

# STATE BEHAVIOUR IN ARMS CONTROL

Is Canada a Rational State?



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## ABSTRACT

A thorough discussion of Canada's previous behaviours in arms control will be discussed in an effort to emphasize precedents and how they are not followed. The paper's goal to assess two separate case studies, anti-personnel landmines and cluster munitions, results in a conclusion that Canada follows an irrational behavioural model. The use of Graham Allison's theory of governance, coupled with Philippe Lagasse's idea of a two track approach, is the means through which this conclusion was made. Finally, the paper determines that Canada can benefit more greatly by accepting this conclusion and using it as a means of drafting a concrete defence strategy that will allow for the manipulation of different tools, such as the two track approach. In this way, Canada will be seen as a more transparent state and will not need to defend its need to occasionally break free from precedent.

*Key terms: arms control, governance, anti-personnel landmines, cluster munitions.*

## INTRODUCTION

This paper will seek to answer the following question in regards to arms control: is Canada a rational state? The literature review will be used to highlight the two main arguments sur-

rounding this question. The first is that Canada is an irrational state that lacks any level of coherence in its decision making, most notably in arms control. The other is that Canada's actions are difficult to understand because they are within a grand strategy, but ultimately there is coherence and it is rational. Both arguments will be assessed and measured while referring to specific scholars in the field. To answer the question, Graham Allison's theory of governance will be applied to two arms control case studies in an attempt at pinpointing recurrent Canadian behaviour and whether or not it is rational.

The case studies were each chosen for different reasons. The first is anti-personnel landmines, and this one was chosen for its overwhelming success on the international level, as well as for its novelty as a Canadian effort. The second case study is that of cluster munitions. This one was chosen due to its extreme controversy, conflict, and stark difference to anti-personnel landmines. The goal will be to apply Allison's theory in each case and through this, deduce whether or not Canada acted rationally. Another method will be employed to facilitate the deduction process: the idea of a 'two track approach' to arms control will be defined and used as an indicator of irrationality should it be spotted in any of the two case studies. Finally, the conclusion will discuss what potential implications the results have for the future of Canada's decision making in arms control.

## **CANADA'S PAST BEHAVIOUR**

Consistency in decision making and actions reflects the workings of a rational government. Works referencing Canadian arms control history demonstrate the lack of a general consensus on what form of governance behaviour Canada follows. There has been instead a variety of work attempting to explain Canada's actions in particular scenarios and/or periods of time.

Throughout these discussions, a common theme is Canada's inconsistency, lack of coherent strategy, and over reliance on allies. While these discussions recur often, it is not the only view. There have been some scholars who posit Canada's behaviour – while confusing – has a consistent and rational flow to it. Both these positions will be discussed in order to better understand what is implied by inconsistent and consistent behaviour - which can also be interpreted as, irrational and rational behaviour, respectively.

Peter Aucoin holds that Canada followed a culture of rational management for a very long time and that it only changed in the late 1980s.<sup>1</sup> In this culture, Canadian decision making behaviour was centred on an advisory system where all action required proper planning and strategy. Meanwhile, this same period of time witnessed the confusion of ballistic missile defence, the Cold War, and Canada's distance from the United States on strategic defence. These situations offer a sharp contrast to a culture of clear structure and planning. Aucoin addresses this in noting that a change had to occur; Canada began to follow a form of 'brokerage politics' in the following years, where in leadership would be about the "accommodation of interests and not the interplay of ideas".<sup>2</sup> With this behaviour, leaders would have to be more intimate with their allies, meeting one on one and managing a variety of interests. This role emphasizes an amplified concentration of power for the prime minister,<sup>3</sup> as the Canadian prime minister holds the most power relative to any other head of democratic government. It appears that Aucoin's understanding of the shift from a rational form of government behaviour to a less rational, brokerage politics model reflects Canada's position in international affairs. At the time of this alleged shift,

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<sup>1</sup> Aucoin, Peter. *Organizational Change in the Machinery of Canadian Government: from rational management to brokerage politics*. Canadian Journal of Political Science. 1986. P.9

<sup>2</sup> *Ibid*, p. 17

<sup>3</sup> *Ibid*, p. 20

Canada was being brought in on more discussions of continental defence and therefore needed a less structured form of addressing allied interests.

Other scholars have commented more specifically on the influential era of missile defence as it is the most referred to when discussing Canada's past behaviours in arms control. Many note that Canada had a tendency to rely on the more influential actor (the United States) to resolve major issues before Canadian officials accept or reject any arguments in regards to defence programs.<sup>4</sup> However, Canada does not always side with the most influential actor as seen through Canada's hesitancy to publicly cooperate with the United States in missile defence. Canada's reluctance has led to mixed reviews where some applaud Ottawa's decision and others believe it was one of many steps that led to bilateral relations being "at a crossroads" where Canada needs to commit more effort.<sup>5</sup> In these examples, Canada is not participating in brokerage politics as it is not the most influential actor in a given decision, nor is it balancing interests. Instead, Canada's behaviours appear to be a game of compromise.

Canada has been called out for its inability to handle decision making under pressure; the state is currently, and was during the missile defence era, being pushed in two directions. The first would be the maintenance of a "healthy, sovereignty-enhancing distance" from its southern ally. The second direction the state is being pulled would be towards its southern ally in as-

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<sup>4</sup> Harvey, Frank P. *The International Politics of National Missile Defence: a response to the critics*. International Journal, 2000. P. 565

<sup>5</sup> Richter, Andrew. *Permanent Allies? The Canada-US Defence Relationship in the 21<sup>st</sup> Century*. Journal of Military and Strategic Studies, 2009. P. 36

sessing the crucial aid security coordination and interoperability offer in ensuring public safety for Canadians.<sup>6</sup>

While these sources have emphasized Canada's inconsistency and confusion through the missile defence years, others claim it was all a grand strategy. This grand strategy allowed for the government to pursue Canada-specific objectives while simultaneously acting in a supportive role for the United States' strategic goals.<sup>7</sup> Essentially, Matthew Trudgeon is one source who writes that Canada's grand strategy was to support its allies, most notably the United States, as a means of guaranteeing its own security.<sup>8</sup> This view holds that Canada's hesitancy, its refusal to officially engage, and other such actions were not the cause of irrational management, but rather the logic was rational all along and it achieved its goal, despite the means. Arguably, it cannot be rational if it is not linear and coherent. Therefore, it only offers a potential line of thinking that can further be explored as a critique of the more prominent view of Canada's irrationality.

Justin Massie offers a more refined critique of irrationality in Canadian international security policy. He calls out Canada's inconsistency – for example, by pointing out Canada's overzealous defence ambitions that exceed its “capabilities and interests as a secondary power”.<sup>9</sup> He also notes Canada struggles with two identities that push this inconsistent nature: Canada the sovereign, and Canada the United States' ‘reliable neighbour’.<sup>10</sup> It is within the identity argument that Massie dismisses the claims of irrational governance: essentially, he argues that Canada's

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<sup>6</sup> Harvey, Frank P. *Canada's Addiction to American Security: the illusion of choice in the war on terrorism*. The American Review of Canadian Studies, 2005. P. 288

<sup>7</sup> Trudgeon, Matthew. *A Canadian Approach: Canada's cold war grand strategy, 1945-1989*. Journal of Military and Strategic Studies, 2012. P. 2

<sup>8</sup> Ibid, p. 3

<sup>9</sup> Massie, Justin. *Making Sense of Canada's "Irrational" International Security Policy: a tale of three strategic cultures*. International Journal, 2009. p. 626

<sup>10</sup> Ibid, p. 632

security policy and behaviour is identity-based. He explains very clearly that a causal connection between identity and strategic behaviour exists where:

“The link between ideas and foreign policy behaviour is made through the values constituted by state identities, those ‘pro-attitudes towards actions of a certain kind.’ State identities not only generate specific self-understandings, they also produce specific social purposes and behavioural norms”.<sup>11</sup>

What this means is that state representatives cannot think outside their sociocultural realities and their actions are a reflection of their environment. If one’s reasoning is limited to their environment, they are bound to make decisions and act within the understanding of their environment. To translate this into the Canadian experience, this would mean that Canada’s behaviour – even when inconsistent – is rational because it stays true to Canada’s complex identity *if* policy is identity-based. Others have countered with the fact that Canada “lacks a coherent overarching vision linked to vital national interests,”<sup>12</sup> and instead expects to coast along while allies do the grunt work of the state’s security efforts. Here, Massie might argue that this is a reflection of one of Canada’s two external identities: the good neighbour. Overall, this argument holds that Canada’s behaviour is not irrational, but finds its coherence in identity politics.

The trouble with identity politics is the inability to truly test the argument made. While this paper cannot narrow down what exactly is motivating or has motivated Canada’s behaviour in arms control, it can assess whether or not the state is rational. Graham Allison’s theories of governance hold three general models that cover a wide spectrum of potential state behaviours.

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<sup>11</sup> Ibid, p. 630

<sup>12</sup> Ibid, p. 631. (Taken from: Coombs, Howard G et al. *Supporting the Pax-Americana: Canada’s military and the cold war*).



Using important arms control decisions as case studies (anti-personnel landmines and cluster munitions), this paper will apply the three models in order to assess Canada's behaviour. Simultaneously, each case study will be analyzed through the lens of the so-called 'two track approach' to arms control proposed by Philippe Lagassé. As noted, this approach is incompatible with rational behaviour and therefore, if it is detected within a case study, can help to immediately eliminate any of the rational models as explanations for the case studies.

## **ARMS CONTROL AND STRATEGY**

Scholars have commented on Canada's behaviour while consistently referencing the Cold War era. Thus, it is essential to briefly discuss Canada's positions in regards to arms control and strategy. Exploring Canada's decisions will ultimately aid in understanding Canada's ability to act as a rational state during the Cold War.

*Canada*

Canada's experience with arms control and overall defence efforts has been a confusing one – mostly because there is no clear defence strategy to point to when attempting to explain Canada's behaviours. While this often leads to the assumption that Canada does not have any form of strategy, some scholars would disagree. David Pratt, for instance, argues quite the opposite: Canada has pursued long term strategies, most notably during the Cold War.<sup>13</sup> This strategy is later broken down by Matthew Trudgen who claims three pillars<sup>14</sup> define Canada's strategies during this crucial period for arms control history, as listed below:

- 1) The defence of Western Europe through NATO;
- 2) The creation of a sustainably strong peacetime defence relationship with the United States;
- 3) The use of international forums (ie. the United Nations) when supporting allies.

As for the first pillar, Western Europe needed defence because the Soviet Union was attempting to aggressively expand its territory while spreading its communist ideologies. Canada had to be concerned because being a member requires action, but also because the expansion of the Soviet Union would have threatened the West too. The second pillar is the most important strategic effort as it resulted in the creation of NORAD. A strong peacetime relationship translates to a constant flow of defence data and information sharing. This would facilitate Canada's decision making in arms control and it would also ensure a stronger alliance with the United States. The last pillar reflects Canada's efforts to be credible in its dealings and not be seen solely as an extension of the United States.

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<sup>13</sup> Trudgen, Matthew. *A Canadian Approach: Canada's Cold War Grand Strategy, 1945-1989*. Journal of Military and Strategic Studies, 2012. P. 2

<sup>14</sup> Ibid, p. 4

Focusing on that second pillar's outcome, NORAD has undeniably played a vital role for Canada's defence strategy.<sup>15</sup> However, Canada's treatment of its role in NORAD has hindered its own image. After long deliberation, and much hesitation, Canada approached the NORAD renewal in 1973 with a modest commitment, signing on for another two years. This has been portrayed as a sign of "indecision, lack of purpose," and "unnecessary timidity" from Canada.<sup>16</sup> That being said, this is not because Canada did not view NORAD as strategic. The contrary is true as the bilateral organization in and of itself is viewed as a political instrument.<sup>17</sup> After all, if Canada had decided not to renew the agreement and leave NORAD, it would not "result in any great financial savings".<sup>18</sup> The hesitancy in renewal was not linked to any financial or resource issue, but rather in manipulating a political instrument to gain information – specifically what roles Canada was expected to perform under the renewed agreement. NORAD was and would continue to be an important information house throughout arms control discussions.

## **RELEVANT ARMS CONTROL TREATIES**

A state best demonstrates its behaviour through its commitments; for Canada, this means arms control treaties that the state has signed and ratified are a means of stating a position. This section will give a brief overview of a select few treaties during the Cold War era onwards wherein each emphasizes Canada's commitment to strategic stability. The case studies will be able to better assess whether this commitment was undermined or not over time.

### *Limited Test Ban Treaty*

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<sup>15</sup> Gray, Colin S. *Still on the Team: NORAD in 1973*. Queens Quarterly, 1973. P. 398

<sup>16</sup> *Ibid*, p. 398

<sup>17</sup> *Ibid*, p. 399

<sup>18</sup> *Ibid*, p. 402

1952 marked the first hydrogen bomb explosion, tested by the United States. Shortly after, concerns of radioactive fallout increased significantly.<sup>19</sup> In 1954, the United States experimented with a thermonuclear device to test accuracy in power estimations: the results proved that the force was more than double the prediction, and the “area of dangerous fallout greatly exceeded original estimates”.<sup>20</sup> The concept of a test-ban treaty, however, while being discussed shortly after the public outcry of such results, was not drafted until 1963. The Limited Test Ban Treaty (LTBT) was drawn up to prohibit the testing of nuclear weapons/nuclear explosions in the “atmosphere, in outer space, and under water”.<sup>21</sup>

This treaty does not prohibit underground testing so long as nuclear debris or fall out does not exceed the tester’s territory. While this was agreed upon, what both the United States and the Soviet Union could not agree on was how compliance with the treaty would be monitored. Eventually, no set solution for monitoring would be given but an Eighteen-Nation Disarmament Committee would be formed to help negotiations and assessments long term. This treaty was good for Canada as it validated Canada’s position which at the time was avoiding any formal decision or action in regards to missile defence.

### *Outer Space Treaty*

The Outer Space Treaty (OST) was expected after the LTBT’s reference to outer space. The OST was a means of preventing any “new form of colonial competition”.<sup>22</sup> Throughout the early 1960s, both the United States and the Soviet Union would work on draft treaties to be sub-

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<sup>19</sup> *Canada and NATO: A Military Assessment* (Calgary: Canadian Defence and Foreign Affairs Institute, June 2012).

P.37

<sup>20</sup> *Ibid*, p. 37

<sup>21</sup> *Ibid*, p. 37

<sup>22</sup> *Ibid*, p. 52

mitted in 1966. The United States' only discussed the concept of celestial bodies, whereas the Soviet Union's addressed the entirety of outer space as an environment.<sup>23</sup> After deliberation and agreement, the treaty was signed and ratified in 1967.

The two major agreements it held are as follows: 1) both parties agreed not to place in orbit or station any weapon of mass destruction – nuclear or otherwise. 2) Both parties agreed that any future use of celestial bodies would be exclusively for peaceful purposes.<sup>24</sup> Once again, this treaty was another that allowed for Canada to point to legislation that solidified the state's reluctance in action – even if said action were preventative.

#### *Non-Proliferation Treaty*

After the Second World War, the United States, the United Kingdom and Canada worked together to commission the complete abolition of destructive atomic energy. While this was occurring, the other end of the spectrum revealed two truths: the first being that the United Kingdom itself was proliferating and became a nuclear-weapons state in 1952, as did more aggressive states such as the Soviet Union.<sup>25</sup> The second being that atomic energy for peaceful purposes was also on the rise as the construction and employment of nuclear reactors in varying countries became a reality. By 1965, however, both the United States and the Soviet Union were drafting treaties to prohibit proliferation.

The main conflict between the two states was that the United States did not want the treaty to apply to its collective defence arrangements whereas the Soviet Union did.<sup>26</sup> The good news

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<sup>23</sup> Ibid, p. 53

<sup>24</sup> Ibid, p. 54

<sup>25</sup> Ibid, p. 89

<sup>26</sup> Ibid, p. 91

was that both parties agreed that non-proliferation was key. Shortly after, in 1967, the two states submitted a draft treaty to the ENDC for revisions. Revisions were made to include non-nuclear state interests and the treaty was signed by both parties in 1968 and ratified in 1970.<sup>27</sup> This was an important treaty for Canada because had the United States achieved their goal of maintaining usage through collective defence agreements, then Canada would have surely been implicated. Here, the Canadian state narrowly avoided what could have been forced participation.

### *Anti-Ballistic Missile Treaty*

The Anti-Ballistic Missile Treaty (ABM) was a means of controlling the escalating nature of ABM systems between the two superpowers that were the United States and the Soviet Union. The treaty limited each party to two deployment areas in order to ensure that each had an “un-challenged penetration capability of the other’s retaliatory missile forces”<sup>28</sup>. This would later be limited to one area, but still serve the given purpose as a deterrent of attack. The sites would also be limited to 100 warheads and both states would not exceed this limit, nor would they develop, test or modify their existing weaponry to increase agreed upon limits. The treaty, in the interests of both parties, was signed and ratified in 1972. Canada benefitted greatly from this treaty as it helped minimize the demand for the state’s action. It also allowed for a reason to stop ABM tracking efforts which Canada had been pursuing through the use of their Baker-Nunn satellite.

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<sup>27</sup> Ibid, p.92, p. 106

<sup>28</sup> Ibid, p. 155

## GRAHAM ALLISON'S THEORIES OF GOVERNANCE

Allison claims that a Milton Friedman style of rational economics seemed to be the accepted view as to how governments approached decision making. He argues throughout his book that perhaps this is not the best model, and only a better assessment of rational behaviour, as well as other behaviours can define the limitations and advantages of different approaches. From there, he formulates three different models: the rational actor, the organizational behaviour and the governmental politics models. Each has the aim of understanding state behaviour in decision-making.

### Model 1 – *The Rational Actor*

The focus of this model is to understand the logic behind actions without referencing any one particular actor wherein decisions should reflect 'consistent, value-maximizing choice within

specified constraints'.<sup>29</sup> A government that follows this model is viewed as an individual and should emulate the following five assumptions.<sup>30</sup>

- The first is ownership where in action X can be attributed to the state itself and not a third party.
- The second assumption holds the state as a unified actor where benefits are for the whole of the state, and not only the head of state.
- The third assumption is the identification of a coherent utility function, and for Canada this function has been different based on the time and situation.
- Fourth, all state actions are a reaction to one of two things: a threat or an opportunity.
- Lastly, with all the above considered, the action chosen is always the one expected to be most value-maximizing.

In essence, a rational actor's interests should be able to be translated in a form of cost and benefit analysis.<sup>31</sup> Rational choice involves assessing all plausible alternatives, their consequences, and choosing the option that results in the least amount of risk – otherwise stated, the option with the highest payoff for the actor.

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<sup>29</sup> Allison, Graham et al. *Essence of Decision: Explaining the Cuban Missile Crisis. Second Edition.* Addison-Wesley Educational Publishers Inc. 1999. P. 4

<sup>30</sup> *Ibid*, p. 23

<sup>31</sup> *Ibid*, p. 18



Overall, the rational actor model focuses on the logic of action – what leads one to make a decision – without referencing any particular actor.<sup>32</sup> It is a means of listing plausible reasons for action once said action has already been taken.

### Model 2 – *Organizational Behaviour*

The second model removes the concept of a government as an individual, rather a government is seen as the output of a large organization that processes information in the likeness of a machine.<sup>33</sup> Under this organizational model of governance, there is minimal room for or openness to change keeping in tune with the metaphor of the machine – actions are repetitive, based on routine and tendency. This model also reflects the nuances of organizational culture which is created through conformity of both informal and formal norms within the organization. If each level of government reflects this model, each will adapt to its own distinctive identity that creates a barrier between one level and any other.

Briefly put, this model will not attempt to understand the underlying logic of a given decision as the rational actor model would. Instead, it will trace the reasoning backwards. For example, under the rational model the logic is very linear ( $A + B = C$ ) whereas the organizational model starts with the decision ( $C$ ) and tries to link the decision to context (ie.  $B$ ), procedures ( $A$ ) and other relevant functions of the organization itself. Under this model, following processes is key and therefore, there is a set standard which constrains the alternative choices for action.<sup>34</sup> A

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<sup>32</sup> Ibid, p. 4

<sup>33</sup> Ibid, P. 143

<sup>34</sup> Ibid, p. 152

government working under this model is extremely limited to precedents and established procedures.<sup>35</sup>

### Model 3 – *Governmental Politics*

This model rejects the notion of machine output and argues that instead government decisions and actions are the result of bargaining games. As the players change and interests change, so too does the resulting decision. When sitting around a table, power is the greatest determinant for results – the more power (read: influence) an actor has in a given situation, the more likely they are to control the final result. Upon entering the bargaining games, there is an understanding that each actor is present for their different perception of the issue. It is also understood that the structure of the game pre-selects major players and that helps the game translate into an opportunity to exert influence.<sup>36</sup>

This model comes with its own extensive paradigm; the important aspects to note are the following:

- 1) The eventual decision made is a ‘political resultant of compromise, conflict and confusion’<sup>37</sup> between all relevant actors in a given negotiation;
- 2) It is not always the best fit actors who play in this political game but the most influential;
- 3) With so many power-hungry players, it results in broad goals with too many competing interests involved.

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<sup>35</sup> Ibid, p. 164

<sup>36</sup> Ibid, p. 300

<sup>37</sup> Ibid, p. 300

This model can be seen as very similar to the organizational behaviour model in terms of output. This model also begins with variable C and attempts to ask what variables (A, B, etc) led to C. The difference between the two models is what they attribute those variables to. The organizational behaviour model, as outlined, focuses on context and procedures in a functional ‘machine’ of an organization. The governmental politics attributes the intervals to three main factors: the relevant players in a given negotiation, their relative power, and their bargaining skill.<sup>38</sup>

Understanding a government’s behaviour or decision, then, is closely intertwined with the bargaining games. This is because having knowledge of one leader’s initial preference is insufficient in understanding the outcome.<sup>39</sup> Rather, the resulting decision of a bargaining game will not be what any player initially intended<sup>40</sup> and will thus, only be understood by analyzing each player’s influence and skill at the negotiation level.

In short, the governmental politics model focuses on the individuals and their skill sets when assessing a decision. The organizational behaviour model focuses on context, procedure and normative functions that lead an institution to make a decision. Lastly, the rational actor model asks what potential reasons lead to a given decision, removing specific actors from the equation. The rational actor and organizational behaviour models follow coherent, linear, and therefore rational structures. Governmental politics is more erratic, less coherent, and therefore, irrational. This paper will apply all three models to two separate Canadian arms control cases in an attempt to clarify whether or not Canada is a rational state. The cases chosen are anti-

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<sup>38</sup> Ibid, p. 6

<sup>39</sup> Ibid, p. 258

<sup>40</sup> Ibid, p. 256

personnel landmines and cluster munitions: the former was chosen for its prominent success and the latter was chosen for its renowned controversy.

## TWO TRACK APPROACH

The two track approach links to one of Allison's three models: governmental politics. The approach is incompatible with coherence and rational process, hence it does not fit any of the other models. Therefore the existence of two track behaviour in an arms control case is an indicator that eliminates any rational explanation of state behaviour. The two track approach aligns with the notion that Canada cannot act coherently (read: one track) without a clear and consistent defence strategy. Although the knowledge that Canada has historically lacked any official strategy is common<sup>41</sup>, the topic was not tackled in academia for a long time. Apart from Lagassé, another recent scholar that emphasizes this issue is Andrew Richter. Richter attributes Canada's lack of strategy to "Ottawa's long dependence on foreign militaries [...] and to the nation's practice of identifying national interests in larger alliance terms".<sup>42</sup> Essentially, Canada had no pressing national issues to address and instead focused on aligning itself with allies and

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<sup>41</sup> Richter, Andrew. *Towards a More Strategic Future? An Examination of the Canadian Government's Recent Defence Policy Statements*. Canadian Military Journal, 2006. P. 32

<sup>42</sup> *Ibid*, p. 32

therefore, the state's defence strategy could only reflect multilateral interests which explains the employment of two track.

The notion of two track, however, is not commonly referenced and so this section will focus on Lagassé's work that proved the two track approach through ballistic missile defence (BMD). He emphasizes that Canada's commitment to overall stability was not compromised nor was the state's ability to continue participating in continental strategic defence efforts. Specifically, this is demonstrated as Canada provided bases under its NORAD role that would support an American first-strike capability, and therefore an offensive nuclear war doctrine.<sup>43</sup> This alongside Canada's public cries for stability and arms control highlights the nature of a two track approach.

On the stability side, Canada preached the doctrine of Mutually Assured Destruction (MAD). The concept of MAD was that superiority could not be achieved, and the more each warring party proliferated, the more likely the whole world would be doomed to nuclear devastation. The focus then was to ensure that both parties knew whoever attacked, the other party would have a second-strike capacity that would devastate their territory. Briefly stated, there was a guaranteed disincentive to attack. Ottawa accentuating the MAD doctrine while Canada's defence department acted offensively through the conduit of NORAD helps in the understanding of two track. The fact that NORAD is not solely Canadian meant that Canada could arguably maintain two tracks claiming the goal of stability but domestically and internationally, that goal was to be achieved through different means. Therefore, participating in a multilateral organization facilitated the employment of a two track approach.

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<sup>43</sup> Lagassé, Philippe. *Canada, Strategic Defence, and Strategic Stability. A retrospective and look ahead.* International Journal, 2008. P. 920

NORAD was the easiest answer to Canada's woes because it solved two concerns: the first being Canada's need to commit further to continental defence. The second concern was that Ottawa's diplomatic stance could not waver and so, Canada had to find a balance. That balance was struck in the maintenance of a single goal and two separate paths to achieving it. After all, Canada's involvement with NORAD and the organization's "tactical warning role meant that Canada was already implicated in a vital component of missile defence".<sup>44</sup> In order for Canada to maintain all its interests without seeming hypocritical, the 1968 NORAD renewal involved a clause that made it clear Canada's involvement in NORAD did not constitute a decision on BMD from the part of the state. This clause serves the notion that diplomacy is the greatest asset when employing a two track approach.

While thus far, the two track approach has seemed limited to the Cold War era, Lagassé demonstrated it was repeated well after in 2005 – on the same issue of BMD. With the disintegration of the ABM treaty in 2002, Ottawa had to find another way of balancing its interests. Canada seemed to be considering BMD for quite some time despite critics, mostly because this time BMD was planned to be "ground-based only".<sup>45</sup> Eventually, through diplomatic prowess, NORAD would be able to send "tactical warning and attack assessment data" to the American Northern Command responsible for BMD.<sup>46</sup> This way Canada can be involved in the information sharing without formally participating in BMD through territorial or financial commitments. In 2005, the Martin government would decline a role in BMD having Canada once again balance a two track approach: officially representing strategic stability while simultaneously participating

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<sup>44</sup> Ibid, p. 923

<sup>45</sup> Ibid, p. 930

<sup>46</sup> Ibid, p. 932

in contradictory strategic defence tactics.<sup>47</sup> In short, despite both employments of track two being under the BMD umbrella, they represent two very different periods in time where Canada has managed to be contradictory in defence efforts without consequence.

With the understanding that the two track approach has been confirmed in the BMD era, the following section will seek to further explain in detail the BMD era and the employment of the two track approach. The purpose will be to highlight its incompatibility with a coherent, rational model.

### *Ballistic Missile Defence*

The United States and Canada have a long history of partnership and collaboration, especially in times of difficulty and uncertainty. However, the relationship is not always an even share of burden when it comes to effort. The post-World War II era highlights both these relations and Canada's actions in bilateral affairs. Much of Canada's significance in international defence at the time, not unlike today, lies in the reality of geography. The United States was in need of Canada for continental defence cooperation which resulted in the 1957 creation of the North American Air Defence Command (NORAD).<sup>48</sup> NORAD offered Canada a voice in global security that the nation could not have otherwise achieved on its own.<sup>49</sup>

The post-World War II era was also a time to focus on internationalism as states began to realize the world of politics could no longer be approached individually.<sup>50</sup> The advantage of this was that it bound Canada to the United States due to proximity, but this bind also had its disad-

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<sup>47</sup> Ibid, p. 934

<sup>48</sup> Lagassé, Philippe. *Canada, Strategic Defence, and Strategic Stability: A retrospective and look ahead*. International Journal, autumn 2008. p. 919

<sup>49</sup> Fergusson, James G. *Canada and Ballistic Missile Defence 1954-2009: Déjà Vu all over again*. UBC Press, 2010. P.

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<sup>50</sup> Ibid, p. 5

vantages as Canada was often choosing between the United States and the rest of the world. This decision only became more fragile in the strategic world of the 1960s with the impacts of the Cold War. At this point, all North Atlantic Treaty Organization (NATO) allies were expected to accept the reality of nuclear weaponry and for Canada, this meant revisiting and understanding the responsibilities held within a continental defence relationship. The Cuban Missile Crisis encouraged the United States in thinking that Mutually Assured Destruction (MAD) was the greatest factor for success.<sup>51</sup> This line of thinking led to increased pressure for Canada who was not directly involved in the issue, but was a critical actor by virtue of its location.

This period of history witnessed an arms race with the understanding from all parties that the “credibility of any threat was dependent upon one’s opponent believing that the threat would be carried out.”<sup>52</sup> The age of ballistic missile defence began in 1945 as a resistance from Communist efforts. At the time, it was merely discussion. BMD was most prominently an issue between two superpowers: the United States and the Soviet Union. It was not until the mid-50s that anti-ballistic missile (ABM) and BMD research would truly kick-off.<sup>53</sup> BMD is a form of active defence, a vigorous means of seeking out one’s opponent and destroying them before an attack could be completed. This strategic form of BMD was Canada’s niche. Strategic BMD weaponry can be land-based (with a range of 5000km +)<sup>54</sup> or sea-based. Sea-launched ballistic missiles are

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<sup>51</sup> Mayers, Teena Karsa. *Understanding Weapons and Arms Control: a guide to the issues*. 4<sup>th</sup> edition, revised. Brassey’s Inc.: Maxwell Macmillan Pergamon Publishing Corp, 1991. p. 11

<sup>52</sup> Fergusson, James G. *Canada and Ballistic Missile Defence 1954-2009: Déjà Vu all over again*. UBC Press, 2010. p. 74

<sup>53</sup> AT&T Archives and History Centre. *A 20-Year of Anti-Ballistic Missile Systems*. Dir. Western Electric and Bell Laboratories for the U.S Army BMD Systems Command. Prod. Film Enterprises, Inc. 1976

<sup>54</sup> Fergusson, James G. *Canada and Ballistic Missile Defence 1954-2009: Déjà Vu all over again*. UBC Press, 2010. p.



able to complete short or long-range attacks as they are “carried by nuclear-powered ballistic missile submarines”.<sup>55</sup>

When discussing BMD as a form of active defence, this refers to both land- and sea-based missiles which aim to intercept oncoming missiles. Interception can occur once the enemy’s missile has been released, when it is detected in the atmosphere or before it releases its cargo. Canada’s location between the United States and the Soviet Union made it a central focus of the discussion as attacks from either end would evidently pass over Canada. The nature of the strategy was one reason Canada did not want to make a clear decision on the issue, preferring to avoid any possibility of alienating its ally to the South. It was also a scary reality for Canada to accept that should nuclear war occur and either side properly defend their territory, the fall out of the missiles would be over Canadian territory. Canada’s geostrategic location was a great advantage to the United States and would have to be considered more carefully. Canada, therefore, needed the United States to be and appear impenetrable.

The question of ABM in Canada was first framed as an extension of the 1968 NORAD renewal. The issue Canada faced was whether or not renewing this agreement meant signing on to ABM efforts. To back track, it is important to recall the overall history of continental defence. It began in 1938 when Roosevelt pledged to defend Canada should anyone try to attack it. In turn, Canada pledged its territory to be safe from any third party attempting to attack the United States.<sup>56</sup> While these were both just a show of good faith, it was in the 1949 establishment of the North Atlantic Treaty Organization (NATO) that the two states made clear their mutual expecta-

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<sup>55</sup> Ibid, p. 8

<sup>56</sup> Ibid, p. 12

tions and cooperation in continental defence.<sup>57</sup> As the threat of air warfare in the Second World War loomed, the ideal option, strategically speaking, was for Canada and the United-States to directly align and coordinate their air forces. After the Second World War, continental defence efforts were prioritized further with the 1957 creation of NORAD. NORAD would soon become fairly exclusive to BMD efforts and a means for Canada to achieve its defence interests.<sup>58</sup> However, as the security environment worsened, NORAD's pre-set 1968 renewal date was equated with the question of whether or not NORAD would include ABM efforts. Canada had to decide whether or not it wanted to partake in ABM.

Essentially, Canada was using NORAD renewal as a tool to learn more about ABM. The longer the state deliberated, the more information they seemed to be fed in regards to what a potential participation role might comprise. When Canadian officials were finally briefed on the issue, then-Secretary of Defence Robert McNamara offered to separate ABM from NORAD, and eventually this was the route taken through an exclusion clause.<sup>59</sup> However, this clause did not equate an actual decision on ABM participation and consequently can be seen as a potential tactic for keeping the doors of participation open for a future decision. The difficulty with knowing if a decision would be made was that Canada itself was unsure if involvement was an optimal idea for the state's interests.<sup>60</sup> Eventually, Canada offered the use of its Cold Lake Baker-Nunn camera for satellite detection which would then be used for anti-satellite measures.<sup>61</sup> The Ottawa approach (one of the two tracks) can be seen here as an effort to learn more about ABM while the defence approach (the second track) was to use ground-based anti-satellite systems in Alberta

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<sup>57</sup> Ibid, p. 12

<sup>58</sup> Ibid, p. 13

<sup>59</sup> Ibid, p. 16

<sup>60</sup> Ibid, p. 35

<sup>61</sup> Ibid, p. 39-40

and Nova Scotia; both of which used the same technology as ABM. Due to the political ramifications bound to follow an official decision, Canada instead found itself seeking answers as to whether or not it had an official role to play and what role the United States might seek of it while at the same time conscience that such hesitant deliberation was not in line with the United States' outlook.

Another reality that stems from this particular example is that Canadian participation was dependent on the United States' want/need of Canadian involvement. As long as this want/need remained unidentified, Canada would continue along the two track approach with Ottawa using diplomatic means to gain information and defence participating without formal participation. When NORAD's renewal was sorted, Ottawa would find reason for its hesitancy through the Nuclear Non-Proliferation Treaty (NPT), and soon after, the Outer Space Treaty (OST).

While ABM issues had been a critical aspect for almost two decades, by the end of 1970 Ottawa had yet to make a formal and public decision. Canada had not said no, but there was Canadian participation despite this lack of a formal notice.<sup>62</sup> NORAD's participation, with the Canada-specific exclusion clause, meant that NORAD would participate without Canada committing any material or human resources, and no paper trail of Canada's private participation. Research and development (employing the study and use of ABM technology) through Canadian channels were seen as an extension of the United States' effort, and not a Canadian one specifically.<sup>63</sup> Canada also had Project Helmut research which used long-range artillery specifically for ABM,<sup>64</sup> but this still did not reflect a decision to actively partake in ABM. Yet again, this demonstrates

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<sup>62</sup> Fergusson, James G. *Canada and Ballistic Missile Defence 1954-2009: Déjà Vu all over again*. UBC Press, 2010. p. 51

<sup>63</sup> *Ibid*, p. 17

<sup>64</sup> *Ibid*, p.18

the wit of Ottawa's diplomacy coupled with the defence department's keen eye for participation without formal or public consequences in regards to said participation. This was the perfect example of Canada's two track approach in action.

In 1972, the ABM Treaty would be signed between the United States and the Soviet Union limiting each to two sites – one offensive and one defensive – for ABM use, and limiting the maximum number of ballistic warheads to 100.<sup>65</sup> The treaty would be encouraged internationally, and Ottawa would greatly benefit from its existence as it served as a justification for Canadian non-action and the pressure to make a decision on ABM would decrease. Soon after, Canada would employ its two track approach to benefit both diplomatically and defensively: This was seen in 1983 when Canada accepted to sign on to a Canada-United States Test and Evaluation Agreement which allowed the United States to test air-launched cruise missiles (ALCM) from Canadian territory.<sup>66</sup>

While respecting ABM treaty limitations, this bilateral agreement once again permitted Canada to participate specifically in BMD without formal participation being documented. It did however receive public backlash due to the concept of allowing the United States to test ABM weaponry on Canadian soil. Such scrutiny aside, it also allowed for strengthened diplomatic relations between the neighbours, as Canada greatly benefitted from the Test and Evaluation Agreement in the long-term.

Meanwhile, former President Ronald Reagan proposed the notion of a Strategic Defence Initiative (SDI), otherwise known as Star Wars, where attacks would not only be intercepted in

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<sup>65</sup> Bulkeley and Brauch. *The Anti-Ballistic Missile Treaty and World Security: a report for the International Group of Researchers on the ABM Treaty*. Report No. 14. AFES Press, 1988. p. 2

<sup>66</sup> Fergusson, James G. *Canada and Ballistic Missile Defence 1954-2009: Déjà Vu all over again*. UBC Press, 2010, p. 79

space, but that a detection base can also be placed in space, thus benefitting from both ground-based and space-based systems.

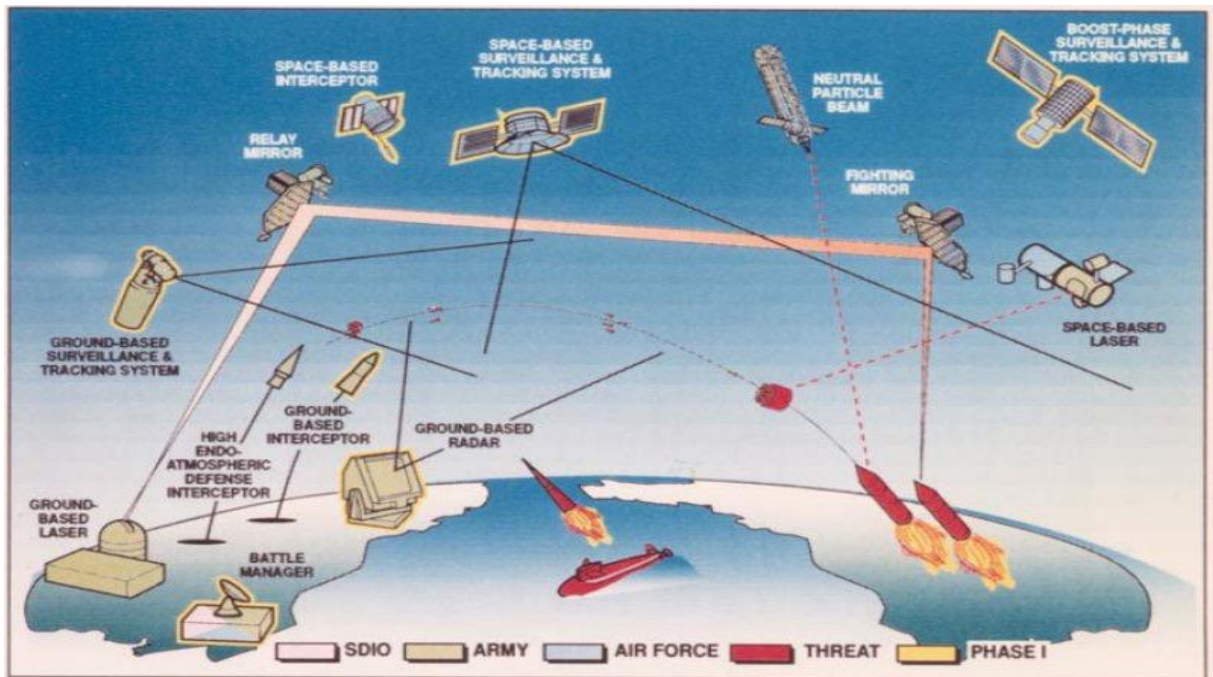


Figure 4 Source: John Pike, [www.globalsecurity.org](http://www.globalsecurity.org)

Then-Prime Minister Brian Mulroney blatantly opposed SDI but allowed Canadian firms to partake in the proposed initiative.<sup>67</sup> This act demonstrates the Ottawa approach of maintaining Canadian interests against ABM, but it also opened the door for Canadian defence participation through private organizations. By 1994, it appeared nothing had changed: there was direct Canadian involvement in the development of simulation models for ABM weaponry through NORAD, defence had access to all United States National Missile Defence (NMD) data, yet there was still no public statement on the part of Ottawa. The new millennium would begin with the re-

<sup>67</sup> Ibid, p. 92

tirement of Canadian Foreign Minister Lloyd Axworthy, the party line being whipped, and no answer in regards to ABM of any sort.<sup>68</sup> In short, the two tracks seen here were 1) Mulroney's public opposition to SDI and 2) his support for Canadian firms to partake in SDI.

The BMD era is used here as the perfect example of Canada's two track approach. More specifically, Canada was playing the riskiest version of its approach as the complexity of the arms control issue was constantly threatening to expose Canada's inconsistency. It was during this time that the civilian and military branches were truly divided in terms of what was best for Canada, hindering the unification of the state's actions. The military's desired approach was to be involved in any developments that might further the security of the nation. The Ottawa approach, coming from the civilian perspective, was to lean on the side of caution and not allow fear to force Canada into the nuclear arms race. With Canada so obviously wavering, the United States was giving Canada just enough data to help inform the state's decision. However, the Canadian preference appeared to be avoidance.<sup>69</sup>

There are two significant take-away points from the BMD era: the first is that this time period set the precedent that created the two track approach. The second is that this period served to establish and solidify particular norms in the United States-Canada bilateral relationship. The BMD era was a pivotal time for Canada, to choose which alliances it would nurture, which policies it would stress and what kind of state it wanted to be. On one hand, the United States was still viewed as a major power with defence advantages for Canada, and on the other, the power the state holds can also result in greater opposition, making them a target once again. Should the

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<sup>68</sup> Ibid, p. 265

<sup>69</sup> Fergusson, James G. *Canada and Ballistic Missile Defence 1954-2009: Déjà Vu all over again*. UBC Press, 2010. p. 22

United States be seen as a target, Canada is immediately implicated due to its location. With this demonstrated through the BMD experience, it became clear to Canada and to the rest of the world that its proximity to the United States would become both its saving grace and its Achilles heel.

Canada made the decision best suited to its reality, it aligned itself with the United States as closely as it possibly could in order to gain recognition on the international stage. This was achieved through NORAD. However, while working towards said alignment, Canada also chose to define itself through peace efforts and to focus on policies that reflected this change domestically. The clearest example of the domestic position would be the outright rejection of SDI. Herein the departmental divide was created with the military still bound to a culture that began under the British Empire where autonomy, defence and an any-measure-necessary mentality was the norm. However, the new Canadian state was starkly different. Without proper oversight or action, these differences became deeply entrenched and gave birth to the eventual interdepartmental divide between the diplomatic and defence branches. Briefly put, this clash of departments facilitates the reality of the two track approach.

BMD, being arguably the first major technological change Canada faced as an independent state, would speak to how well the state would manage pressure, decision and negotiations without British command. Canada's inability to make a clear decision, by complete fluke, turned in their favour. Canada realizing that it managed to scathe by (almost) unnoticed on such a major decision was ground breaking information. This meant Canada was not reprimanded, instead it succeeded in receiving information no ally would normally share with a non-participant state, engage its private sector in defence matters while simultaneously upholding and setting the standards for its peaceful image. Any state that can pull that off would opt for the middle ground

as opposed to potentially making the wrong decision in matters of life and death. Herein lies the motivation to employ a two track approach.

The second significant aspect of this era was the renewed bilateral relations with the United States. Canada's actions in this time period served to solidify how interactions with the United States would take place in the future. It was due to BMD and the Soviet threat that Canada and the United States opted for closer defence relations which escalated from there into the alliance known today. During this time period, the United States went out on a limb to offer information that no ally would ever share.

The information sharing the United States offered would not go unnoticed in Canada as mutual trust was the outcome. The two states knew they had an existing partnership in NORAD and their values and cultures were not far from one another, partnering on defence matters in a crisis was and remains to be the only logical action. However, the United States was already established as a superpower during this time period. There remained a power imbalance, mostly highlighted in financial capacity.<sup>70</sup> Therefore, the discussions and decisions to ensue would be strongly one sided, and not so surprisingly, Canada would allow it.

Here the precedent of accepting a crucial alliance with a slightly dominant partner was established; "distinctly Canadian defence interests [were and] are not the driving force of Canadian policy".<sup>71</sup> The partnership was established and in the then-newly established internationalist world of politics, it was a smart move. This decision would also serve to solidify Canada's two track approach as it leaned on the United States for defence measures while opting for peaceful Canadian policies and campaigns on the diplomatic side of international affairs. To be blunt,

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<sup>70</sup> Ibid, p. 19

<sup>71</sup> Ibid p. 2



Canada was having its cake and eating it too. The only potential issue would be if and when the state’s contradictory actions were to be exposed.

## METHOD OF APPLICATION

This paper will use Graham Allison’s models, pinpointing the most relevant components of each, and assess the attributes’ existence in the arms control cases. The relevant components can be summed up in three categories: the form, logic, and main limitation of each model.

	<b>1) The Rational Actor</b>	<b>2) Organizational Behaviour</b>	<b>3) Governmental Politics</b>
<b>Form</b>	<i>Ownership.</i>	<i>Machine-like processing of information.</i>	<i>Bargaining game.</i>
<b>Logic</b>	<i>Cost and benefit analysis.</i>	<i>C □ B □ A Begins with the decision, and traces the context/procedures.</i>	<i>Compromise, conflict, and confusion lead to the decision.</i>
<b>Limitation</b>	<i>No reference of any particular actors.</i>	<i>Constrained, limited to precedent.</i>	<i>Power determines result.</i>

The form: this category refers to what type of model is being used. For the rational actor, it is a model of ownership, ensuring that actions can be attributed to the state and not a third party. The organizational behaviour model’s form is that of a machine where actions can be traced back to a

distinct process. Lastly, the governmental politics model's form is that of a bargaining game and only negotiations can dictate decisions.

The logic: while each model has a form, the logic of that form explains the process of getting to a decision. For the first model, the cost and benefit analysis is the most important process because the state needs to ensure when defending its position that it made the decision with the most to gain for its citizens. The second model, needing to validate and ensure the machine works without any glitches, begins with the product (the decision) and examines it to ensure it went through the production line without any changes. This means taking the decision, and looking back at the context, and procedures, and making sure the decision aligns with previous decisions and policies.

The limitation: this category was chosen to express the main limitation – but not the only – in each model. For the first, it is the lack of reference to any particular actors in order to maintain the uniform nature of the decision. This limits the model because should an issue occur in one department that ultimately leads to the wrong decision being made, it could not be assessed. The second model's limitation is its reliance on precedent. There is a need to reassess cases with the realities of their time period and political realities: something that may have worked in the 1960s (ie, an arms race) might not work in today's world. There needs to be less conformity in order to allow growth and positive change. Finally, the third model's limitation would be a decision's reliance on power politics. In these cases, it is not the party with the best idea, but the one with the most influence who wins the bargaining game and their decision or a variation of it is put forth. The flaw is not that they have power, but that this can be seen as an abuse of power; in dismissing other valid interests and using a form of elite negotiations to make decisions that more often than not, particularly benefit that same elite.

The model will be applied in the following manner: each case will be assessed through the lens of the three categories. There will also be analysis as to whether or not a two track approach was present in either the anti-personnel landmines or cluster munitions cases. It will be used as an indicator that will facilitate the elimination process. If a two track approach is present, that cancels the two rational models and the result should be a case where Canada's behaviour followed the governmental politics model. If a two track approach is not present, it will not necessarily cancel the governmental politics model but it will be a less likely fit and a deeper analysis can help decide which model best fits that particular case. This is the way in which the theory will be applied to the two arms control cases.

## LANDMINES

Landmines come in two forms, there are anti-personnel and anti-vehicle. The Mine Advisory Group explains each in full detail:

“Generally they are explosive devices with an outer structure made of either plastic, wood, metal, Bakelite, rubber and even glass and inside there will be a fuse, a detonator and explosives. Some contain thousands of pieces of shrapnel, designed to fire out to great distances, others contain no metal at all and are difficult to detect. Landmines are often round and range from the diameter of a small paperweight to a large tin of sweets or, in the case of anti-vehicle landmines, as large as dinner plates. Anti-personnel landmines can also be square or shaped like a butterfly; others are cylindrical with spikes that stick out of the ground. Homemade copies are called improvised explosive devices (IEDs). There are different injuries sustained by landmines due to the varying types: 1. Blast landmines are pressure-activated and generally produce injuries from the explosive going off. 2. Fragmentation landmines (various types) contain shrapnel which usually get fired into the victim. 3. Bounding Fragmentation landmines jump out of the ground to waist level when activated and fire thousands of deadly fragments; in some cases to a radius of around 100m.”<sup>72</sup>

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<sup>72</sup> Mine Advisory Group. *Landmines*. Mine Advisory Group Online. <http://www.maginternational.org/silo/files/201.pdf>

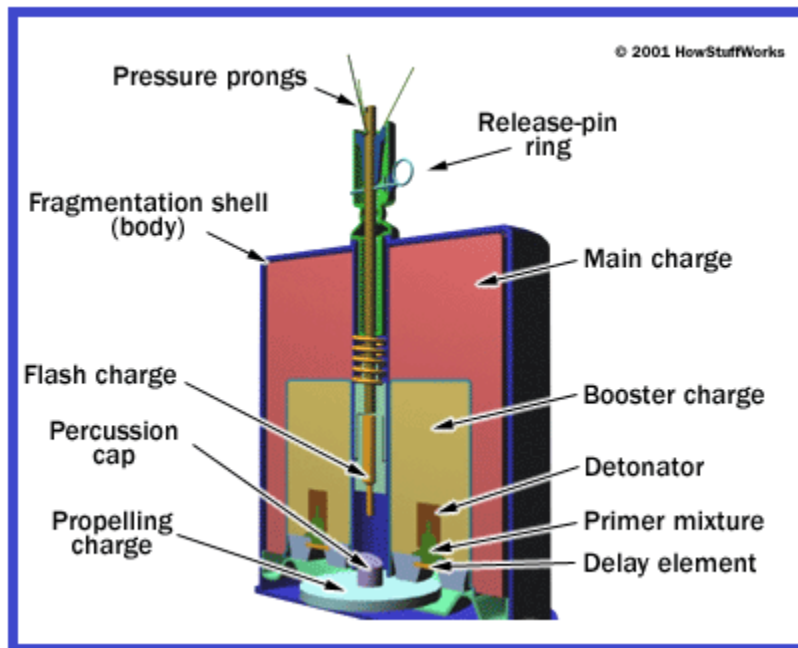


Figure 5 Source: U.S Department of Defence (Taken from: How Stuff Works), 2001.

Records show that the global total of existing mines remains to be over 100 million.<sup>73</sup> The annual casualties associated with that number is approximately 15-20,000 with one third of the total being children.<sup>74</sup> These numbers are reflective of 2014, and they represent a decrease in what they used to be before Canada took the initiative on anti-landmine efforts.

Lloyd Axworthy's role as Foreign Minister began in 1996 with a clear objective to eradicate the use of anti-personnel mines (AP mines). His efforts had 73% of Canadians in favour of a

<sup>73</sup> Schmitt, Alexandra. The Ottawa Convention at a Glance. Arms Control Association Online. [www.armscontrol.org/factsheets/ottawa](http://www.armscontrol.org/factsheets/ottawa)

<sup>74</sup> Mine Advisory Group. *Landmines*. Mine Advisory Group Online. <http://www.maginternational.org/silo/files/201.pdf>

ban by the spring of 1996.<sup>75</sup> He claimed his aim was not simply a treaty but rather the “establishment of a new humanitarian norm against these weapons” [read: landmines].<sup>76</sup> This goal was seen as more of a dream at first by most, with aspirations that a ban would be achieved in record time. However, that is exactly what occurred – the Mine Ban Treaty (MBT) would become the most successful disarmament effort that did not involve the United States.

The MBT would serve as the counter model to all negative disarmament concerns.<sup>77</sup> The treaty itself had signatories commit to ‘non-use, development, acquisition, retaining, stockpiling or transferring’ the weapon.<sup>78</sup> While the treaty is not complete in that it does not include the claymore or anti-vehicle landmines, it is still an impressive accomplishment in disarmament efforts. This success is due to the then-fairly new efforts to find a balance between state representatives and civil society. The civil society factor in MBT was the International Campaign to Ban Landmines (ICBL).

This organization works towards eliminating the use and production of AP mines, as well as improving the lives of mine-victims. The work that ICBL was doing in the late 90s was recognized in 1997 with a Nobel Peace Prize which launched landmines into a political spotlight, emphasizing the role Canada had been playing. Taking full advantage of the publicity, Canada pushed for the Ottawa Process: a meeting of like-minded states striving for the MBT. Previously, negotiations in Oslo had shown a majority of 89 participating states were uninterested in signing the treaty. Yet, after the publicity the Nobel Peace Prize earned the treaty, the Ottawa Process

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<sup>75</sup> Sigal, Leon V. *Negotiating Minefields: the landmines ban in American politics*. Routledge Taylor and Francis Group, 2006. p. 94

<sup>76</sup> *Ibid*, p. 99

<sup>77</sup> Williams et al. *Banning Landmines: disarmament, citizen diplomacy, and human security*. Rowman and Littlefield Publishers, inc. 2008. p. 2

<sup>78</sup> Schmitt, Alexandra. The Ottawa Convention at a Glance. Arms Control Association Online. [www.armscontrol.org/factsheets/ottawa](http://www.armscontrol.org/factsheets/ottawa)

managed to garner 122 signatories – including many of the states that originally were uninterested in the anti-landmine effort.<sup>79</sup> Thereafter, the condition to make the treaty international law was that it would need 40 states to ratify and this was satisfied merely nine months after the signing of the treaty. This made the MBT international law in record time. For such a renowned case, it is important to assess Canada's role.

Canada was a champion in MBT efforts because the government of the day recognized early on the political potential of this endeavour, and how well that aligned with Canada's international image. The ten years after the signing of MBT marked a humanitarian triumph as mine victim rates plummeted by more than 50%.<sup>80</sup> The stigma surrounding mines skyrocketed making the treaty almost de facto universal rather than optional, which would not have been possible without the negative publicity of mines and the overwhelming support for MBT. This in itself demonstrates that the issue was more political in nature to most signees than an issue of human security – which was the umbrella under which MBT was initially conceived.

In the case of landmines, Ottawa strong-armed DND into achieving the result they did. Originally in 1996, Axworthy's predecessor, David Collenette agreed to an export moratorium.<sup>81</sup> This was not ideal but it was a means of trying to please both sides, so Ottawa can see efforts to minimize the use of landmines while DND can still use them at will when they deem necessary for military purpose. However, DFATD wanted more and so leaked disputes it had to the media which resulted in a push to understand the interagency conflicts as the two could not hold a unit-

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<sup>79</sup> Ibid, p. 3

<sup>80</sup> Ibid, p. 127

<sup>81</sup> Sigal, Leon V. *Negotiating Minefields: the landmines ban in American politics*. Routledge Taylor and Francis Group, 2006. p. 95

ed front.<sup>82</sup> The signs of a potential two track approach were present early in 1996 where Defence committed to participate in the Convention on Certain Conventional Weapons (CCW) despite having the knowledge that it would bear no results. Meanwhile, Ottawa was in the midst of planning an “international meeting of officials and NGOs to develop an action plan on landmines.”<sup>83</sup> While one department was purposely avoiding action, the other was undermining this logic and being an advocate, encouraging others to act.

It is easy for DND and DFATD to conflict on issues, but when that same issue puts pressure on the alliance, it is cause for more attention. Seeing as Defence was most often aligned with Canada’s neighbour down South, it was bound to be a tough situation. Ottawa recognized this and decided to make its efforts a ‘stand-alone forum [where] countries had to opt in or opt out’ thus avoiding any direct conflict with Washington and allowing the movement to proceed without their veto.<sup>84</sup> Interestingly enough, this divide between the departments was no surprise to the United States State Department.

In fact, one of the main reasons the United States remained cautious of committing to any attendance in Ottawa is that they were waiting to see how the departmental struggle would play out, and if they did not have to get involved, they would not.<sup>85</sup> Eventually, the high profile nature of the treaty would lead to a decision favouring Ottawa, with 122 signees at the Ottawa Process and a mere nine months to complete the ratification condition. In the case of landmines, Ottawa

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<sup>82</sup> Ibid, p.95

<sup>83</sup> Fax from Jody Williams (ICBL), Kenneth Anderson, and Stephen Goose to Sohrab Kheradi, Secretary of the Review Conference, February 22, 1994.

<sup>84</sup> Sigal, Leon V. *Negotiating Minefields: the landmines ban in American politics*. Routledge Taylor and Francis Group, 2006. p. 98

<sup>85</sup> Ibid, p. 147



beat out Defence not because one department had full sway over another but because the circumstances and appeal of banning landmines in the political spotlight favoured Ottawa.

The landmines case study demonstrates two things in regards to the concept of rationality and incoherence: 1) there was no two track approach pursued in the landmine case, and 2) despite the lack of a two track approach, this case managed to highlight the departmental divide that may, under other circumstances, lead to the employment of the approach.

To begin, the lack of a two track approach is deduced for a few reasons. Firstly, the fact that DND was strong-armed and a decision was made despite their displeasure, reflects a single track. Instead of attempting to find some form of balance between the diplomatic efforts and the military's need for the weapon, DFATD effectively pushed their effort onwards. While this is true in terms of landmines, there were efforts to pursue a two track approach, and one such case was evident through Defence's participation in CCW under the guise that such a convention would appear proactive while actually not interfering with any real use of the weapons. Evidently, the BMD era set a precedent that allowed Defence to think this an acceptable effort. However, it was miniscule at best, and did not stop DFATD's progress.

Another factor that played a part in the single track of landmines would be the departmental divide. Interestingly enough, while the divide can be cited as a reason to push for a two track approach, it can also pull the state in the opposite direction. Throughout BMD, the common factor between the two departments was an inexperience with the issue. Both departments feared what would happen if BMD were to become a reality and they did not have a foot in the door. So while their methods differed, their hesitancy was the same. This made it easy to allow both to pursue their own tracks without one of the two departments strong-arming the other. In the case of landmines, the weapons technology was not feared domestically. There was a clear under-

standing of the technology, its uses and why there was an international push for its disarmament. Where the departments divided herein was not in their approaches but rather in their desires for Canada. In short, the departmental divide is not an essential prerequisite for the existence or employment of a two track approach. Rather, the approach can exist with or without the divide – the divide then can be seen as adding fuel to a pre-existing fire.

Briefly stated, this case study effectively demonstrates Canada's departmental divide and finds that a two track approach was non-existent in a major arms control issue after the BMD era. This allows for two findings to be extrapolated, the first of which being that Canada does follow some form of strategy and does not solely rely on precedent. The second being that Canada has the capacity to employ the two track approach should it be necessary. Only more extensive research can determine the exact conditions under which Canada employs the two track approach.

### *Theory Application*

**Model 1** – Among the components of the rational actor model is the need for ownership and the translation of interests to cost and benefit. It also focuses on the logic of action without referring to any particular actor's interests and motivations. In the case of landmines, similar to that of BMD, this model cannot be applied but for different reasons. In regards to ownership here, the actions of the state do appear unified from the outside. This is because Canada was championing the efforts, hosting the event, and putting forward one image both publicly and privately. The departmental divide was seen strictly as a domestic issue to be worked out, it did not become a larger issue.

While this case study fulfills the ownership assumption, it does not appear that there was any cost and benefit analysis in the decision making process. While there was obviously some

clear incentives such as the Nobel Peace Prize that encouraged the process, such incentives do not seem to be the driving factors in the state's decision-making behaviour as most such incentives came into play after Canada already committed itself to the MBT effort.

Lastly, to reiterate the BMD experience, both case studies focus on specific actors (department and otherwise) and their behaviours. This model is incompatible with that approach, and therefore cannot explain the behaviours of the state.

**Model 2** – The organizational behaviour model, to reiterate, is the concept of a machine state. It takes a given decision and attempts to link it to context and standard procedures. Under this format, a state is constrained by precedents and has very minimal – if any – alternative options. Similar to the BMD case, the landmine effort cannot be understood through the machine metaphor because both cases were precedent setting. Ottawa's level of approach in this case had not previously been seen in Canada. While the marketing of Canada as a peacekeeping state has always been prominent, taking the lead on international efforts was not commonplace. It required a breaking of established norms, and therefore could not fit the standard procedures.

This model cannot be applied to landmines because the organizational behaviour mold offers minimal to no alternatives when the standard procedure is not pursued. Landmines was not standard by any means, and it actually went against precedent. Precedent in Canada would demonstrate a certain level of reliance or at least serious cooperation with the United States in most, if not all, international efforts up to that time period.

Lastly, this model preaches minimal to no alternatives when standard procedure is not followed. The opposite was seen through the landmine case. In fact, when the United States pushed back against Canada's efforts, the opt-in option was a great alternative to facilitate the

success of the MBT. If anything, this case study demonstrated Canada's ability to remarkably balance domestic goals without tarnishing international relations with the state's largest ally. Overall, this model cannot be used to explain Canada's behaviours during the landmines era. Therefore, it also cannot explain the lack of a two track approach in this case.

**Model 3** – The governmental politics model portrays political behaviour as the result of bargaining games. This means power is the greatest determinant of results and the decision will always be one comprised of “compromise, conflict and confusion”.<sup>86</sup> The bargaining aspect of this model reflects the landmine effort as the entire case's success was based on diplomatic efforts, working with private organizations (such as ICBL), and with other states to push the Ottawa Process forward.

This model preaches power as the most important determinant in the outcome of the bargaining games. This idea can potentially explain the non-existence of the two track approach in the landmine experience. Consider the departmental divide issue as its own form of bargaining game wherein DFATD and DND both have competing interests and a decision needs to be made. What the landmine experience has shown is that DFATD held more power, and therefore influenced the outcome in its favour. Does this mean DFATD is always holding more power than DND? Not necessarily, but in this particular case it is interpreted to be the cause of the outcome, which would in turn explain the lack of a two track approach.

The result of the bargaining games is always some form of compromise, conflict and confusion. With landmines, conflict definitely arose with the departmental divide, and with the United States. Confusion was a factor as the United States waited out the results of the departmental

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<sup>86</sup> Allison, Graham et al. *Essence of Decision: Explaining the Cuban Missile Crisis. Second Edition*. Addison-Wesley Educational Publishers Inc. 1999. P. 300

divide and finally, compromise was reached in that DND had to pick its battles and MBT was not one of them. Other states had to compromise with the rise of MBT because of its overall increased popularity, the Nobel Peace Prize, and the speed with which it came into effect had made it de facto universal.

This model appears to be the best fit in explaining the landmines case. It also explains why the two track approach might be employed in some cases and not others. Therefore, it is the best fit in assessing the state's behaviour. While it is the only model that is not technically rational, the bargaining efforts followed a very linear and coherent goal. Strong-arming DND and forcing the uniformity of action also appear to be very rational, so perhaps there are exceptions to the rule in how the bargaining games are played. Landmines appears to be the exception wherein an irrational game can be played with coherence and garner results without manipulating the playing field (ie.

## CLUSTER MUNITIONS

The case of cluster munitions in Canada is controversial, which means it is extremely important to consider and not dismiss contextual realities. Although cluster munitions as a problematic technology were brought forth prior to 9-11, discussions surrounding the weapons were predominantly post 9-11. In an increasingly tense security environment with the arrival and rise of non-state actors, it is only understandable that a state might hesitate in giving up its more immoral weapons technologies. This is not to defend cluster munitions or to encourage their use, but rather a statement in an attempt to understand and explain the Canadian position.

Conflict is a complex and versatile reality with a frequently changing landscape. Precisely that nature is what led to the first idea of cluster munitions (CM) – to be exact, it was the Brit-

ish incendiary bombings during the Second World War that began this conceptual shift from one bomb-one explosion (1:1) to one bomb-multiple explosions (1:N). This was followed by the German Luftwaffe which dropped nearly a thousand ‘butterfly bombs’ on Grimsby in 1943.<sup>87</sup> Cluster munitions were initially designed to attack wide areas with fast moving targets, such as airfields. What makes CMs so attractive for use is their delivery system which is also their main defining feature: a single munition that can be ground based or air dropped and contains, within it, hundreds of explosive sub-munitions for extended reach.<sup>88</sup>

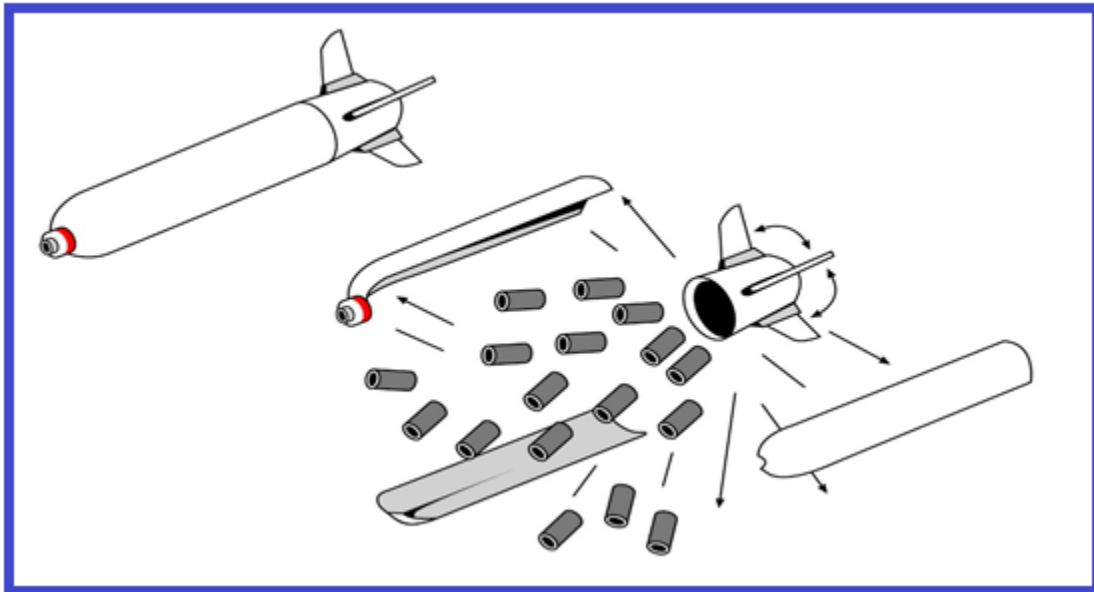


Figure 6 Source: Norwegian People’s Aid, (taken from: Britegger, 2012)

This very logic of CMs benefit is also its hindrance as the width of its reach threatens civilian harm both on impact and post-conflict when dealing with unexploded sub-munitions. This was the first major issue with CMs. As the technology developed and continued to be a clear

<sup>87</sup> Britegger, Alexander. *Cluster Munitions and International Law: Disarmament with a human face?* Routledge Taylor and Francis Group, 2012. p. 18

<sup>88</sup> *Ibid*, p. 14

threat to innocent parties, Belgium took a lead on the global stage in prohibiting ‘the manufacture, trade, and use’ of CMs.<sup>89</sup>

Around the same time as Belgium’s initiative, Israel employed the use of CMs in 2006 on an extreme level in Lebanon.<sup>90</sup> These two events led to a push for action to fulfill the Oslo Process commitment which set a 2008 deadline for the creation of a “legally binding instrument that will: prohibit the use, production, transfer, and stockpiling of cluster munitions that cause unacceptable harm to civilians.”<sup>91</sup> This legally binding document would later become the Convention on Cluster Munitions (CCM).

Despite similarities between antipersonnel landmines and the unexploded sub-munitions from CMs, Canada did not strive for the ban of CMs in the same manner the state had tackled landmines. This may arguably be due to the fact that the discussion surrounding unexploded sub-munitions was focused on their design and not their effects (which are strikingly similar to landmines).<sup>92</sup> Canada signed on to CCM when it was complete in 2008, but waited until 2013 before talks of ratification became a reality with the proposed Bill C-6. Controversy arose with this bill as it effectively embodied Canada’s two track approach in that it would agree to the disarmament and non-use of CMs but Prime Minister Stephen Harper’s included clause would make using CMs in joint missions with non-signees to be an appropriate action.<sup>93</sup>

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<sup>89</sup> Rappert and Moyes. *The Prohibition of Cluster Munitions: setting international precedents for defining inhumanity*. Routledge Taylor and Francis Group. Non-proliferation Review, Vol. 16, No. 2, July 2009. p. 243

<sup>90</sup> Ibid, p. 243

<sup>91</sup> Breitegger, Alexander. *Cluster Munitions and International Law: Disarmament with a human face?* Routledge Taylor and Francis Group, 2012. p. 141

<sup>92</sup> Ibid, p. 315

<sup>93</sup> Blanchfield, Mike. *Former Canadian arms negotiator blasts Ottawa’s cluster bomb bill*. Canadian Press, National Post. 2013. <http://news.nationalpost.com/2013/11/24/former-canadian-arms-negotiator-blasts-ottawas-cluster-bomb-bill/>

This clause would effectively go against the spirit and letter of CCM as it disregards the commitment signees hold in wanting to see a complete and total disarmament of CMs. Instead, it allows other states to have flexibility in the employment of their arms. Especially concerning is that the United-States is a non-signee which Canada has many defence alliances with. Therefore, this clause maintains the protection of Canadian troops through the use of the weapon as part of an American unit. Canada did eventually ratify the convention – in March of 2015, seven years after its completion.<sup>94</sup> Prior to this ratification, Canada supported NATO missions that employed the use of cluster munitions in multiple missions: most notably Former Yugoslavia, Iraq, and Afghanistan.<sup>95</sup>

### *Theory Application*

**Model 1** – Among the components of the rational actor model is the need for ownership and the translation of interests to cost and benefit. It also focuses on the logic of action without referring to any particular actor's interests and motivations. Drawing similarities of this case to that of BMD, Canada's bind to the United-States is brought forth again. Herein, Canada knew it was going to work closely with an ally that was a non-signee and this worked to the state's advantage which made their relationship extremely convenient for such a controversial issue. However, this case does not have any clear concept of ownership in decision despite fulfilling the requirement of not referencing any specific actor. It also does not translate easily into a form of cost and benefit analysis.

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<sup>94</sup> Foreign Affairs, Trade and Development Canada. *Canada Ratifies Convention on Cluster Munitions and Supports Demining Efforts*. March, 2015. <http://www.international.gc.ca/media/aff/news-communications/2015/03/17a.aspx?lang=eng>

<sup>95</sup> Mines Action Canada. *Timeline of Cluster Munition Use Prepared by Human Rights Watch*. 2010. [http://www.minesactioncanada.org/peoples\\_treaty/fact\\_sheets/en/Timeline%20of%20Use.pdf](http://www.minesactioncanada.org/peoples_treaty/fact_sheets/en/Timeline%20of%20Use.pdf)



This model fails to cover the scope of the issue and the complexity of Canada's decision making process for this particular arms control issue. This may, however, be good as it allows the analysis to continue with the understanding that a rational explanation has been eliminated. In this way, the case's incompatibility with this model is an asset for the analysis.

**Model 2** – The organizational behaviour model, to reiterate, is the concept of a machine state. It takes a given decision and attempts to link it to context and standard procedures. Under this format, a state is constrained by precedents and has very minimal – if any – alternative options. With regards to cluster munitions, Canada did not follow precedent. Canada was known to be a major actor in the fight against landmines, and a leader in peace efforts. When the state did not condemn cluster munitions with the same effort and conviction it did landmines, it emphasized the fact that it would not be acting in precedent. Instead, the state was to assess each arms control issue on a case by case status – despite the obvious similarities. This inconsistency therefore makes the organizational behaviour model incompatible with the cluster munitions case.

Arguably, however, it can be posited that Canada's decision to allow for flexibility with cluster munitions was following the precedent of facilitating American-Canadian defence relations. This argument alone though does not stand to fulfill the model's application to the cluster munition case. Notably, this model emphasizes the likeness of a machine wherein minimal to no alternatives can be pursued. This was not the case when Prime Minister Stephen Harper put forth the clause allowing Canada to be more flexible. In short, this model's assumptions do not reflect the realities of the cluster munitions case.

**Model 3** – The governmental politics model portrays political behaviour as the result of bargaining games. This means power is the greatest determinant of results and the decision will always

be one comprised of “compromise, conflict and confusion”.<sup>96</sup> While there was no clear bargaining game throughout this case, or at least none of which there is a public record, it does not mean they did not exist. The controversy that surrounded this weapons technology makes it easy to understand why the case was predominantly on stand-by as decisions were slow to be made.

This model preaches power as the most important determinant in the outcome of the bargaining games. Rightfully so, this is reflected in the cluster munitions case wherein Canada had to play by the rules of the superior actor – the United States. Had Canada signed and ratified the CCM without proposing the clause, the state would have hindered its own defence cooperation opportunities and hurt an ally’s efforts. In this way, the introduction of the clause was a reflection of the two track approach that allowed Canada to pursue strategic stability while simultaneously making conscious and calculated efforts in its own strategic defence.

The result of the bargaining games always comes in some form of compromise, usually conflict and confusion. In this case study, conflict is evident through the state’s support of NATO missions employing the use of the cluster munitions weapons. Compromise can be seen in, once again, the proposed clause that plays two roles: emphasizing Canada’s reliance on a two track approach when cornered in defence, as well as balancing the United States’ interests and compromising support for strategic stability.

This model appears to be the best fit in explaining the landmines case. It also explains why the two track approach might be employed in some cases and not others. Therefore, it is the best fit in assessing the state’s behaviour. Unlike landmines, there was a lack of coherence and it was not a linear process, making it a great example of Canada’s irrational governance tactics.

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<sup>96</sup> Allison, Graham et al. *Essence of Decision: Explaining the Cuban Missile Crisis. Second Edition.* Addison-Wesley Educational Publishers Inc. 1999. P. 300

Using the two track approach in this case was the best thing the state could do to maintain its interests domestically and internationally, while also preserving its image as a peace leader. Briefly put, this case demonstrates Canada's irrationality in behaviour and its reasoning, similar to that of BMD, for applying a two track approach in arms control. This model's assumptions best fits the cluster munitions case study.

## CONCLUSION

This paper has allowed for the conclusion to be made that Canada has a pattern of being irrational, but that exceptions to the rule exist. Following Allison's theory application, it appears even when a two track approach is not followed, Canada hardly opts for the linear and coherent method of approaching decision making. This can be attributed to the state's lack of an actual defence strategy. While Canada's pattern of irrationality had manifested itself through BMD, a variety of clauses, and manipulating the rules to benefit private Canadian actors, the landmines effort represents an outlier.

The landmines case, due to its popularity, forced Canada to break away from hesitancy and explore alternative methods to achieving its goals. In doing so, Canada successfully hosted a landmark success in disarmament efforts and solidified its image as a peace broker in international affairs. One can only speculate whether this would have been the case if the 1997 Nobel Peace Prize was not involved. Leaving that possibility aside, this case serves as a sufficient reminder to the state that not following precedent, and handling arms control on a case to case basis may be the best option long term.

The cluster munitions effort, contrary to landmines, was more complex and progress was extremely slow. This case was not the ideal example of disarmament efforts but served to shed light on what a more realistic view of arms control in Canada. Not every case is going to receive Nobel-like popularity, and not every weapon is going to be as despised. Sometimes, even immoral weapons will be desired. Therefore, cluster munitions served as a reminder that despite the benefits of inhuman technologies, Canada needs to revert to its roots and use its influence as a peace broker to vie for human security.

Finally, the ultimate conclusion from this paper is that Canada seems to best perform under the governmental politics model of state behaviour. This means that the question of whether or not Canada is a rational state is a resounding no. Canada should accept this reality and frame a defence strategy that encompasses the capacity for flexible assessment and response. This would greatly benefit Canada's image as a transparent state, and it would eliminate the fear that a two track approach exposes a hypocrisy. Instead, the two track approach could then be seen as simply another tool in the arsenal of a state following the governmental politics model, and it would not hinder their credibility in the slightest. This being said, the suggestion is strictly withdrawn from the lessons and lens of two limited case studies: anti-personnel landmines and cluster munitions. For this suggestion to be considered for implementation, a more thorough research and analysis of Canadian arms control efforts would have to be pursued.

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