Gulf, the navy has captured only two suspected terrorists in nine months on station.²⁵ This raises serious questions as to whether the naval contingent was fulfilling a necessary purpose. Was there genuine evidence that many al-Qaeda operatives were fleeing Afghanistan by sea ? Was there a real threat that al-Qaeda might attack the US fleet at sea ? And if so, could the US Navy not deal with these problems itself ? Or were these scenarios advanced simply to give some operational validity to a deployment which was largely symbolic, to show solidarity with the US? If its purpose was symbolic, then six ships seems like >overkill=; one or two would have sufficed. It may be fair to conclude that the naval deployment

reflected a >capabilities-driven= (rather than a threat-driven) strategic decision. More than any other element of the Canadian Forces, the navy is interoperable with its American counterpart, and sails regularly with American carrier battle groups.²⁶ Whether or not there was a threat that Canada=s navy could counter, it was a readily deployable capability, easily integrated into American forces and their operations.

On the legal front, parliament passed omnibus anti-terrorism legislation (Bill C-36), which became law on 24 December 2001 (certain provisions were not enacted until 2002). Work on some aspects of this bill actually had begun before 9/11, as part of a long-term plan to update older legislation. So the 9/11 attacks gave momentum to a process that already was underway. Bill C-36 amended the *Criminal Code*, the *Official Secrets Act* (which was changed to the *Security of Information Act*), the *Canadian Security Intelligence Service Act*, the *Canada Evidence Act*, the *National Defence Act*, the *Proceeds of Crime (Money Laundering) Act* and a number of other extant acts of parliament in the areas of public security and human rights. With the proclamation of Bill C-36 into law, Canada also ratified two international law conventions: the *Suppression of Terrorist Financing Convention*, and the *Suppression of Terrorist Bombings Convention*. In practical terms, the new legislation allows the government to designate certain groups as terrorist groups, making leadership of, participation in or assistance to the group illegal. Knowingly collecting or providing funds, directly or indirectly, in order to carry out terrorist actions, was also made illegal. Groups that support terrorism and related activities will not be able to claim tax-exempt charitable status. Police are given additional legal powers and processes to investigate and prosecute terrorist financing activity. Property and other assets belonging to terrorist groups can be seized and forfeited. In addition, harbouring or concealing a terrorist becomes a crime. The law gives the police the power to conduct preventive arrest≡ of persons believed to be about to commit a terrorist act, and lifts some restrictions on electronic surveillance of terrorist groups. It clarifies the powers of the Communications Security Establishment (CSE) - the SIGINT agency - to gather foreign intelligence on terrorist groups that might attack Canada or Canadian interests, and allows CSE to undertake security measures to protect government computer networks from terrorist activity. It also allows the authorities to delete hate propaganda from websites and to prosecute those who damage

religious property. Certain kinds of evidence, based on classified information, will be protected from open courtroom disclosure if its exposure would jeopardize intelligence operations. The law creates new offences for intelligence-gathering by terrorists and for attempting to enter or sabotage critical infrastructures.²⁷ In short, Bill C-36 was a comprehensive package of anti-terrorism legal measures.

But controversy swirled around the bill, as politicians, lawyers, and human rights activists questioned both its necessity and its implications for civil liberties.²⁸ Given that the Prime Minister himself had suggested that Canada faced no direct terrorist threat, it was not hard for critics to query the need for such legislation. By Spring 2002, the pendulum had swung far enough that the government was forced to withdraw a companion piece of legislation, Bill C-42, and replaced it with Bill C-55, the *Public Safety Act*, which was seen as less repressive.²⁹

At a relatively early stage the government began to allocate additional funding for defence, internal and border security. The first step, announced in October 2001, was to add \$ 250 million to the current (2001-2) budget for border and airport security and immigration control.³⁰ The second step was a much larger spending program, contained in the 2001 Budget (for FY 2002-3), tabled in the House of Commons in December. Significantly, the budget was titled, *Securing Progress in an Uncertain World: Enhancing Security for Canadians*. The budget promised \$ 7.7 billion in spending over a five-year period to support Canada's role in the War on Terrorism and to enhance Canadian internal and border security. Specific allocations included: \$ 1.6 billion to deploy more police and CSIS intelligence officers, to improve coordination and information-sharing among police, intelligence, and security agencies, and to strengthen the role of the Financial Transactions and Reports Analysis Centre (FINTRAC) in eliminating terrorist group financing; \$ 1 billion to improve screening of visitors, immigrants, and refugee claimants; \$ 1.6 billion for Canadian Forces operations against terrorism overseas, as well as to double the strength of JTF2, to improve Canada's capacity to respond to CBRN threats, and to protect Canadian CI; \$ 2.2 billion for air travel security, including the creation of a new federal air security agency, armed undercover police officers on flights, state-of-the-art explosives detection equipment and improved training for baggage screeners, more police at airports, and securing aircraft cockpit doors; and finally, \$ 1.2 billion for border security, including new

technology and the creation of Integrated Border Enforcement Teams (IBETs). The Finance Minister claimed that the main goal of the budget was to keep Canadians safe, keep terrorists out and keep our borders open.³¹

Looking closely at the budget, critics suggested that in their view it did not commit the government to a long-term program to refinance defence.³² Their fears were confirmed when the Prime Minister said later that if the military needed more money, it would have to get in line.³³ In fact, keeping the border open for trade was probably the government's highest priority, since the Canadian economy is so dependent on cross-border trade. A more restricted border/trade regime would impact the Canadian economy far more severely than its US counterpart. Thus, it was essential to alleviate any American concerns about the supposedly porous border and Canada's allegedly lax immigration/refugee policies.³⁴ In this regard, it is hardly surprising that border security was featured more prominently than defence in the budget and in initiatives that followed.

Efforts to make the border more secure actually pre-date 9/11 by a large margin. For example, the Bilateral Consultative Group on Counter-Terrorism was established in 1988, and a cross-border crime forum in 1997. These involve representatives from the many law enforcement, security, and intelligence agencies of both countries, and their work supplements and enhances long-standing cooperative efforts. The Canada-U.S. Partnership Forum was created in 1999 to promote high-level dialogue with a view to streamlining and harmonizing border policies, increasing efficiencies in customs, immigration, and related activities, and collaborating on threats outside Canada and the US.³⁵

All of these efforts were given extra emphasis in the period immediately following the attacks. On 12 December 2001, then-Minister of Foreign Affairs John Manley and Homeland Security Director Tom Ridge signed *The Canada-US Smart Border Declaration*. The broad intention of the *Declaration* was to collaborate in identifying and prevent security threats before they reach North America, while facilitating the flow of regular travel and trade. Simultaneously, the two governments announced a joint 30-point *Action Plan* to implement the *Declaration*. More than a dozen initiatives in the immigration field included: the development of biometric identifiers for travel documents and fraud-resistant permanent resident cards; a review of refugee/asylum practices and procedures to ensure thorough

screening for security risks; limiting access of asylum-seekers; coordinating visa policies, including watch lists and exemptions; sharing advance airline passenger information; and increasing the number of immigration officers overseas. Cooperation on these issues would be facilitated through the joint ABorder Vision process that began in 1997 to develop a regional approach to immigration through policy co-ordination, intelligence-sharing and joint overseas operations. Border Vision's Working Group on Intelligence and Enforcement is supposed to achieve a joint intelligence-led approach to deterring, detecting, and preventing exploitation of illegal immigration by organized crime and terrorists.³⁶

Security initiatives included: reinvigorating existing joint efforts, such as Project Northstar, to improve cross-border coordination of law enforcement efforts through information-sharing, networking, training, and planning; establishing an integrated intelligence effort (eg., joint analysis/dissemination teams and threat assessments); improved sharing of fingerprint data; addressing the legal and operational problems arising from joint deportation actions; and expanding the IBETs, which had existed as a pilot program for several years before being formalized in October 2001. IBETs and their marine equivalent (IMETs) are drawn from state, provincial and local police forces and the RCMP, the customs and immigration services, the US Border Patrol, and related agencies. They conduct joint patrols and operations and share intelligence, a process that has shown considerable promise in countering cross-border smuggling and drug trafficking. The *Action Plan* anticipates extending the areas covered by the IBET/ IMETs, particularly along the Montreal-Windsor border corridor. In April 2002, the RCMP's Customs and Excise branch became the Canadian >lead agency= for the expanded program.³⁷

For CSIS, the 9/11 attacks came at time when it was just beginning to rebuild its strength after several years of budget cuts and staff reductions of about 25% over some six years. Even before the attacks counter-terrorism was its top priority, but it did not have the resources to cover all potential threats. After 9/11, even more resources were diverted from other programs to the counter-terrorism task. The budget will allow CSIS to increase its strength by about 30%, but over a five-year period (which is, in any case, the amount of time it takes to train and develop a new intelligence officer). In the interim, it will have no >surge= capacity, and will have to continue to >manage risk=, by allocating resources to certain priorities while downgrading others and by relying on cooperation with other

agencies, such as the RCMP, customs, and immigration bodies. The *Anti-Terrorism Act* widens the range of terrorist-related activities that CSIS can investigate, and gives it additional powers to do so.³⁸

But, realistically, it can never make Canada risk-free.

Finally, Canada is making a substantial effort to improve Critical Infrastructure Protection. In fact, following the US lead, and spurred by the Y2K problem, it had begun to do so before 9/11. The government established the Office of Critical Infrastructure Protection and Emergency Preparedness (OC�PEP) in February 2001, and has expanded its budget and strength considerably since. That said, OC�PEP has a limited remit; just as in the US, most of Canada=s CI resides outside the jurisdiction of the federal government, in the provincial, municipal, and private sectors. So OC�PEP=s role outside of government is likely to be limited to drafting national policies and standards for >best practices=, advising other levels of government, and stimulating and facilitating projects and cooperation between the public and private sector stakeholders. But it will be up to the latter to secure the CI themselves, and how much they do will depend on *their* priorities.³⁹

Implications for Canada-US Security Relations

As the foregoing suggests, Canada has a lot at stake - and much more to lose - in its relationship with the United States, particularly in its economic dimensions. It is an unequal relationship, in economic and military terms, between a superpower and a minor power. This asymmetry means that Canada has to struggle to make its voice *heard* in Washington, let alone to wield any influence there. Thus, it is hardly surprising that Canada quickly rallied to the defence of its neighbour and of their shared continent. It committed modest military power, legal, financial and other resources to the War on Terrorism, at home and abroad. But, what are the implications of this for the Canada-US security relationship?

In their article on Canada and Homeland Security, Michel Fortmann and David Haglund observe correctly that the Canada-US defence and security relationship was already changing when the 9/11 attacks occurred. Increasingly, that relationship was focusing on continental security. They go on to argue that the AKingston Dispensation≡ - the idea (originally advanced by President Roosevelt and affirmed by Prime Minister Mackenzie King in 1938) that the two countries would not pose threats to each other and would come to each other=s defence - is still valid. Indeed, 9/11 gives Canada-US defence and

security cooperation greater salience than it has had since the early years of the Cold War.⁴⁰ Jack Granatstein concurs, drawing not only on the long history of defence cooperation, but also the more recent trend toward force interoperability, and the issues raised by the US continental defence programs: National Missile Defence (NMD) and Northern Command. In light of all this, he says, ACanada must cooperate militarily as fully as possible with the United States.≡ The only question is how much.⁴¹

The logic of these arguments may be unassailable, but defence and security are political issues, and in politics pure logic rarely prevails. Instead, attitudes, interests, and perceptions are likely to be more influential. Memories of 9/11 are already beginning to fade - at least in Canada and Europe - and as they do, >traditional= issues, attitudes, and concerns, such as health care and the economy, are regaining center stage. The withdrawal of Bill C-42 and the Prime Minister=s casual dismissal of extra funding for the armed forces are good indications that the political mood has shifted away from security concerns. Short of another catastrophic attack in the US or a more sustained terrorist campaign there (including attacks originating in or affecting Canada), the surge of support for defence and security so apparent in Fall 2001 seems destined to be an anomaly.⁴² Part of the problem may be that while defence specialists and some politicians instinctively recognize the link between foreign and defence policy,⁴³ the *benefits* of such a link are not necessarily obvious to the public. In the context of the War on Terrorism, sending a Canadian battalion to fight alongside American troops in Afghanistan did not prevent the US from imposing duties on Canadian softwood lumber, risking the destruction of an industry and the loss of thousands of Canadian jobs.⁴⁴ And - to add insult to injury - that *after* an American pilot had killed four Canadian soldiers in a >friendly-fire= incident in Afghanistan. With these events in mind, Canadians could be forgiven for thinking, AWith friends like this, who needs enemies?≡⁴⁵

If the foregoing is correct, it may be reasonable to conclude that Canadian-American defence and security relations will remain substantially unchanged by the War on Terrorism. The long-standing trend toward closer collaboration between the armed forces of both countries will continue. But so long as the current government stays in power - and, in light of the weakness of opposition parties, it seems destined to be there for a considerable period - there will not be a dramatic reversal of the deterioration of the Canadian Forces. The best that can be hoped for is that the erosion of its capabilities can be

slowed or stopped. In the meantime, as the American military continues to evolve into a force shaped by the >Revolution in Military Affairs=, the gap between the Canadian and American forces seems likely to widen.⁴⁶ This will tend to counteract the trend toward interoperability and will limit the utility of the Canadian Forces in joint operations.

So, while Canada may wish to have some say in defining the mission of US Northern Command, if only to ensure that it does not infringe Canadian sovereignty, it will have little to offer in return and is unlikely to gain a seat at the table.⁴⁷

Nor will Canada surrender control of its side of the border or of ports of entry. A shared North American security perimeter might make sense from practical standpoint, but again, short of a major ongoing terrorist threat, the sovereignty >optics= are unsellable, even if they are overstated. Clearly, joint border patrols and information-sharing are now accepted practice. But, that is a long way from posting American customs and immigration officers alongside their Canadian counterparts, looking over their shoulders and vetting all arrivals. The most the US can expect - indeed, what it has the *right* to expect - is that Canada will exercise >due diligence= within its own territory and jurisdictions to ensure that its border controls, refugee, immigration, and other policies and procedures limit as much as is reasonably possible the ability of terrorists to infiltrate Canada and to use it as a base for attacks against the US. It is in Canada=s interest that it do so, for an attack on the US originating here would violate the AKingston Dispensation≡ and could create irresistible pressures for greater American influence - or control - over Canadian internal security. The 2001 budget gives some reason for optimism in this regard, but the proof will be in its application over the long term. In the absence of a direct threat, it may be difficult for any government to sustain a significant financial commitment to increased security in the face of pressures to spend more in other equally vital sectors. Likewise, lacking jurisdiction over most of Canada=s CI, the federal government will be able to do little more than cajole the owners and operators to increase security.

That will mean, first, changing attitudes toward threats and security, and then increasing standards and procedures to match.⁴⁸ That may be hard to do without a *clear and present danger*≡. However, those CI whose products serve the US market may see it in their own business interest to take the security

issue seriously.

The 9/11 attacks may come to be seen in retrospect either as the start of a Revolution in Terrorism Affairs or merely as a tragic anomaly that was never replicated on a similar scale. What is clear at this point (August 2001) is that they have not yet revolutionized Canadian-American defence and security relations.

Endnotes

1. The author has addressed this issue in several (unpublished) lectures, eg: Terrorism and Counter-Terrorism in a New Century, address to Command and Staff Course 28, Canadian Forces College, Toronto, 10 December 2001; and in testimony to parliament: Terrorism in a New Century: A Perspective in Light of the Attacks on 11 September, testimony to House of Commons, Standing Committee on National Defence and Veterans Affairs, Minutes of Proceedings and Evidence, 1 November 2001.

2. Michael Staples, Air Traffic Grounded, *The Daily Gleaner*, 12 September 2001; AUS Under Attack - Canadian Casualties, Updated Wed. Oct. 31", 31 October 2001, at: www.cbc.ca/news/indepth/usattacked/cdncasualties.html; Notes for an Address by the Honourable John Manley ... to the CanAm Border Trade Alliance, Ottawa, Department of Foreign Affairs and International Trade, 6 May 2002, found at: www.dfait-maeci.gc.ca

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3. Canada, 37th Parliament, 1st Session, House of Commons, debates, 17 September 2001.
 4. Rohan Gunaratna, *Inside al-Qaeda: Global Network of Terror* (New York: Columbia University Press, 2002), pp. 1, 42, 44, 87-91.
 5. Ibid., pp. 110-111.
 6. Canadian Security Intelligence Service, *Perspectives. Report 2000/4 International Terrorism: The Threat to Canada*, 3 May 2000, www.csis-scrs.gc.ca/eng/miscdocs/200004_e.html
 7. Remarks by W.P.D. Elcock, Director of the Canadian Security Intelligence Service, to the House of Commons Sub-committee on National Security, 27 May 2002. In his testimony to the sub-committee, Elcock was at pains to point out that the exact number of terrorist-related CSIS targets fluctuates over time and is, in any case, quite small.
 8. Presentation by a CSIS official to an academic conference in March 2002.
 9. These include, among others: Nabil al-Marabh, an illegal immigrant to Canada, who was arrested in Chicago in September 2001 and was charged in June 2002 with use of false documents to enter the US; Mokhtar Haouri, a Montreal store owner, convicted in January 2002 as co-conspirator in the Ressam bomb plot; and Mohamed Mansour Jabarah, a Kuwait-born Canadian from the St. Catharines area, who was arrested in Oman in June 2002 and is in detention in the US. He has confessed to being part of a plot to blow up the US embassy in Singapore.
 10. Gunaratna, pp. 58-59, 76-80, and chapters 3 and 4.
 11. In November 2001, court documents revealed that Samir Ait Mohamed, who was being held in custody in Vancouver, had discussed with Ahmed Ressam in 1999 plans to place bombs in two Jewish neighbourhoods in Montreal: CBC news reports, 30 November 2001.
 12. David A. Charters, *The Amateur Revolutionaries: A Reassessment of the FLQ*, *Terrorism and Political Violence*, vol. 9, no. 1 (Spring 1997), pp. 141, 146, 154, 156-57.
 13. David A. Charters, *A Distant Mirror: Armenian Terrorism in Canada: 1982-85* in Centre for Conflict Studies, *The Terrorism Scoreboard: A Study of the Conditions for Success or Failure of Terrorism in Three Canadian Cases*, unpublished study for the National Security Coordination Centre, Solicitor General Canada, 1992, pp. 53-55.
 14. Richard Cleroux, *Official Secrets: The Story Behind the Canadian Security Intelligence Service* (Toronto: McGraw Hill, 1990), pp. 167-68.

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15. For eg., in 2001 Hydro Quebec provided 4,430 MW of power to New York State and New England (mostly in peak summer months). See: Hydro Quebec - Transenergie AOur Transmission System≡, 15 April 2002, at www.hydroquebec.com/transenergie All of Canada=s electricity providers belong to the North American Electricity Reliability Council, and operate in three cross-border control areas that oversee system security and bulk energy transfers between the provinces and states in those areas. Canada is also the US= largest supplier of crude and refined petroleum products, natural gas, and uranium: details in Canada, Department of Foreign Affairs and Inter- national Trade, ACanada and the United States: A Strong Partnership≡, at www.dfait-maeci.gc.ca
16. Canada, DFAIT, ATrade Negotiations and Agreements B Canada=s International Market Access Priorities, 2002 Report≡, at www.dfait-maeci.gc.ca/tna-nac/2002/4-e.asp Some two million jobs on each side of the border depend on cross-border trade.
17. David A. Charters, *Canadian Critical Infrastructure Security: A Pilot Study*, conducted for the National Security Directorate, Solicitor General Canada, 31 August 1999, p. 14.
18. For a description of the impact of the Ice Storm on CI and the resulting fatalities, see: *Ibid.*, pp. 3-4.
19. Gunaratna, pp. 11, 36, 49, 60-69, 93.
20. John Arquilla and Theodore Karasik, A*Chechnya: A Glimpse of Future Conflict?*≡, *Studies in Conflict and Terrorism*, vol. 22, no. 3 (July-September 1999), p. 222.
21. There is some debate about the residual threat from al-Qaeda. The FBI asserts that it may have been reduced to no more than 200 operatives world-wide (report in *Palm Beach Post*, 30 July 2002, cited in Daily Defense News listserve, periscopopenews.ucg.com.). However, Gunaratna, pp. 8, 54-55, believes that al-Qaeda is capable of regenerating its depleted ranks from the thousands of members of related groups who trained in its camps and who are now dispersed around the world.
22. Prior to 9/11 there had not been a cabinet-level committee on foreign affairs, defence, or security for many years. Then Foreign Affairs Minister John Manley acknowledged shortly after 9/11 that there was no single person in government responsible for national security. An ad hoc cabinet committee on security was created in October 2001 under Manley=s leadership.
23. ACanadian Soldiers to Join U.S.-led Coalition in Afghanistan≡, CBC news report, 15 November 2001; AIn the Terrorism Crunch, Canada has JTF2", CBC news report, 6 December 2001; Canada, Department of National Defence, ATranscript, Briefing, January 7, 2002" [by Minister of National Defence and Chief of Defence Staff, announcing deployment to Afghanistan]; DND, news release, AThe Canadian Forces Contribution to the International Campaign Against Terrorism≡, 7 January 2001; DND, ATranscript, Briefing, 21 March 2002"; DND, news release, ACanadian Troops to Return from Afghanistan≡, 21 May 2002; DND news release, ACanadian Forces Sustains Tactical Airlift

Contribution to the Campaign Against Terrorism, 24 July 2002.

24. Canada, House of Commons, Standing Committee on National Defence and Veterans Affairs, *Facing Our Responsibilities: The State of Readiness of the Canadian Forces* (Ottawa, May 2002), pp. 23-26, 38-39, 47-54. See also: Canada, Senate, *Canadian Security and Military Preparedness: Report of the Standing Senate Committee on National Security and Defence* (Ottawa, February 2002), pp. 22-26, 31-33, 85-88; and >Pierre Jones= (pseud.), ATowards an Expeditionary Army, 31 July 2002, in email from Alain Pellerin, Director, Canadian Defence Association to Jack Granatstein, forwarded 5 August 2002.

25. ACdn. Warship Captures Fleeing al-Qaeda Suspects, CTV News, 16 July 2002.

26. The case for shifting from threat-based to capabilities-based strategic planning is made in: Vice-Admiral G. L. Garnett, Vice Chief of Defence Staff, and Major-General K. R. Pennie, Director General Strategic Planning, *Strategic Capability Planning for the Canadian Forces* (Ottawa: DND, 13 June 2000). It is inherent to US force planning and interoperability with US forces is central to Canadian force development. On the navy=s pursuit of this, see also: *Facing Our Responsibilities*, pp. 26-28, 54; Commander (ret=d.) Peter T. Haydon, AWhat Naval Capabilities Does Canada Need?, *Canadian Military Journal [CMJ]*, vol. 2, no. 1 (Spring 2001), p. 22; Commander R. K. Taylor, A2020 Vision: Canadian forces Operational-Level Doctrine, *CMJ*, 2/3 (Autumn 2001), pp. 37, 39; and J. L. Granatstein, AA Friendly Agreement in Advance: Canada-US Defense Relations Past, Present, and Future, *The Border Papers: C.D. Howe Institute Commentary no. 166* (Toronto: C.D. Howe Institute, June 2002), p. 7, at www.ccs21.org

27. Canada, 1st Session, 37th Parliament, House of Commons, Bill C-36, As passed by the House of Commons, 28 November 2001; Canada, Department of Justice, news release, AAnti-terrorism Legislation Comes into Force, Ottawa, 24 December 2001.

28. See, for eg., critical comments on the bill in: CBC, AThe National, Transcripts, 20 November 2001, at: www.cbc.ca/national/trans/T011120.html

29. CBC News, AOpposition Says Second Anti-Terrorism Bill Deeply Flawed, 29 November 2001; CBC News, ANew Anti-Terror Bill Limits Power to Declare Military Zones, 30 April 2002 Details of Bill C-55 can be found in: Government of Canada Press Release, APublic Safety Act, 2002 Improves Legislative Framework to Fight Terrorism and Protect Public Safety, 29 April 2002.

30. AOttawa to spend \$250M on New Security Measures, CBC news report, 10 October 2001.

31. Canada, Department of Finance, *Budget 2001: Securing Progress in an Uncertain World - Enhancing Security for Canadians* (Ottawa, 2001), pp. 4-8. FINTRAC began work in October 2001. The Budget increased the financial resources of CSIS by about 25%: CSIS, *2001 Public Report*

(Ottawa, 2002), pp. 17-19.

32. Conference of Defence Associations, *An Analysis of the Federal Budget*, 16 December 2001, circulated by email, 17 December 2001. See also, James B. Davies and Ken Boessenkool, *A Game Theory and Military Preparedness*, *National Post*, 19 December 2001.

33. Robert Fife, *No More Money for Defence*, *National Post*, 19 March 2002.

34. Christopher Sands, *Canada and the War on Terrorism: The U.S. Challenge on the North American Front*, *Canada Focus*, vol. 2, issue 3 (Washington, DC: Center for Strategic and International Studies, October 2001), at: www.csis.org/americas/canada/focus/Focus/0110.htm

35. See, for eg., Canada-U.S. Partnership Forum, *Building a Border for the 21st Century CUSP Forum Report* (Ottawa: DFAIT, December 2000).

36. Canada, Consulate of Canada, Seattle, *Canada-U.S. Immigration Cooperation* (2002).

37. Canada, DFAIT, *Canada-U.S. Cross Border Crime and Security Cooperation* at: www.dfait-maeci.gc.ca ; Joanna Kerr, *Seamless Policing: Integrated Border Enforcement Teams Break Down the Barriers*, *RCMP Gazette*, vol. 64, no. 1 (2002), pp. 5-6.

38. CSIS personnel strength will increase from 2,091 in FY 2000-01 to 2,380 in FY 2006-7. On this and CSIS commitments, see: CSIS, *2001 Public Report*, p. i-ii, 6-7, 17-19.

39. See David Charters, *The Future of Canadian Defence and Security Policy: Critical Infrastructure Protection and DND Policy and Strategy*, paper published by the Council for Canadian Security in the 21st Century, at: www.ccs21.org/ccspapers/papers/charters-CSDP.htm

40. Dr. Michel Fortmann and Dr. David Haglund, *Canada and the Issue of Homeland Security: Does the Kingston Dispensation Still Hold?*, *CMJ* 3/1 (Spring 2002), p. 17.

41. Granatstein, pp. 1-7, 13.

42. An Ipsos-Reid Poll released 21 September 2001 showed that 73% of Canadian felt that Canada should join the US War on Terrorism, although that number fell to 54% when the risk of terrorist retaliation in Canada was factored in. Polls over the next few weeks showed overwhelming support for a joint security perimeter and majority support for giving police and security agencies more power to suppress terrorism. But by December, opinion had shifted dramatically, with 86% saying the government should continue with its pre-9/11 agenda. 82% favoured more spending on health care, while only 16% wanted increased spending on security. By the end of that month, in the wake of the budget, 66% felt that Canada had done enough to support the US War on Terrorism, but only 28% felt

that the government had allocated sufficient funds to properly equip the armed forces. See www.ipsos-reid.com

43. See: *Facing Our Responsibilities*, p. 17.

44. CBC news, *Ottawa Launches Campaign to Fight U.S. Trade Measures*, 28 May 2002.

45. Fortunately, a majority did not think that way. Ipsos-Reid reported in April 2002 that while 44% of Canadians were very angry with the US over the incident, only 29% felt Canada should withdraw its troops in response to it.

46. On the implications of the RMA for the Canadian Forces, see: Andrew Richter, *The Revolution in Military Affairs and Its Impact on Canada: The Challenge and the Consequences*. Working Paper no. 28 (Vancouver, BC: UBC, Institute of International Relations, March 1998); and Dr. Elinor Sloan, *Canada and the Revolution in Military Affairs: Current Response and Future Opportunities*, *CMJ* 1/3 (Autumn 2000), pp. 7-14.

47. Granatstein, pp. 11-13.

48. For eg., In the wake of 9/11, the Canadian Nuclear Safety Commission instructed all major nuclear facilities to initiate enhanced security measures, including a capability to mount an immediate armed response on site. See: Canadian Nuclear Safety Commission, *Backgrounder: CNSC Action on Nuclear Security Post September 11, 2001*, CNSC Media Center, 19 November 2001. It has been suggested that more recently the CNSC has informed nuclear power plants that they must be able to repel an attack by a minimum of four persons armed with automatic weapons. Whether that minimalist scenario for an attack is realistic - in light of the innovative character of the 9/11 attacks - is open to question.