

## David and goliath in Canada-U.S. Relations: who's really who?

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To cite this article: Greg Anderson (2018): David and goliath in Canada-U.S. Relations: who's really who?, Canadian Foreign Policy Journal, DOI: [10.1080/11926422.2018.1542604](https://doi.org/10.1080/11926422.2018.1542604)

To link to this article: <https://doi.org/10.1080/11926422.2018.1542604>



Published online: 08 Nov 2018.



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## David and goliath in Canada-U.S. Relations: who's really who?

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### ABSTRACT

The two decades since September 11, 2001 have witnessed a dramatically reoriented landscape in policy domains of critical importance to Canada-U.S., all of which have highlighted the need for greater understanding the dynamics of asymmetrical power. That need has been enhanced by the economic populism of the Trump Administration and its insistence on re-negotiating, possibly withdrawing from, the NAFTA. This paper draws on scholarly insights about power and conflict management to recast the last two decades of Canada-U.S. relations within the dynamics of asymmetrical power. The paper offers a more systematic account of the incidence of asymmetrical power that is hierarchical and undercuts the mythology about “special relationships” and “paradoxes” in Canada-U.S. relations.

### RÉSUMÉ

Les deux dernières décennies qui se sont écoulées depuis le 11 septembre 2001 ont vu s'opérer une réorientation dramatique des paysages politiques d'importance critique pour les relations Canada-USA, dont tous ont mis l'accent sur la nécessité de mieux comprendre la dynamique du pouvoir asymétrique. Cette nécessité a été renforcée par le populisme économique de l'administration Trump et son acharnement à vouloir renégocier, voire se retirer, de l'ALENA. Cet article s'appuie sur des points de vue académiques sur la gestion du pouvoir et du conflit pour reformuler les deux dernières décennies des relations entre les deux pays sous l'angle de la dynamique du pouvoir asymétrique. De manière plus systématique, l'article rend compte de l'incidence du pouvoir asymétrique qui est hiérarchique, et minimise la mythologie des « relations spéciales » et des « paradoxes » entre le Canada et les USA.

### KEYWORDS

Power; asymmetry; Canada-U.S. relations; trade; border security

The last two decades of Canada-U.S. relations have, in some minds, been among the most tumultuous and earthshaking of any in the long history of one of the world's deepest, most integrated, and peaceful bilateral relationships. Indeed, Canadians seem to be in a regular state of shock over the rhetoric and actions flowing out of the Colossus. The list of head-scratchers for many Canadians is frustratingly long. Just days after the September 11 terrorist attacks on the United States, Canadians were dismayed to hear President Bush say that America had “no truer friend” in the world than Great Britain; this in spite of Canadians

having taken in thousands of travelers stranded after the closure of American airspace on 9/11. Even as Canadians moved to collaboratively integrate and enhance (some would say militarize) security along the 49<sup>th</sup> parallel, they were told by the U.S. Ambassador that “security trumps trade” (Cellucci 2005, pp. 131–140). Moreover, Ottawa has had to repeatedly knock down the idea that Canada is a national security threat, including the maddeningly persistent falsehood that some of the 9/11 hijackers got into the U.S. via Canada.

More recently, the election of Donald Trump as U.S. President has ushered in a whole new set of uncertainties and headaches; withdraw from the Trans Pacific Partnership (TPP), the abject chaos around NAFTA renegotiation, the imposition of steel and aluminum tariffs on national security grounds, and Trump’s Twitter criticisms of Prime Minister Trudeau after the June 2018 G7 Summit or characterization of Canada as a country that’s been “ripping us off.”

It’s all left many Canadians unsettled and scrambling for responses (Burney 2004, Heynen and Higginbotham 2004, Gotlieb 2005, Bow 2007). What happened to the implicit postwar bargain between the two countries cooperating over and reconciling security and economic openness? How had Canadian diplomatic prowess suddenly washed upon the rocks of American continental security imperatives? How is it that Canada has been unable to secure exemption from steel and aluminum tariffs or win the argument in NAFTA talks? Is the “special relationship” suddenly less special? Have Canadian diplomats lost the “exemptionalist” touch? Has Canada become like every other country seeking to define its relationship with America as unique in the world?

Anecdotes about the depth and robustness of Canada-U.S. relations have littered the speeches of public officials for generations, many of them also giving a weary nod to the relationship’s asymmetric qualities. In one well-known instance, Pierre Trudeau told Ottawa’s National Press Club in 1969 that living next to the U.S. “was in some ways like sleeping with an elephant. No matter how friendly or temperate the beast, one is affected by every twitch and grunt.” Surprisingly, anecdotes in speeches, Canadians’ intuitive appreciation of how asymmetric bilateral relations are, and the obvious importance of that relationship to so much of Canadian life have generated little systematic scholarly interest in understanding the dynamics of those asymmetries.

This paper is, in part, aimed at bringing greater conceptual specification to asymmetrical power. Power is not a fungible phenomenon. Indeed, power’s form, function, and consequences are far more dynamic than often depicted. In a deeply integrated economic space like North America, Canada’s interactions with the United States are highly diverse and cannot be captured through the generalizations of anecdotes alone. Moreover, such generalizations do not lend themselves to practical responses to the real-world, and context-specific power dynamics Canadians routinely confront, particularly with the “Colossus” to their south.

This cut at unpacking some of the conceptual fuzz around asymmetry in Canada-U.S. relations will unfold in four parts highlighting policy in trade and border security. Part I will outline some of the historical mythology around how Canada navigates its relationship with the United States. Part II will cast the last two decades of trade and security relations in simple game-theoretic terms that will then flow into Part III’s focus on some theorizing around the problematic of power, followed by Part IV’s claim that power in Canada-U.S. relations might best be viewed more hierarchically.

It all concludes by suggesting that power in asymmetrical relationships is neither as structural and deterministic as often suggested, nor as easy to dismiss with appeals to “special relationships” or “culture” exemptionalist, diplomatic, or otherwise.

## Part I: the mythology (?) of specialness

International relations scholars frequently point to “The Melian Dialogue” in Thucydides’ *History of the Peloponnesian Wars* as a quintessential tale of the determinism of power in international relations. As the Athenian military lay siege to the Island of Melos, the Melians fruitlessly attempt to engage the numerically and militarily superior Athenians in negotiation. As Athens prepared to destroy Melos they issued their edict about power’s determinism:

... since you know as well as we do that right, as the world goes, is only in question between equals in power, while the strong do what they can and the weak suffer what they must. (See Finley, 1974, Thucydides, Chapter XVII).

Yet, the destruction of the Melians by the “more powerful” Athenians is strikingly at odds with the Biblical tale of David and Goliath. As recently retold by journalist Malcolm Gladwell (2013), David’s victory over the far stronger, more heavily armed Goliath was no accident. Indeed, the regularity with which the ostensibly “weaker” underdog ends up the “victor” in asymmetrical interactions merits far more systematic analysis than it’s hitherto been given. As Gladwell notes, “The powerful are not as powerful as they seem – nor the weak as weak.”

Scholars of Canadian foreign policy seem committed to systemic debates about variants of polarity – multi-, uni-, or non- (see Ayres and McDonald 2012, Haglund 2012, Hale 2012, Murray and Hehir 2012), multilateralism (Alexandroff 2008, Keating 2013), middle power internationalism (Cooper et al. 1993, Chapnick 2000), declinism and the “post-American world,” (Haas 2008, Zakaria 2008, Ayres and McDonald 2012) or the disaggregated state (Slaughter 2002) and multi-level governance (Clarkson 2001).

There have certainly been robust scholarly debates about Canada’s place in the post-Cold War international system advancing important frameworks and concepts; among them, middle power internationalism (Cooper et al. 1993, Chapnick 1999, 2000), structural specialization (Lennox 2009, 2010), niche diplomacy (Cooper 1997, Henrikson 2005); or Canada as a “capable” power (Kirton 2012). Yet, less emphasis has been given to analyses of power as it functions inside specific policy domains; a widening gap in the literature as we witness the transformation of regional economic governance in the renegotiation of the NAFTA and the further securitization of that governance via the focus on homeland security.

Asymmetries of power are everywhere, few starker than those that flow through Canada-U.S. relations, where nearly 40 percent of Canada’s economy is dependent on trade with a neighbor ten times as numerous, an economy fourteen times as large, and a military budget twice as large as Canada’s entire federal budget. Scholarly analysis in the context of asymmetry often explains Canadian policy achievements vis-à-vis the United States by assigning Canada an unusual diplomatic prowess, suggesting there is a “special relationship” (Doran 1984, Lipset 1991) or a normative diplomatic culture between the two countries that avoids issue linkage and sees Washington privilege

Canadian interests in ways enjoyed by no other country (Gotlieb 1982, Sands 2005, Bow 2009, pp. 6–13). Others have posited the existence of an “exemptionalist” culture wherein Canada is unusually adept at negotiating exemptions from punitive American legislative or administrative initiatives (Cuff and Granatstein 1977, Barry 1980, Hart et al. 1994, Mahant and Mount 1999). Scholars have pointed to a “power paradox” wherein, much like David’s ancient defeat of Goliath, ostensibly “weaker” parties to a relationship are regularly able to win important concessions from their more powerful partners (Zartman 1991, Winham and DeBoer 2000, Barnett and Duvall 2005). Scholars have also noted the irony that a preponderance of power is frequently insufficient or unwieldy in a variety of roles (Nye 2002, 2003); the powerful not so powerful, the weak not quite so weak.

In short, scholars have depicted Canada regularly emerging from interactions with the United States looking more like the Biblical David than the Melians of Thucydides’ *Peloponnesian Wars*, but, along with the popular press and official Ottawa, are shocked when things don’t work out that way. Yet, there’s been no systematic investigation of the causal relationships governing this “paradox,” starting with whether it actually exists?

The lack of inquiry into the “paradox” was especially striking in the years immediately following the September 2001 terrorist attacks on the United States. Although Washington’s treatment of Canada suggested to many that the bilateral relationship was no longer as “special” as it once was, none of it has generated a systematic reevaluation of whether, in what ways, or what domains it has, in fact, been “special?”

## Part II: static and structural depictions of asymmetry

In addition to anecdotes in speeches, North America’s asymmetries are also often depicted with basic numbers, painting a stark picture of the manifestations of power, but telling us little about the function of power in getting there; in sporting terms, the score of the contest, but little about how it was arrived at.

Dependency theorists have sought structural explanations for bilateral asymmetry (Clarkson 2011, pp. 9–20), including flipping this idea on its head in the context of America’s post-9/11 security vulnerability (Clarkson and Mildemberger 2011). However, exceptions to structurally deterministic analyses are also too frequently explained by appeals to “special relationships” or “power paradoxes”; poorly specified concepts asked to do a lot of theoretical and empirical heavy-lifting.

The advent of the U.S. Department of Homeland Security has been most explicitly considered in literatures focused on regional economic and security integration (Clarkson 2002, 2008, Pastor 2011, 2008, Ackleson and Kastner 2006, Ackleson 2009, Clarkson and Mildemberger 2011) and tended to contextualize the advent of DHS within the broad framework of “complex interdependence” first advanced by Keohane and Nye (1977) who made Canada-U.S. relations their case-in-point. It’s a frame of reference that’s spawned a vast literature on multilevel governance (Hooghe and Marks 2003), intergovernmental or transnational networks (Slaughter 2002, Hale 2012, Pacheco-Vega 2015), the “fragmegration” (Rosenau 2000) or intermesticity (Manning 1977) of governance, governance typified by “intervulnerability” (Doran 1984, p. 53), linkages between demography and policy (Leuprecht 2014), shared diplomatic norms (Bow 2009, Kupchan 2010).

Keohane and Nye famously advanced three indicators of complex interdependence at work in curbing any tendency of military power to be wielded as a tool of conflict resolution:

- (1) Multiple channels of interaction between societies; interstate, transnational, and transgovernmental.
- (2) The absence of a hierarchy of issues.
- (3) All resulting in the decline in the use of military force (Keohane and Nye 1977, pp. 21–22).

Nowhere were these indicators seemingly more entrenched, operative, and robust than in the context of Canada-U.S. relations (Ibid., pp. 145–168). Yet, Keohane and Nye’s main interest was in how interdependence had undermined the utility of military action as dispute resolution. Keohane and Nye did consider the incidence of asymmetrical power, but only in terms of acknowledging the variability of a state’s *sensitivity* to external shocks, and the state’s subsequent *vulnerability* in terms of adapting to them (Ibid., pp. 9–16). In contemporary terms, Keohane and Nye might argue that relative dependency on access to a single market makes Canada highly *sensitive* to the Trump Administration’s implementation of steel and aluminum tariffs, or that Canada has few options to quickly reconfigure its trading relationships making it highly *vulnerable* as well.

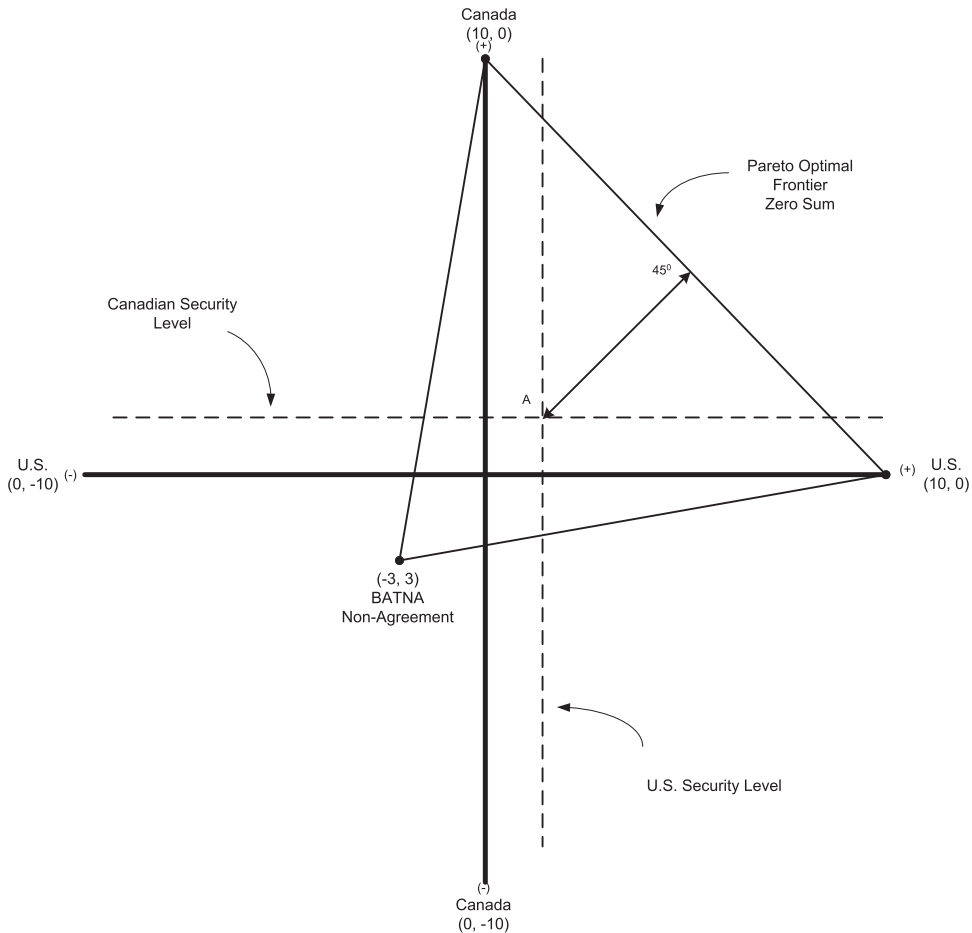
Unfortunately, such a conclusion understates the context-specific dynamism of power, even within dyads as starkly asymmetrical as Canada and the United States.

### **Power (A)symmetry**

How can we begin to conceptualize the dynamism of power, and asymmetrical power, in particular? How might this help us understand dynamics of power affecting Canada-U.S. relations? Why, for instance, did Canada and Mexico become “price takers” on many border security issues after September 11, 2001? Was that the case? Why are both countries having such difficulties with the Trump Administration over trade? Was it, as some prominent Canadians argued, because Canada had begun taking its relationship with the U.S. for granted, neglecting the subtleties of diplomacy and nuances of power that had guided Canada so successfully through much of the postwar period and mythologized as an “exemptionalist” culture (Barry 1980)? Or can something more systematic be observed?

An important starting point for thinking about the dynamism of power is in the context of rational choice, game-theoretic models, all of which depict outcomes on the basis of standard measures of power as most would do in predicting the outcome of a clash between David and Goliath – the smart money is on Goliath.

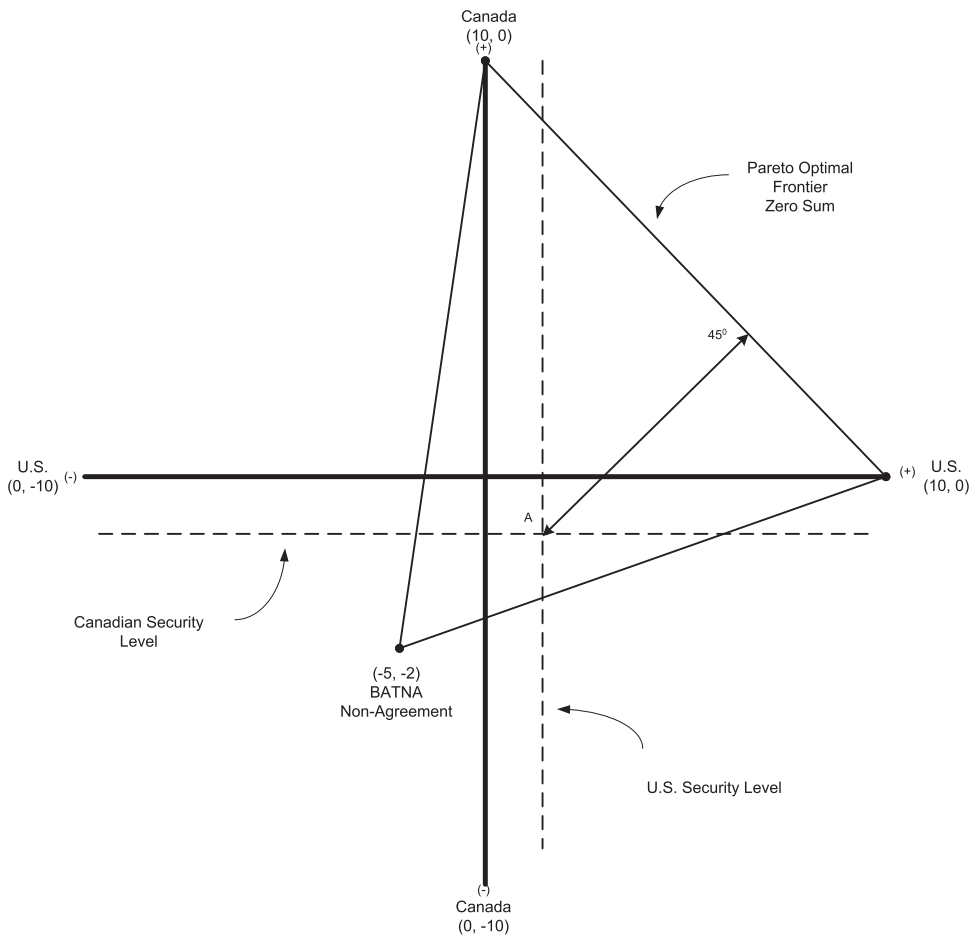
Borrowing from literatures in conflict management, consider first a generic *symmetrical* bargaining situation depicted in Figure 1. Key here are the two dotted lines representing U.S. and Canadian security levels, or each country’s minimum positive outcome from a negotiation; their bottom line. Under conditions of perfect power parity depicted in Figure 1, the set of issues under negotiation results in an incidence of security levels in the northeast quadrant of the diagram. Also important here is the Best Alternative to a Negotiated Agreement (BATNA) point, in the southwest quadrant which represents the



**Figure 1.** Symmetrical bargaining. Source: Adapted from Rapoport (1969).

best outcome achievable for either country in the absence of an agreement. In this case, point  $(-3, -3)$  represents a loss to both countries from non-agreement. Any shift in the solution set toward the northeast away from  $(-3, -3)$  inside the triangle  $(-3, -3), (10, 0)$  Canada,  $(10, 0)$  US would be considered a Pareto improvement on BATNA. A final solution set from a negotiation would emerge from some combination of positive-sum points in the bargaining space to the northeast of point (A), bounded by each country's dotted security line and the Pareto Optimal Frontier, along which an entirely equitable solution set is found. Under conditions of complete power equity, the optimal, and equal solution set occurs where the 45 degree line intersects with the Pareto Optimal Frontier.

Unfortunately, there are seldom bargaining situations in which perfect parity among the parties exists. Moreover, negotiations in which the perception of parity exists are often more contentious and do not necessarily lead to better outcomes (Zartman and Rubin 2000, p. 272). And then there's the fact that the very basis of many negotiations stems from asymmetries of some description; one party usually "needs" a deal more than the other. Consider the more typical, *asymmetrical* case depicted in Figure 2. Between 1994 and 2001, America's post-Cold War dominance of global economics,



**Figure 2.** Asymmetrical bargaining (through September 2001). Source: Adapted from Rapoport (1969).

politics, and security relations – the so-called “unipolar moment” – meant America’s security level (dotted line) was arguably relatively stable.

The same period for Canada was arguably a different story. Prior to entering the NAFTA talks, Canada and Mexico had separately come to their own economic cross-roads in the mid-1980s and early-1990s and “needed” an agreement more than the United States (see Pastor 1992, pp. 87–107, Hart et al. 1994, Laidler and Robson 2005, Salinas 2002). Canada and Mexico achieved tariff-free access to the U.S. market via the NAFTA, but were unable to secure immunity from U.S. trade remedy laws (see Cameron and Tomlin 2000, Macrory 2003). The dispute settlement mechanisms instilled in the agreement were less robust than Canada and Mexico hoped and have never been able to resolve long-standing irritants such as the softwood lumber dispute (Anderson 2006a). Moreover, the shallowness of the NAFTA left a substantial built-in agenda for which some 30 working groups were created, many of which quickly became inactive. Growing dependence on U.S. market access after 1994, currency fluctuations tied to commodities prices (Lafrance and van Norden 1995), and persistently weak productivity gains (Rao et al. 2008), suggest Canada’s security level throughout the 1990s slipped into negative (–) territory. In this



model, Canada's "need" for progress on the post-NAFTA agenda grew arguably shifting the best alternative to a non-agreement (BATNA) with the U.S. deeper to the southwest quadrant  $(-5, -2)$ .

Moreover, relative to the situation depicted in [Figure 1](#), the only portion of the bargaining space to the northeast of point (A) happens to be in negative Canadian payoff territory. Nevertheless, [Figure 2](#) still offers a number of solution sets along the 45 degree line to the northeast of (A), bounded by the dotted security levels and the Pareto Frontier. In this static depiction, the solution set is more heavily weighted toward U.S. preferences. Moreover, Canada is in the "weaker" bargaining position and may consider solution sets with negative attributes it considers preferable to no agreement at all. Indeed, in the asymmetrical example, Canada's best alternative to non-agreement (BATNA) deteriorates from  $(-3, -3)$  in [Figure 1](#) symmetry, to  $(-5, -2)$  in [Figure 2](#), asymmetry.

This kind of deterministic analysis is tricky; first because it is an assessment of outcomes in the wake of a negotiation and, second, because it relies on an analyst's understanding of the interests and goals of the parties that may be incomplete. For example, one piece of folklore in Canadian trade history concerns the 11<sup>th</sup> hour bilateral negotiations between Canada and the United States in October 1987 that ultimately sealed the NAFTA's precursor, the Canada-U.S. Free Trade Agreement (CUFTA). In this account, Canada was ostensibly willing to walk away from the negotiations without American concessions on dispute settlement applied to trade remedy laws. To some observers, the United States "needed" bilateral free trade with Canada as a threat to allies in stalled liberalization talks in the multilateral trading regime (Dryden 1995, Hart et al. 1994). In other words, the U.S. concession to Canada (and Mexico in the NAFTA negotiations) on dispute settlement wasn't about dispute settlement, per se, but the multilateral system the United States had largely underwritten in the postwar period.

All of this points to the difficulty of accessing "winners" and "losers" in the context of asymmetrical bargaining, particularly so if it's an assessment of outcomes. Indeed, correctly assessing each party's security level would have significant effects on the size and location of the bargaining space, solution set, or BATNA entering any asymmetrical negotiation depicted in [Figure 2](#).

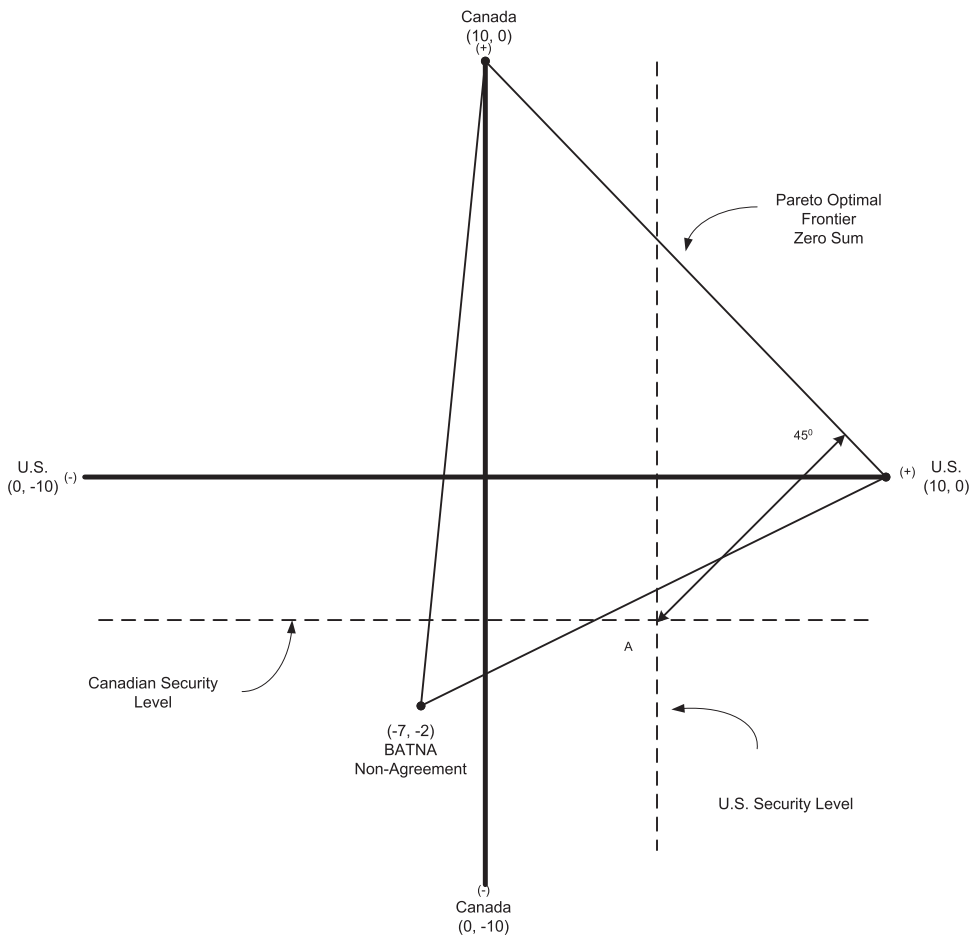
An alternative read holds that the United States emerged from the CUFTA and NAFTA much as realists would predict by conceding virtually no sovereignty in the process. Moreover, the United States largely set the terms of the NAFTA talks, resolved a number of long-running regional irritants in investment policy, intellectual property, and energy relations, and largely routinized broad swaths of U.S. relations with its continental neighbors (see Krasner 1976). The NAFTA did so by eschewing supranational institutions and burying the day-to-day management of the NAFTA in the existing technocratic bureaucracies of each of the three countries (Pastor 2001, Hufbauer and Schott 2005, Chapter 9, Hale 2012). The NAFTA was just one node in a broader strategy of renegotiation know as Competitive Liberalization aimed at pressuring others to come to the U.S. negotiating table (Quiliconi and Wise 2009).

This begins to complicate our conclusions about "winners" and "losers" in the NAFTA. Moreover, between 1994 and 2001, the United States was uninterested in much of the left-over or built-in NAFTA agenda, particularly if it meant forms of supranational institutionalization. The advent of the NAFTA suggested a future of trilateral policy convergence in many areas, a lot of which drew the attention of scholars and policy-makers. Yet, little of it, even where borders were concerned, came to fruition (see Duplantis et al. 2007, Michaud 2007)

until after 9/11 (Salter and Piche 2011, Anderson 2017). America got what it wanted out of the NAFTA; resolution of several irritants, pulling Canada and Mexico more firmly into the U.S. economic orbit, shallow institutionalization conferring the benefits of liberalization without a loss of policy sovereignty, and the transformation of the multilateral system.

The point is that assigning “wins” and “losses” on the basis of negotiated outcomes looks very different depending on the circumstances of the party being assessed. Canada’s “wins” around dispute settlement, for example, may have little to do with negotiating prowess, “special relationships,” “exemptionalist” or “diplomatic culture” that eschewed linking issues to gain leverage. Indeed, the appearance of such victories can often be connected to a vast U.S. agenda, of which Canada is a component of varying importance. American foreign economic policy, in particular, is full of debates over the degree to which narrow economic interests are sacrificed for larger foreign policy objectives (Anderson 2012a).

Next, consider Figure 3 in which the incomplete post-NAFTA economic agenda has been wedded to the post-9/11 U.S. security agenda through the Smart Border Accords (December 2001) and the Security and Prosperity Partnership (March 2005) (See Ackleson and Kastner 2006, Anderson and Sands 2007).



**Figure 3.** Asymmetrical bargaining (Post-September 2001). Source: Adapted from Rapoport (1969).

Two important changes to the U.S. and Canadian security levels are depicted. Post-9/11 security imperatives have dramatically shifted the U.S. security level further to the west as America rapidly moved to strengthen security at its ports of entry and fix its broken immigration system (Anderson 2006b, 2012b). To do so, the United States also embarked upon the largest reorganization of the federal bureaucracy since World War Two by creating the Department of Homeland Security in late 2002. The strengthening of border measures generated considerable uncertainty around the porousness of the land border for legitimate goods and people. Similarly, Canada's security level also shifted, but arguably further to the south as the relative "need" for an agreement that kept borders relatively porous for commercial activity grew. The closure of American airspace the virtual closure of the land border due to enhanced inspections in the immediate aftermath of 9/11 drove home the vulnerability of Canada's heavily U.S.-dependent economy to disruptions at the border. Indeed, the sensitivity of just-in-time production to border uncertainty was made clear only days after 9/11 when several auto assembly plants were forced to stop production due to parts supply disruptions (Flynn 2000, Canada, Parliament, Senate 2005, p. 2).

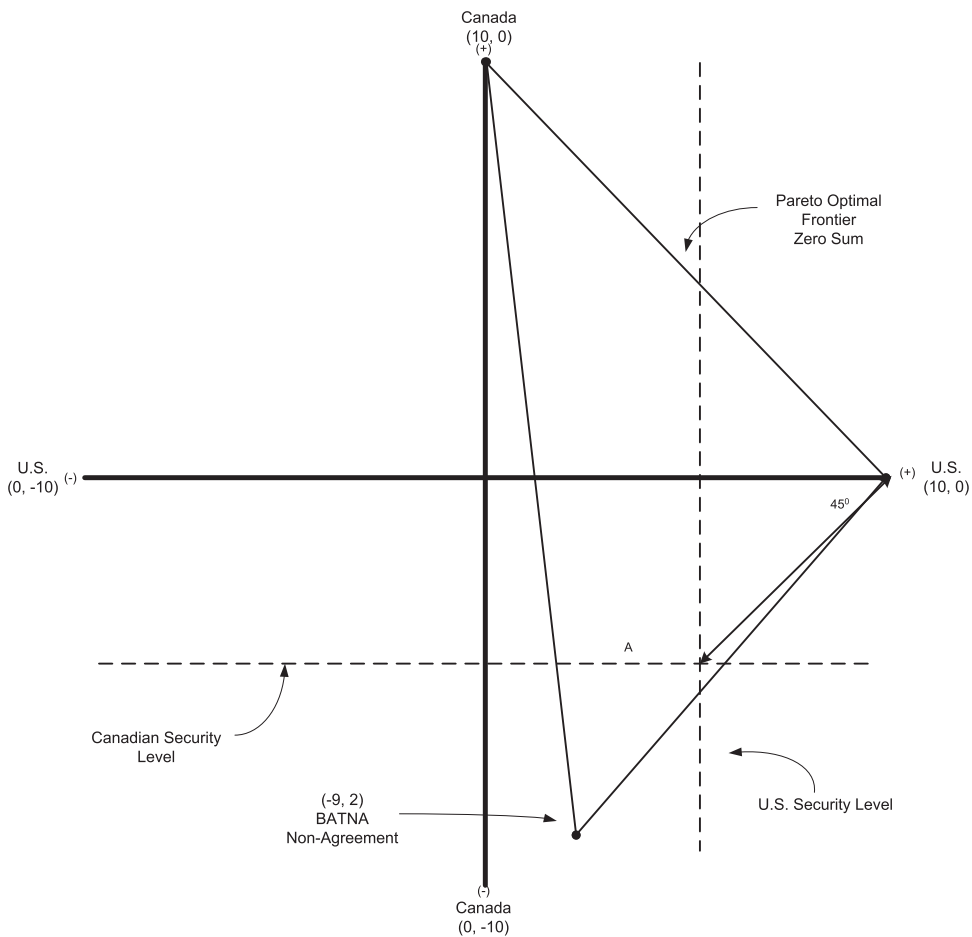
Also interesting is the shift in the payoffs from non-agreement, or BATNA. While the BATNA is negative for both parties  $(-7, -2)$ , the deterioration from the pre-9/11 period  $(-5, -2)$ , Figure 2) comes at Canada's expense. Facing something of an existential threat to its economic prosperity, Canada more desperately "needed" to strike an arrangement with the United States that facilitated legitimate border crossings for people and cargo. By contrast, through its actions, the United States had demonstrated that it was prepared to act alone to manage its security. While a solution set to the northeast of point (A) was clearly Pareto improving relative to BATNA, the size of the negotiating space in positive territory for both states shrank considerably, but particularly for Canada.

The 2005 Security and Prosperity Partnership (SPP) augmented a significant post-NAFTA economic agenda by firmly attaching a new, and dynamic, security agenda, and for the first time, formalized a trilateral Leaders' Summit process. The entire exercise was Canadian and Mexican attempt to barter for continued border porousness for legitimate traffic through promised security cooperation (Pastor 2004, 2008, Anderson and Sands 2007). Over the next two years, a distinct preference for bilateral relations in North America emerged, particularly from those close to Canadian Prime Minister Harper who believed Canada could recapture a mythological past in which a shared "diplomatic culture" could win special "exemptions" from American security measures (Pastor 2008, p. 93, Studer 2011, Anderson 2016).

In spite of concerns that bilateral efforts would merely exacerbate the asymmetries among Washington, Ottawa, and Mexico City (Pastor 2011, 2008), the net result was two separate, but strikingly similar, bilateral processes; Canada-U.S. Beyond the Border in 2011 and U.S.-Mexico High Level processes in 2011 and 2013. Significantly, Canada began sharing entry data as a proxy for U.S. exit data as part of the U.S.-VISIT program, itself the byproduct of a 1993 U.S. Congressional effort to begin tracking all non-citizens in the U.S. (see Sands 2002, Duplantis et al. 2007). Moreover, the Beyond the Border Initiative was originally to have been announced as a completed agreement, but was instead announced as a "process" that included work toward cargo preclearance and Canada's participation in existing regulatory simplification exercises run out of the White House Office of Management and Budget. There is, of course, also the saga of the new Detroit River Crossing (The Gordie Howe Bridge), aimed at alleviating congestion at the busiest

bilateral crossing point, the Ambassador Bridge. Since 2001, efforts to construct a new span have been stymied by jurisdictional squabbles over land acquisition, court challenges by the private owners of the Ambassador Bridge, and the State of Michigan's financial woes. Ottawa's commitment to construct, finance, and operate, the \$2.5 to \$4.5 billion bridge, hasn't facilitated completion, now estimated to be sometime beyond the original 2020 target (Detroit-Windsor Bridge Authority, Timeline, 2018).

This exacerbated asymmetrical situation is depicted in Figure 4 wherein American security imperatives have resulted in a security level in strongly positive territory. The failure of the SPP and the slow progress on elements of the Beyond the Border Initiative have pushed Canada's security level even further to the south while the price of non-agreement has arguably deteriorated to BATNA  $(-9, 2)$ . At this point, the absence of agreement will still mean that unilateral American security measures have gone some distance  $(-9, 2)$  to securing the border. Moreover, the bargaining space along the 45 degree line along which Canada and the United States might reach agreement has narrowed considerably and is skewed heavily toward U.S. preferences.



**Figure 4.** Asymmetrical bargaining (2008–2012, end of SPP and advent of beyond the border initiative). Source: Adapted from Rapoport (1969).

Read through this structural lens, Canada is an international price taker, unable to shift the basis of trade and security negotiations. Indeed, as depicted here, Canada looks far more like the ancient Melians than the Biblical David. However, the foregoing structural analyses only tell one, rather deterministic, kind of story. Indeed, an integrated, if asymmetric, North American power structure is surprisingly dynamic and requires more work on the precise incidence of power in different domains. Military power may be off the bilateral table, but the process of integration has moved well beyond that described by Keohane and Nye creating new lines of authority reconfiguring the governance of the state; a reconfiguration that ought to push us to rethink how power is both wielded and manifests itself in different policy domains.

### Part III: theorizing power

#### *The elements of power*

Important scholarship emerged in the 1950s that remains the starting point for thinking about power in less deterministic terms. In particular, Robert Dahl (1957) usefully disaggregated power into its component, observable, parts (one dimensional power), beginning with the intuition that *power is the ability of party A to get B to do something they otherwise wouldn't do*. More importantly, Dahl's breakdown of the elements of power provided a schematic for research into the observable sources of power:

- (1) *A Base*: the source or domain of one's power. It is normally an inert entity, and something that needs to be actively exploited.
- (2) *The Means*: instruments of power. How does one actually employ the base to exercise power. These include threats, promises, "going public," announcing new policies
- (3) *The Amount*: what is the extent of someone's power over another. This is a probability statement which asks what the chances an action by *A* will illicit a particular response by *B*.
- (4) *The Range or Scope*: This is really about the kinds of responses of *B* to actions by *A* (Ibid., pp. 202–203).

Yet, Dahl's formulation may have raised as many questions about the sources of power as it answered. Bachrach and Baratz (1962) spoke of the importance of latent power wherein manipulation and influence could be observed in non-decisions, or actions by one party not directed specifically at another. In other words, power in which *party A indirectly affects B's behavior*, say through their authority or influence over matters of importance to *B* (two dimensional power); for example, influence over normative practice under international trade rules.

Lukes (1974) held that power shouldn't be conceptualized in terms of the decision, or non-decision, making of agents. Indeed, there is a third dimension to power involving systemic bias that has nothing to do with conscious decision-making. Power, in this view, is seen not as an observable phenomenon anchored in conflicting interests, but a consideration of the ways in which agendas are set and limited through the filtering lens of social forces, institutional mechanisms, or their norms and practices. Here, scholars have also seen power as permeating all social relationships, facilitating the development of false

societal values and a false consciousness that, in turn, lead to one's acquiescence in, even celebration of, their own dominance in the face of power (Dowding 2006). The pervasiveness of power throughout our social lives is also seen as inherently "asymmetrical, nonegalitarian, and hierarchical" (Foucault 1979, p. 94, see also Dore 2009); hierarchies in this context referring to the determinism of structure, not the policy priorities being explored here. Structural asymmetries in who holds power are seen as breeding discourses of resistance (Foucault 1982). Left entirely unaddressed are questions of if, how, or under what circumstances that resistance is successful; in other words, when and how does the Biblical David win?

For some, power is a key dependent variable in international relations defined in mostly observable, materialist terms; scale and importance of the military or the economy. In this view, power is of limited supply, and ebbs and flows only in relative and zero-sum terms among states (Morgenthau 1962, Carr et al. 1964, Mearsheimer 1995). Some have depicted this ebb and flow as occurring in broad historical cycles (Doran 1991) or in the form of transitions of power between growing and declining states (Kugler and Organski 1989). Others, see power as a dependent, but positive-sum, variable, with key debates swirling about how to manage the effects or shape the contours of power – for example, through deterrence strategies (Waltz 1981) or the development of institutions (Krasner 1976, Keohane and Martin 1995, Nye 2004, Keating 2013); in other words, one dimensional forms of power focused on "who won" via measurable outcomes flowing from a direct conflict of interests.

Scholars focused on the global economy have challenged traditional conceptions of state power, often seeing corporate or institutional power as an exogenous, independent variable that constrains, undermines, or supersedes the state (Duchacek et al. 1988, Strange 1996, Slaughter 2002, 2004); a kind of two-dimensional power in decision-making by one party indirectly affects the interests and behavior of another. Importantly, scholarship on the effects of globalization has increasingly depicted sovereignty as hierarchical wherein the proliferation of authority relationships is constantly re-writing how we think about sovereignty (Lake 2003, Anderson 2012b). As the challenges to traditional state sovereignty mount, the lines of authority over policy domains formerly under strict sovereign control are being challenged as well.

Scholars also have a long tradition of looking at power as a systemic, entrenched, and unobservable variable, particularly when trying to understand patterns of development and underdevelopment (Wallerstein 1974, 1996) or power as it flows through language and ideas in structuring the contours of social interaction (Foucault 1979, Wendt 1992, Gramsci 1995, Gaventa 2003). Also key to the pervasiveness of power, particularly its unobservable qualities, is the intersection of knowledge and power (Foucault 1980), debates about how knowledge is produced (Cohen 2008, Weaver 2009), how it connects to what power is, who holds it, and how it's wielded. If the production of knowledge and exercise of power are connected, or even one and the same (Gaventa 2003, Foucault 1979), power may then be inherently asymmetrical in that whoever controls information/knowledge also holds power. In this third dimension of power, the distribution of power is not the byproduct of observable conflict among interests, but rather a pervasive, endogenous, and dynamic variable in any social relation.

Asymmetrical, or imperfect, information as a source of power in economic decision-making has long been a key source of inquiry for economists (Hayek 1945, McCloskey 1996),

and a significant challenge (Tversky and Kahneman 1986, Camerer et al. 2011, Kamenica 2012). They've also been focused on mitigating the effects of asymmetrical information through the construction of institutions such as contracts (Macneil 1973, North 1990, Searle 2005), or simplifying heuristics and institutional mechanisms to guide and simplify decision-making.

Connected to all of this are scholars of conflict management who, also borrowing heavily from psychology, have convincingly argued that power is rarely an independent variable in any context. Indeed, the mere existence of a negotiation, they argue, is an acknowledgement that each party brings elements of power to the table (Zartman 1978, 1985, Raven 1993, Hopmann 1998, Zartman and Rubin 2000), often the very basis for a negotiation to resolve conflicting interests (Rubin and William Zartman 1995, Hopman 1998, pp. 174–194, Zartman and Rubin 2000).

Observable manifestations of power flowing from process (Druckman 1986), structure (Zartman 1991), and outcomes (Underal 1991) are all useful for different policy domains. More creative needs to fill in the gaps some of the non-observable manifestations of power (the social, structural, psychological, referent, expert, and informational) (Raven et al. 1998). But we can begin with the more tangible, observable qualities of power around the bargaining table.

#### **Part IV: interdependency and the hierarchies of power.**

So, what now? How can we move beyond David and Goliath analogies reliant on unspecified factors to better understand Canada's asymmetrical power relationship with the United States? In David's victory over Goliath, Gladwell (2013) sees no luck, accident, or miracle at work. David's victory was inevitable because of the unique, seldom considered, circumstances of the battle that went beyond leveling the playing field and actually tipped the scales heavily in his favor.

One suggestion for moving beyond anecdotes and toward appreciating the circumstance of power in bilateral relations is to look at power in hierarchical terms. As the two countries have embarked upon economic and security initiatives over the last two decades, the contours of those initiatives have been shaped by a variety of forces – both endogenous and exogenous to the relationship – that are reshaping governance over wide swaths of policy.

One of Keohane and Nye's key arguments was that among countries with high degrees of interdependence there is an absence of issue hierarchy, in part, because the overt use of military power had been taken off the table. Indeed, the threat of military conflict is likely to focus one's priorities into a clear hierarchy. However, what literatures on globalization have demonstrated is that interdependence has also blurred the lines between the domestic and international, shuffling the state's priorities as formerly domestic concerns intersect with those of their integrated partners. As Lake (2003) has argued, the modern state operates along continuums of sovereignty over different policy areas. Far from undercutting notions of hierarchy in bilateral policy-making, interdependence has shuffled and reshaped the contours of that hierarchy. Canada and the United States have historically emphasized different categories of policy when engaged bilaterally; the commercial for Canada, the geostrategic for the U.S. (Doran 1984, Hale 2012). When engaging in negotiations over softwood lumber or the NAFTA, Canada commits considerable bureaucratic

and public engagement resources to those talks relative to their American counterparts. During the Canada-U.S. Free Trade negotiations (1985–87), for example, a sizable portion of the federal government in Ottawa was reorganized and mobilized in that effort (Hart et al. 1994, pp. 133–151). By contrast, the United States seemed mostly disinterested, assigning an inexperienced textile negotiator as the lead for what became one of the most comprehensive agreements of the postwar era (*Ibid.*, pp. 116–119, Dryden 1995, p. 341).

Following the 9/11 terrorist attacks, the United States prioritized enhanced security over commercial interests through a plethora of measures, most notably the creation of the Department of Homeland Security in late 2002 (Anderson 2012b, 2006a). Recalling Dahl (1957), the “elements of power” in the midst of shifting issue hierarchies are themselves certain to vary. For example, the exercise of power in bilateral relations over softwood lumber could not be more different than that swirling around border security; the U.S. privileging security and strategic issues, Canada commercial. Yet, in most popular and scholarly depictions of bilateral talks around these issues, the exercise of asymmetric power in each setting is left almost entirely unspecified.

Popular Canadian lore around the half-century long softwood lumber dispute, for example, is that Washington is beholden to the U.S. lumber industry’s manufactured allegations of subsidy by the provinces. Moreover, Washington threatens sweeping countervailing and anti-dumping duties on Canadian products, plays the mix of conflicting interests among the provinces, as well as private sector actors, off one another (Anderson 2006b). More broadly, Canada’s treatment in the softwood lumber dispute is always a barometer of the “special relationship,” and a clear contravention of the spirit, if not the letter, of the trading arrangements (CUFTA, NAFTA) between them.

Forest products are a significant Canadian export – \$24 billion in 2016, some 69 percent of which went to the U.S. – and major source of employment across the country – 150,000 just in British Columbia (Natural Resources Canada; CPAs of British Columbia 2015, p. 7). Coupled with a basic reading of each of the negotiated outcomes, an easy interpretation of softwood is that it has repeatedly fit the analytical frame of [Figure 2](#) above; Canada “needs” an agreement more because of its sensitivity and vulnerability the threat of reduced U.S. market access. Yet, this outcomes-oriented view of the role power plays in each round of the softwood dispute is incomplete and quite possibly results in the wrong conclusions being drawn. An approach to power that considered hierarchies yields a different interpretation of parts of this dispute that, if better understood, might yield different strategies and outcomes.

Our view of asymmetrical power changes slightly if we expand upon the premise that most Americans have never heard of a dispute that is front page news in Canada. In fact, Canada may hold more levers of power in the softwood dispute than commonly assumed. American trade bureaucrats would rather avoid the issue; it’s intractable (50yrs +), forestalling any “advancing of the President’s trade agenda” on annual reports, and is a big reason there’s a new batch of rookie policy officials every time the dispute heats up. Moreover, the dispute is a highly technocratic exercise, seldom hitting Washington’s political radar. The technocratic quality of the dispute is compounded by the fact that each of Canada’s four major timber producing provinces has its own byzantine “stumpage” systems by which firms are charged to harvest logs on public lands.

With each round of softwood, a familiar cycle emerges in which U.S. officials, many of whom are new to the issue, have to listen to representations about stumpage from each



province. Moreover, because of the importance of softwood to the Canadian economy, both the provinces and the federal government in Ottawa have significant institutional memory and devote considerable human resources to engage a lightly-staffed, newish, American team with each new iteration of the dispute.

Critics can point to the countervailing influence of the U.S. lumber lobby with its considerable informational and human resource capacities. However, the point is that the softwood lumber dispute is not quite as lop-sided an affair as frequently depicted. Moreover, assessments of outcomes miss significant aspects of a dispute between the two countries that signal much about the incidence and utility of power? A focus on outcomes doesn't tell us much about power in the midst of the process. Much of what concerns the two countries is highly technocratic, frequently buried in the rule-making of each country's bureaucracy. That is both blessing and curse; curse in that Canada is still treated as foreign in the U.S. system; blessing in that the technocratic nature of these issues can level the playing field in terms of power (see Hale 2012).

The point is that questions about power are more nuanced and context-specific than often depicted. In what ways are second- and third-dimensional power and the geopolitics of a U.S. global agenda present in a technocratic discussion over trade in a single commodity? In the context of softwood, are Canadian officials sitting across the table from members of the "colossus" or technocratic experts from an epistemic forestry community that transcends the border? How are the dynamics of power being reshaped as cross-border merger and acquisition reconfigures the interests of private sector litigants? And, if American officials are mostly keen to have the issue put back on the shelf for five years with a managed agreement what does that suggest about the elements of power on each side?

A much different policy domain is border security, where U.S. imperatives around post-9/11 homeland security have been the principal drivers of bilateral policy-making. [Figures 1–4](#) depict one structural, and deterministic, view of power as it's influenced North American relations between 1994 and the present. Indeed, there's a long list of initiatives one could argue are indicative of the inability of Canada to mitigate the effects of asymmetrical power; Smart Border Accords (2001), Security and Prosperity Partnership (2005), and the Beyond the Border initiative (2011), to say nothing of the reorganization of both federal governments (Homeland Security and Public Safety in 2003). One could read them as having failed to slow the "thickening" of the Canada-U.S. border through a linkage strategy that attempted to bind economic openness to security.

Brian Bow (2009) offers a detailed, historical description of the issue of linkage politics in Canada-U.S. relations, pointing to U.S. restraint in engaging in such strategies, and shared diplomatic norms eschewing them. Judging from the above, that norm has been set aside and been something of a failure, but is it? In fact, scholars of conflict management routinely advocate for linkage strategies – issue aggregation (Fisher 1969, pp. 90–95) as effective mechanisms to expand both the bargaining space and solution sets.

Hence, what seems like the failure of linkage strategies in this period may yield a very different story if we disaggregate parts of this large agenda, examining each component in terms of the hierarchical incidence of power. For instance, what can be gleaned from the fact that the 2001 Smart Border Accord was cobbled together from elements of the post-NAFTA agenda by Canadians and put forward largely at the request of a preoccupied Bush Administration? Was the creation of Public Safety by Canada in 2003 a knee-jerk reaction

simply to mirror the advent of Homeland Security? Are levels of cooperation between the two governments around border management being undertaken at the insistence of Washington? If so, can this also explain the advent of trusted traveler programs, negotiations around cargo pre-screening, data-sharing as part of the U.S.-VISIT program, or the deferential treatment of Canadian passport holders relative to every other foreign national entering the U.S.? Who are the “winners” and “losers” here? Are these “outcomes” structural? The product of diplomatic prowess? The result of “exemptionalism”? Or Canada’s “specialness”? Answers to all of these questions require us to probe the dynamics of power as they flow through each issue or set of issues.

More recently, Trump’s steel and aluminum tariffs were met with direct diplomatic protest from Canadian and European officials. The tariffs were also met with the threat of retaliation, including a list of specific retaliatory tariffs on products made in politically sensitive Congressional districts. In terms of Robert Dahl, the Trump tariffs have been implemented as a result of the “base” of his delegated power (Anderson 2012a) as president to utilize and implement trade legislation. The “means” by which he has done so is Section 232 of the Trade Expansion Act of 1962, permitting the imposition of tariffs for national security reasons. The “amount” of that power rests in the likelihood that Canada or the EU will acquiesce to the President’s trade demands (unlikely). And, finally, the “range” of Trump’s power is really about the likelihood and impact of retaliation; will retaliatory tariffs matter? Yet, sustaining actions in each of these “elements” depends heavily on evolving sets of circumstances that, for the Trump Administration, could change quickly; midterm elections altering the balance in Congress, Congressional acquiescence and delegation on trade policy, investigations into the 2016 election campaign, and Trump’s own re-election prospects could change all of this, diminishing “elements” of the President’s power, enhancing those available to his opposition.

## Conclusions

Canada as a sort of biblical David in the face of the American Goliath carries with it many of the appealing qualities of the underdog eking out unexpected, feel-good victories. However, assigning those victories to a special diplomatic prowess, “special relationships,” or cultures of “exemptionalism” constrains our understanding of the dynamism of power in different policy domains. A different set of structural assumptions – that certain asymmetries automatically consign Canada to the price-taking fate of Melos – also limits our understanding of the dynamics of power inside the bargaining space for different policy domains.

Negotiations seldom evolve from situations of perfect equity. Indeed, the very basis for most bargains is some form of inequity between the parties from which the search for solution-sets begins. Both parties have at least some elements of power at their disposal. The argument of this paper is that the elements of power one has are dependent on the domain being discussed and that peering inside the dynamics of power in different domains could yield important strategies for Canada-U.S. relations.

President Trump can impose steel and aluminum tariffs on allies, threaten to pull out of the NAFTA, and engage in economic sabre rattling with America’s major trading partners around the world. Yet, his power to do so, even in the short-run, is limited by a host of institutional and oppositional forces at home and abroad. Economists almost universally decry these actions as generating multiple “losers.” However, as political scientists we

might consider looking at the asymmetries of power in more dynamic, less temporally limited, and hierarchical terms since power's function is so context specific. Whether we are talking about broad areas of policy, such as border security and market access through NAFTA 2.0, or narrower sectoral disputes like softwood lumber or steel, an assessment of "who won" may look very different five years from now because of the ways power ebbs and flows. More importantly, thinking about how power manifests itself in hierarchical terms can yield important insights into management of a relationship that will certainly remain deeply asymmetrical for a long time to come.

## Disclosure statement

No potential conflict of interest was reported by the author.

## Notes on contributor

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