

**DISARMING SECURITY:  
PROJECT PLOUGHSHARES, THE JUST WAR, AND THE NEW WORLD ORDER**

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*To my momma, Karen Esau,  
who taught me to read, write, and argue.*

*As a kid, even my action figures weren't allowed to have toy guns.*

## **Abstract**

This thesis argues that the advocacy practiced by Canadian disarmament NGO Project Ploughshares regarding military policy and the arms trade in the 1990s was an attempt to shift Canadian priorities from national security to common security / human security, and that shift required a drastic change in Canadian military production and export policy. It explains how arms control as a historical concept derives from the just war tradition, and how Ploughshares used that same just war tradition to argue that the contemporary arms trade is inherently unethical, violating both modern understandings of rights and security. It explains how Canadian policy regarding arms production and export is directly tied into Canadian military policy and industrial policy, and is the result of a long history of decisions attempting to open the massive American market to Canada's defence industrial base. Finally, it explains how Ploughshares has advocated for policies of transparency and regulation as the most effective means of constraining the global proliferation of arms, and pursued these specific policy initiatives in both the national and international forum.

## Acknowledgements

Just as a thesis is never done, a thesis is never the product of one mind in isolation. This specific thesis began with a speech by Project Ploughshares founder Ernie Regehr a number of years ago in Abbotsford, BC, which inspired a young Mennonite scholar to begin pondering arms control mechanisms. As arms control seemed like a more respectable field for a Mennonite to study than military history, I shelved it away as a potential area of interest.

A half-decade and innumerable grey hairs later, I would like to thank both Ernie Regehr and his colleague Ken Epps for consenting to interviews and providing me guidance. I'd also like to thank my supervisor, Dr. Amy Shaw, for her continual encouragement (and for putting up with my goofiness). Dr. David Hay and Dr. John von Heyking made the mistake of agreeing to be on my committee, and were critically important to refining my understanding of the just war tradition. Finally, Dr. Dan O'Donnell opened my eyes to the wonder of Digital Humanities, taught me the ways of academic publishing, and provided the tough love and witty banter I've always hoped for in an academic mentor.

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## **Introduction**

On February 14, 2015, Ed Fast, the former Canadian Minister of International Trade, helped announce the largest advanced manufacturing contract in Canadian history. A brilliant economic achievement on paper, the 14-year, multi-billion dollar deal promised to directly benefit 500 Canadian companies, and continue an important trade alliance with a strategic ally.<sup>1</sup> The only catch was that the deal was to manufacture a military weapons system, Light Armored Vehicles (LAVs), and the ‘strategic partner’ was the repressive theocracy of Saudi Arabia.

Canadians have long been ambivalent (perhaps ignorant) about their country’s participation in the global arms trade, although the tangible benefits have generally been considered to outweigh the potential costs. It is easy to welcome the jobs and capital provided by military exports, and such deals have proved critical to Canada’s Defence Industrial Base (DIB) by sustaining and subsidizing military production. On the other hand, the presence of Canadian military goods in conflict zones around the world has cast a dubious shadow over the DIB and its governmental supporters. Since WWII, Canadian exports have found their way directly or indirectly to both Iranian and Iraqi forces during the Iran-Iraq War, the American forces in Vietnam, the apartheid-era government in South Africa, the British forces in the Falklands/Maldives conflict, Israeli forces in Lebanon during the war, the governments of El Salvador and Honduras during the

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<sup>1</sup> GAC, "Largest Advanced Manufacturing Export Win in Canada’s History," news release, Feb 14, 2015.

insurrections, and Saudi Arabia during decades of regional instability.<sup>2</sup> In 2016, largely thanks to the LAV deal, Canada became the second-largest exporter of military goods to the Middle East.<sup>3</sup> The Canadian policy of pursuing economic advantage through military export has always conflicted with its political and ideological commitment to universal human rights and global development,<sup>4</sup> but rarely has the discordance been so embarrassing and so obvious.

The Canadian Department of Foreign Affairs, Trade and Development (recently renamed Global Affairs Canada [GAC]) recognizes an official responsibility for the ends to which Canadian weapons and munitions are put by the eventual buyers.<sup>5</sup> The 2015 deal with Saudi Arabia, a nation with a long history of human-rights abuses,<sup>6</sup> would seem to be in violation of the GAC policy to closely control military exports to countries “whose governments have a persistent record of serious violations of the human rights of their citizens.”<sup>7</sup> Still, the GAC policy also includes a loophole allowing military exports to human rights violators like Saudi Arabia if “it can be demonstrated that there is no reasonable risk that the goods might be used against the civilian population.”<sup>8</sup> It is precisely this loophole which GAC’s “SECRET MEMORANDUM FOR ACTION”

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<sup>2</sup> Ernie Regehr, *Arms Canada: The Deadly Business of Military Exports* (Toronto: James Lorimer & Company, Publishers, 1987), 3.

<sup>3</sup> Steven Chase, "Canada Now the Second Biggest Arms Exporter to Middle East, Data Show," *The Globe and Mail*, June 14 2016.

<sup>4</sup> GAC (Global Affairs Canada), "Our Priorities," accessed January 2016, <http://www.international.gc.ca/departement-ministere/priorities-priorites.aspx?lang=eng>

<sup>5</sup> Export Control Division - Trade Controls Bureau, "Report on Exports of Military Goods from Canada," (Global Affairs Canada, 2015).

<sup>6</sup> Human Rights Watch, "World Report 2013: Saudi Arabia," accessed January 2016 (2013).

<sup>7</sup> Export Controls Division, "Export Controls Handbook," ed. Trade and Development Canada Foreign Affairs, accessed September 2015 (2015).

<sup>8</sup> *Ibid.*

(dated March 21, 2016 and released to the public on April 12, 2016) used to justify the exchange, asserting:

Based on the information provided, [GAC does] not believe that the proposed exports would be used to violate human rights in Saudi Arabia. Canada has sold thousands of LAVs to Saudi Arabia since the 1990s, and, to the best of the Department's knowledge, there have been no incidents where they have been used in the perpetration of human rights violations.<sup>9</sup>

Only a month after this memo was made public, video evidence of LAVs being used by Saudi Arabia to repress dissidents between 2012 and 2015 was brought to light by *The Globe and Mail* reporter Steven Chase,<sup>10</sup> but this finding has had, as of now, no discernable impact upon GAC's previous decision. Sadly, this is keeping with a historical tradition in Canadian guidelines for arms exports, which have proven time and time again to be neither as restricted nor as inflexible as advertised.<sup>11</sup>

Some argue that the Canadian government is forging ahead with the deal because of Saudi Arabia's importance as a security partner in an otherwise unstable region, or perhaps because it is being squeezed by pressures from a national military-industrial complex that requires foreign orders in order to remain in business.<sup>12</sup> After all, this single contract is projected to keep 3000 Canadians employed for the next 14 years, primarily in London, Ontario where General Dynamics' LAV manufacturing plant is located.<sup>13</sup> Being

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<sup>9</sup> Global Affairs Canada, "Memorandum for Action to the Minister of Foreign Affairs," (2016), 4.

<sup>10</sup> Steven Chase, "Saudis Use Armoured Vehicles to Suppress Internal Dissent, Videos Show," *The Globe and Mail*, May 11, 2016.

<sup>11</sup> Stephanie Bangarth and Jon Weier, "Merchants of Death: Canada's History of Questional Exports," *ActiveHistory.ca*, April 18, 2016. BJ Siekierski, "Selling Armoured Vehicles to Saudi Arabia: A Canadian Tradition," *iPolitics*, February 11, 2016.

<sup>12</sup> Ken Epps, "Arms Export Win Is Human Rights Loss," *The Ploughshares Monitor* 35, no. 1 (2015).

<sup>13</sup> The number of workers is contested, and depends on how many subsidiary contractors are included in the count. Steven Chase, "The Saudi Arms Deal: Why It's a Big Deal," *The Globe and Mail*, February 5, 2016.

asked to pull the plug on such an opportunity is enough to make any politician leery, and neither the current Liberal government nor the preceding Conservative one showed any appetite for applying Canada's arms export guidelines in their entirety, or considering the requirements of the UN Arms Trade Treaty (ATT).<sup>14</sup>

The Saudi LAV deal is not the first time that Canada has pursued major exports to a country with a repressive regime. In fact, it is only the latest in a long history of governmental encouragement of the domestic manufacture and international sale of military commodities. Despite many of Canada's leading arms scholars encouraging constraint, rather than the proliferation of military commodities on a global scale,<sup>15</sup> the recent decision to allow the export of LAVs resonates with historical similarities.

For example, in 1986 Canadian External Affairs Minister Joe Clark travelled to Saudi Arabia to begin negotiating a deal that would eventually result in the same Ontario plant (under General Motors control at the time) exporting \$1.9 billion worth of LAVs to the kingdom.<sup>16</sup> This precursor to the current deal was being negotiated while Clark was simultaneously working on a review of Canadian export guidelines that resulted in the current GAC controls against the exporting of military goods to countries with a persistent record of human rights violations.<sup>17</sup> His ability to pursue a deal with Saudi Arabia on the one hand while endorsing guidelines meant to prevent such deals on the other is an eerie harbinger of the current Trudeau government, which is again endorsing a

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<sup>14</sup> Although Justin Trudeau did make signing the ATT one of his campaign promises in the 2015 national election. Bob Weber, "Trudeau Promises to Sign Arms Treaty, Slams Harper's Foreign Record," *The Toronto Star*, October 7, 2015.

<sup>15</sup> Keith Krause et al., "Constraining Conventional Proliferation: A Role for Canada," (Toronto: York University, March 1996).

<sup>16</sup> Siekierski, "Selling Armoured Vehicles to Saudi Arabia: A Canadian Tradition."

<sup>17</sup> Regehr, *Arms Canada: The Deadly Business of Military Exports*, 101.

deal with the Saudis while also promising to sign the ATT. It is hard to remain hopeful about the strength of that latter promise when measured against its historical precedent.

Yet not all Canadian institutions have been as friendly to the deal as the federal government. One of the most vocal critics is the Waterloo-based NGO Project Ploughshares, which has played a role in criticizing and shaping Canadian military policy since the organization's formation in 1976. Ploughshares is not only critical of Canada's current agreement to supply even more LAVs to Saudi Arabia, citing 2011 video evidence of Canadian-made LAVs being used to suppress civilian uprisings,<sup>18</sup> but also of the larger discontinuities between Canadian military production, export, and policy.

In fact, the history of the Canadian arms industry since Ploughshares' formation in 1976 is riddled with moments when the organization helped to bring public pressure to bear upon the more dubious aspects of Canadian military production and export. Ploughshares was regularly quoted in newspapers, consulted by government committees and policy reviews, and enjoyed significant public support into the 1990s in research initiatives, advocacy campaigns, and organized affiliate groups across the country.<sup>19</sup> Project Ploughshares used its platforms and leverage to promote export restrictions, budget reductions, and policy alternatives that sought to bring Canadian policy in line with novel interpretations of security, defence, and the global environment.

### **Project Ploughshares**

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<sup>18</sup> *The Globe and Mail* videos released in 2016 are of LAVs manufactured elsewhere. Yet Ken Epps claims "there is video evidence that Canadian-built armoured vehicles supplied to Saudi Arabia were used in 2011 to support the repression of peaceful civilian demonstrations by Bahrain security forces." Epps, "Arms Export Win Is Human Rights Loss."

<sup>19</sup>E. Regehr, "Project Ploughshares," in *Coalitions for Justice*, ed. Christopher Lind and Joe Mihevc (Ottawa: Novalis, 1994).

Project Ploughshares was co-founded in 1976 by Ernie Regehr and Murray Thompson as an avenue to pursue a shared interest in militarism and underdevelopment in newly independent countries.<sup>20</sup> It quickly found an institutional home under the umbrella of The Canadian Council of Churches, a physical home within the Peace and Conflict Studies (PACS) department at Conrad Grebel University College in Waterloo, Ontario, and an expanded purpose amidst the Cold War nuclear threat of the 1970s and 1980s.<sup>21</sup> After the end of the Cold War, the Project expanded its mandate to work with international organizations, including the UN, in an effort to create multilateral agreements and institutions to combat global militarism.

During my period of interest the Project began to compile a database on military production, engaged in significant criticism of Canada's ARMX military convention, participated in both the 1991 Bill C-6 debate as well as the 1994 foreign and defence policy reviews, helped draft the UN Register of Conventional Arms, and leveraged the Gulf War to encourage Canadian commitments to common security / human security.<sup>22</sup> This study will not only shed light on military production in Canada and the global arms trade, but also the levers which were used by the Project to shape discussions during a pivotal chapter in Canadian military and foreign policy.

## **Purpose**

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<sup>20</sup> Project Ploughshares, "History," accessed September 2015.

<http://ploughshares.ca/about-us/history/>

<sup>21</sup> Project Ploughshares, "Q&A with Ernie Regehr," accessed September 2015.

<http://ploughshares.ca/about-us/history/qa-with-ernie-regehr/>

<sup>22</sup> Project Ploughshares, "Accomplishments," accessed September 2015.

<http://ploughshares.ca/about-us/accomplishments>

This thesis will analyze Canada's contributions to the conventional arms trade in the 1990s primarily through the history of Project Ploughshares' advocacy, which has played an important role in criticizing and chronicling decades of Canada military production and export. This thesis will use the advocacy of the Project to 'historicize' the theory behind arms control, specifically in the context of Canada in the early 1990s.

The early 1990s are a key period in this story because of the critical uncertainty in Canadian military policy following the collapse of the USSR, the sudden possibility of multilateral international cooperation on issues such as arms control in a post-Cold War world, the unprecedented concern over the proliferation of conventional arms,<sup>23</sup> and the rising importance of concepts such as "common security" and "human security" in Canadian foreign policy. The discussions and developments in Canadian foreign and military policy in the early 1990s provide an excellent encapsulation of the dilemmas which continue to plague the Canadian arms production and export industry, as well as the beginnings of Project Ploughshares' golden age of activity and advocacy success. It was in the early 1990s that Ploughshares began to convince Canadian policymakers that a military policy focused on increasing arms exports in the 'national interest' was not in Canada's best interest as a member of the global community.

This study is focused on 'conventional arms' because of the nuance required of conventional arms control compared to its nuclear, biological, or chemical comrades. Even as early as 1996, leading Canadian arms scholars already agreed in concluding that "conventional proliferation is perhaps the last remaining important issue on the arms control non-proliferation agenda that has not been comprehensively addressed."<sup>24</sup> The

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<sup>23</sup> Krause et al., "Constraining Conventional Proliferation: A Role for Canada."

<sup>24</sup> *Ibid.*, v.

world generally accepted that the acquisition and stockpiling of nuclear weapons for potential use is globally condemnable, yet conventional weapons were required for a nation to both exercise and defend its sovereignty. Therefore, the conventional arms trade required for nations to acquire the means to self-defence must be balanced against the possibility of the arms trade providing the means for aggressive action and internal repression. The problems Ploughshares articulated were consequently with the *nature* of the arms trade and Canadian contributions to it, rather than the *existence* of the arms trade itself.

This thesis argues that the advocacy practiced by Canadian disarmament NGO Project Ploughshares regarding military policy and the arms trade in the 1990s was an attempt to shift Canadian priorities from national security to common security / human security, and that shift required a drastic change in Canadian military production and export policy. It explains how arms control as a historical concept derives from the just war tradition, and how Ploughshares used that same just war tradition to argue that the contemporary arms trade is inherently unethical, violating both modern understandings of rights and security (Chapter 1). It explains how Canadian policy regarding arms production and export is directly tied into Canadian military policy and industrial policy, and is the result of a long history of decisions attempting to open the massive American market to Canada's defence industrial base (Chapter 2). Finally, it explains how Ploughshares has advocated for policies of transparency and regulation as the most effective means of constraining the global proliferation of arms, and pursued these specific policy initiatives in both the national and international forum (Chapter 3).

## **Literature Review**

Concerns about arms control have been around as long as the arms they are envisioned to constrain, but they have become significantly more important in the last two centuries following the development of industrialized warfare and weapons of mass destruction. The history of arms control has been recorded by Stuart Croft, who traces the concept back to the ancient world and studies its evolution,<sup>25</sup> as well as by Richard Burns.<sup>26</sup> The world of private arms trading was first popularized by *Merchants of Death* in 1934,<sup>27</sup> and Thomas Schelling and Morton Halperin composed the definitive work on Cold War arms control in 1961.<sup>28</sup> Many modern thinkers have criticized the way post-Cold War arms control has developed into a mechanism for Western monopolies on military goods,<sup>29</sup> while American nationalists have argued that in a mono-polar world, violent American coercion as part of strategic arms control policies is justified as a means of enhancing stability.<sup>30</sup> This latter perspective is the opposite of the common security / human security concepts popularized by the UN and adopted by Canada in the 1980s and

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<sup>25</sup> Stuart Croft, *Strategies of Arms Control: A History and Typology* (Manchester: Manchester University Press, 1996).

<sup>26</sup> Richard Dean Burns, *The Evolution of Arms Control* (Santa Barbara: ABC-CLIO, 2009).

<sup>27</sup> H.C. Engelbrecht and F.C. Hanighen, *Merchants of Death: A Study of the International Armament Industry* (New York: Dodd, Mead & Company, 1934).

<sup>28</sup> Thomas C. Schelling and Morton H. Halperin, *Strategy and Arms Control* (Twentieth Century Fund, 1961).

<sup>29</sup> Aaron Karp, "The Arms Trade Revolution: The Major Impact of Small Arms," *The Washington Quarterly* 17, no. 4 (1994).

Neil Cooper and David Mutimer, "Arms Control for the 21st Century: Controlling the Means of Violence," *Contemporary Security Policy* 32, no. 1 (2011).

Neil Cooper, "Humanitarian Arms Control and Processes of Securitization: Moving Weapons Along the Security Continuum," *ibid.*

<sup>30</sup> Michael A. Levi and Michael E. O'Hanlon, *The Future of Arms Control* (Brookings Institution Press, 2004).

1990s,<sup>31</sup> which prioritized international cooperation to end the human suffering that catalyzed most violence and instability.

The concept of ‘human security’ has been central to Ernie Regehr’s condemnation of the arms trade in both *Disarming Conflict* and *Arms Canada*, which link arms transfers to regional instability and government repression. Other works, such as *Arms and Warfare*<sup>32</sup> and *Weapons for Peace, Weapons for War*<sup>33</sup> have analyzed the effect of arms transfers in conflict regions, trying to determine a causal relationship between arms transfers and the length, breadth, or intensity of conflicts.

In regards to the paradigm of arms control itself, Colin Gray argues that the very idealism of arms control makes it inherently unpractical and doomed to failure, because the concept (perhaps in a similar way to human security) doesn’t account for national interest or political realities.<sup>34</sup> Also critical is David Mutimer, who argues that the language and practices used to structure arms control into a ‘non-proliferation’ paradigm privilege western democracies and doom such efforts to failure.<sup>35</sup>

The U.N. has also been an increasingly active participant in arms control, establishing the U.N. Register of Conventional Arms in 1991, and a follow-up “Programme of Action” in 2001. The Register has been lauded as a good first step, but

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<sup>31</sup> Darryl Robinson and Valerie Oosterveld, "The Evolution of International Humanitarian Law," in *Human Security and the New Diplomacy*, ed. Rob McRae and Don Hubert (Montreal: McGill-Queen's University Press, 2001).

Keith Krause, "Towards a Practical Human Security Agenda," in *DCAF Policy Papers* (2007).

<sup>32</sup> Michael Brzoska and Frederic S. Pearson, *Arms and Warfare: Escalation, De-escalation, and Negotiation* (The University of South Carolina Press, 1994).

<sup>33</sup> Cassidy B. Craft, *Weapons for Peace, Weapons for War: The Effect of Arms Transfers on War Outbreak, Involvement and Outcomes* (London: Routledge, 1999).

<sup>34</sup> Colin S. Gray, *House of Cards: Why Arms Control Must Fail*, Cornell Studies in Security Affairs (Ithaca: Cornell University Press, 1992).

<sup>35</sup> David Mutimer, *The Weapons State: Proliferation and the Framing of Security* (Boulder: Lynne Rienner Publishers, 2000).

falls short in many critical areas<sup>36</sup> that will hopefully be reinforced by the ATT. Its main weapon is the encouragement of export transparency, which leverages the importance of international reputation to motivate states to regulate their portion of the arms trade.<sup>37</sup>

Because of the lack of secondary academic work on Project Ploughshares specifically, in the examination of that organization this study works mostly from primary material and non-academic sources such as newspaper articles, blogs, personal interviews, and archived documents.

## **Background**

The backlash against the current deal to export LAVs, spearheaded by reporters like Steven Chase and organizations like Project Ploughshares, has been energetic and sustained. How have Canada's military export policy goals diverged so significantly from Canadian foreign policy goals? The answer is that both "institutional constraints" imposed by Canada's relationship with the US,<sup>38</sup> as well as a Canadian drive to achieve economic prosperity,<sup>39</sup> have historically undermined real constraints on Canadian export policy.

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<sup>36</sup>Edward J. Laurance, Hendrik Wagenmakers, and Herbert Wulf, "Managing the Global Problems Created by the Conventional Arms Trade: An Assessment of the United Nations Register of Conventional Arms," *Global Governance* 11, no. 2 (2005).

<sup>37</sup>Jennifer Lynn Erickson, "States of Peace, Suppliers of War? The Emergence of Conventional Arms Export Restraints" (Ph.D., Cornell University, 2009).

<sup>38</sup>Christian Leuprecht and Todd Hataley, "Just How Liberal and Democratic Is Canadian Foreign Policy?," in *The World in Canada: Diaspora, Demography and Domestic Politics*, ed. David Carment and David Bercuson (Montreal & Kingston: McGill-Queen's University Press, 2008), 123.

<sup>39</sup>Canadian military exports are a good example of a direct conflict in which "economic objectives have undermined human rights as factors in regulation and control of Canadian military exports."

Ernie Regehr, "Military Sales," in *Human Rights in Canadian Foreign Policy*, ed. Robert O. Matthews and Cranford Pratt (Montreal: McGill-Queen's University Press, 1988), 210.

A more comprehensive explanation of how economics came to be a significant incentive for Canadian arms production will be given in Chapter 2, but the simple explanation is that Canada, because of its systematic reliance upon the US military industrial market, has historically operated more like a Third World<sup>40</sup> importer of weapons systems than a First World exporter.<sup>41</sup> Maintaining access to US and eventually global markets, as well as supplying the national armed forces, have been of primary concern to Canada's military industry since shortly after the Second World War. In the 1980s, Canada began to push the production of entire weapons systems to diversify its customers and lessen dependence upon the US,<sup>42</sup> but this simply maneuvered Canadian military production into greater competition with other military exporters internationally. Since the late 1980s, government entities including the Canadian Crown Corporation (CCC), which brokers deals between Canadian military producers and foreign government, have begun aggressively marketing Canadian military wares to non-NATO foreign powers.<sup>43</sup> The Saudi LAV deal is the crowning achievement of this marketing.

In the mid-twentieth century the arms trade was largely a political and strategic tool in the hands of the great powers. Yet in the last decade of the Cold War many developing countries built a capacity to produce and export military products, and the resulting fragmentation of the arms trade replaced strategy with economics as the primary

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<sup>40</sup> The term "Third World" has shifted in meaning since it was first used to refer to countries not aligned with the US (first world), or Soviets (second world). It is now a somewhat derogatory term including a contested number of developing states. The term is used here in its original meaning as intended in the source material.

<sup>41</sup> Regehr, *Arms Canada: The Deadly Business of Military Exports*, 173.

<sup>42</sup> *Ibid.*, 138.

<sup>43</sup> Ken Epps, "Canada's Push into New Arms Markets," *Ploughshares Monitor* 34, no. 3 (2013).

driver of international weapons transfers.<sup>44</sup> Both Canada's dependence upon the US as its primary customer for military exports, and its attempt to offset that dependence by widening its customer base through deals like that with Saudi Arabia, drove the Canadian military industrial complex to become increasingly oriented around economic, rather than strategic priorities.

In any other industry, the primacy of economics over policy – this submission to the Smithian 'invisible hand' – might be defensible, but military exports by their very nature are not any other industry. Firstly, the customer in military transaction is always another sovereign nation, and therefore military exports are always inherently political.<sup>45</sup> Secondly, military wares, and especially repression technologies,<sup>46</sup> are potential threats to human security and fuel for international conflict. Thirdly, the existence of the CCC itself, and the GAC requirement for export permits for military goods, is official acknowledgement that the Canadian government not only plays an essential role in orchestrating Canadian participation in the arms trade, but also accepts that some transactions could potentially contradict national and international security interests. The capacity of military exports to directly bolster the 'hard power' of another nation make them a foreign policy (and therefore governmental) concern, and major deals (like contracts to sell LAVs to Saudi Arabia) have historically required high-level political support.

Still, the economic and industrial incentives of the Canadian arms trade have served to undermine Canada's military export restrictions, even as the international

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<sup>44</sup> Regehr, "Military Sales," 210.

<sup>45</sup> Ibid., 213.

<sup>46</sup> Weapons or systems that can be used by the state to repress and coerce its own population and repress dissent. These can include everything from guns, to night-vision goggles, to prison hardware or surveillance equipment.

community has become increasingly active in trying to instill transparency and responsibility in the arms trade. Between 2006 and 2011 Canadian military exports went to 126 states, including states at war (Algeria, Thailand, and Turkey) and those practicing significant human rights violations (China, Egypt, and Saudi Arabia),<sup>47</sup> despite Canadian officials consistently advertising the “restrictive” nature of its export policy.<sup>48</sup> Part of the problem is that the Canadian export guidelines are discretionary rather than legally-binding, and the modern process is designed to veto a deal only if compelling reason exists to do so, rather than placing the onus upon the military producer to argue that the deal will not negatively impact national security or human rights concerns.<sup>49</sup> Obviously, if GAC is incapable of shuttering the Saudi LAV deal despite the plethora of human rights and regional security concerns, it is hard to imagine what sort of deal would be considered a violation of Canada’s ‘restrictive’ export policy.

The Canadian Export Controls Handbook outlines the criteria by which the Ministry of Foreign Affairs decides whether a military export deal is legal or illegal. The criteria include the following:

- [Legitimate military arms exports] do not cause harm to Canada and its allies;
- do not undermine national or international security;
- do not contribute to national or regional conflicts or instability;
- do not contribute to the development of nuclear, biological or chemical weapons of mass destruction, or of their delivery systems;
- are not used to commit human rights violations; and
- are consistent with existing economic sanctions’ provisions.<sup>50</sup>

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<sup>47</sup> Epps, "Canada's Push into New Arms Markets".

<sup>48</sup> Ernie Regehr and John Lamb, "Time to Review Canada's Military Export Policy," *Disarming Conflict*, January 31, 2016, <http://disarmingconflict.ca/2016/01/31/time-to-review-canadas-military-exports-policy/>

<sup>49</sup> Regehr, "Military Sales," 220.

<sup>50</sup> Export Controls Division, "Export Controls Handbook."

These criteria would seem to be expansive enough to prevent almost any export proposal received by the Ministry, but obviously this has not been the case. The actual Export and Import Permits Act, on which the Handbook is ostensibly based, recognizes only the imperative to not make military arms available to any destination “where their use might be detrimental to the security of Canada.”<sup>51</sup> The legality of an arms export deal is thus boiled down to an issue of Canadian national security, with little incentive for global or ethical consideration. This is despite the fact that Canadian arms exports have been increasingly linked to “the militarization of political power,” especially in the developing world,<sup>52</sup> and as the rise of intra-state conflict had greyed the boundary between police action and civil war.<sup>53</sup> Arms exports may be economically important to Canadian prosperity, but they have significant destabilizing effects around the world.

There is an old military saying that ‘generals are always preparing to fight the last war,’ and this adage continues to resonate into the 21st century. Even as armies have adapted to new conditions, the popular ideology surrounding conflict has not adapted as quickly. Military force, it is argued, is essential to national sovereignty, to protecting against invasion by hostile forces, and to defeating whatever ‘evil empire’ next arises. Yet there is a compelling argument to be made that most countries in the world cannot protect their sovereignty nor their territory through military means, are extremely unlikely to face an ‘evil empire’ in the near future, and field armed forces that are woefully unequipped to deal with the real threats to their national security.

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<sup>51</sup> *Export and Import Permits Act*, s.3.

<sup>52</sup> Regehr, "Military Sales," 210.

<sup>53</sup> Antonia Hinds, "The Arms Trade and Human Rights," *The International Journal of Human Rights* 1, no. 2 (1997): 26.

The essential problem is that the nature of war has changed dramatically in the last century, from limited inter-state conflicts between nations, to total war fought on a global scale, to (overwhelmingly) intra-state conflicts with little regard for national entities or borders. These conflicts (characterized as everything from police action, to rebellion, to civil wars) compose more than 90 percent of the conflicts fought in the last 25 years,<sup>54</sup> and are not conducive to resolution by conventional military force. Indeed, of the 64 intrastate conflicts that ended in the past quarter-century, only nine were won on the battlefield by either insurgents or governments.<sup>55</sup> A conventional military force built and trained for the needs of early 20th century warfare is useful when the objective is to destroy a regime or render an area ungovernable, but “predictably ineffective when the objective is stable governance in a deeply divided society.”<sup>56</sup> Consequently, it is doubtful that the exporting of military goods to countries engaging in or likely to engage in warfare in the 21st century is providing the means to defend national sovereignty. Instead, such exports would seem to be providing the tools for the state to tear itself apart.<sup>57</sup>

Even in regards to interstate conflicts, it is difficult to understand how conventional military power can be a guarantee of national security in a nuclear world. As James Eayrs once observed about the Canadian context, “We would be as safe from attack by any conceivable aggressor with no armed forces at all, as with the armed forces

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<sup>54</sup> Regehr doesn't include multilateral coalitions such as the 1990-91 Gulf War as true interstate conflicts. E. Regehr, *Disarming Conflict: Why Peace Cannot Be Won on the Battlefield* (Toronto: Between the Lines, 2015), 36.

<sup>55</sup> *Ibid.*, 58.

<sup>56</sup> *Ibid.*, 3.

<sup>57</sup> “Militarized societies, as surely as night follows day, engage in officially sanctioned violence against their citizens.” “Project Ploughshares,” 200.

we now have, or any combination of armed forces we care to have.”<sup>58</sup> This is not to say that Canada should dissolve its armed forces, but simply that Canada’s geopolitical situation as the neighbour of a nuclear superpower on an isolated continent renders the traditional defensive role of those forces largely moot. To be blunt, the United States is both Canada’s shield against foreign aggression and its biggest foreign threat, and those realities will not change whether Canada doubles the defence budget or halves it.

National security in an increasingly globalized world is therefore not so much a result of the strength of a nation’s conventional military force, as its ability to build a robust social consensus and negotiate internal conflicts without resorting to armed violence. In the words of Ernie Regehr, “The foundation of security – and also the best defence against extremism – is ultimately not enforcement, but consent. A secure society relies ultimately on the active consent of a population confident that its laws are just and fairly applied, and that its security policies and practices are relevant to the ways in which insecurity is most directly experienced.”<sup>59</sup> A strategy based on violence only sometimes begets power and almost never security, and what is security policy based upon the import of military goods if not a strategy premised in violence?

The Saudi LAV deal is proof that when arms export policies pit economic and traditional national security interests against human rights interests (even in ostensibly progressive countries like Canada) economics and security most often emerge triumphant. Many countries are open to endorsing restrictive export policies on paper and thereby enhancing their international reputations, but tend to ignore or reinterpret said restrictions

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<sup>58</sup> Joe Jockel and Joel Sokolsky, "Lloyd Axworthy's Legacy: Human Security and the Rescue of Canadian Defence Policy," *International Journal* 56, no. 1 (2000): 17-18.

<sup>59</sup> Regehr, *Disarming Conflict: Why Peace Cannot Be Won on the Battlefield*, 198.

in practice.<sup>60</sup> This prioritizing of national interest over international cooperation, and of short-term gain over long-term instability, is what Project Ploughshares has fought through the last four decades of its existence.

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<sup>60</sup> Erickson, "States of Peace, Suppliers of War? The Emergence of Conventional Arms Export Restraints."

## Chapter 1: Ploughshares and the Just War

Project Ploughshares ascribes to a “disarmament” construct that has its origins in pre-history. The key assumption of this construct – that the restriction or absence of weapons systems can limit or prevent conflict – has led to increasingly complex agreements and conventions as the systems to be restricted or removed have increased in both number and destructive potential. These conventions, and the arguments that advocates such as Ploughshares make to achieve them, are historically dependent upon a complex system of thought loosely defined as the just war tradition

This chapter outlines a brief history of disarmament from the ancient world to the end of the twentieth century, and how those practices tie into the just war. It shows that disarmament has manifested itself in a multitude of ways, including as a punishment imposed upon the conquered by the victorious, a means of limiting the costs of preparing and waging war, a mechanism mutually negotiated by competing powers to maintain a status quo, and a global convention to protect human security and limit the potential for destabilizing military escalations or conflicts. This evolution has been informed by philosophical and theological concerns (most salient in the West, but present in every culture) for determining the nature and practice of “just” wars, and the treatment and “rights” of individuals within conflict settings. The paradigm which Project Ploughshares used to criticize Canadian military policy and arms exports in the 1990s is a direct evolution of the just war tradition, and sought to use the opportunity of a post-Cold War global environment to implement greater accordance with these traditions into Canadian policy and action.

Disarmament and arms control are not synonymous terms, although the latter has come to encompass most aspects of the former since the mid-twentieth century.<sup>61</sup> Hedley Bull states “Disarmament and arms control intersect with one another. They are not the same, for there can be disarmament which is not controlled, and control which does not involve a reduction of armaments.”<sup>62</sup> Project Ploughshares, as an organization that favours reducing militarization to reduce global insecurity, can be defined as a disarmament group, although they do not pursue absolute disarmament as a feasible goal. “Arms control” is a newer and broader term that encompasses a number of mechanisms used to control weaponry and limit the possibility of warfare. Schelling and Halperin, in their landmark 1961 work *Strategy and Arms Control*, define arms control as “all the forms of military cooperation between potential enemies in the interest of reducing the likelihood of war, its scope and violence if it occurs, and the political and economic costs of being prepared for it.”<sup>63</sup> This definition was obviously conceived in the bipolar environment of the Cold War, but the three goals are easily transferred from a bilateral to multilateral environment.

The essential purpose of arms control is to create and promote security.<sup>64</sup> The political instrument of arms control is based on a simple proposition – that controlling a community’s access to weapons and military technologies can provide a correlated limiting of that community’s incentive and ability to wage war. A more modern definition

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<sup>61</sup> I have also chosen to use the more general terms “arms control” in this thesis, except when explicitly referring to disarmament.

<sup>62</sup> Hedley Bull, *The Control of the Arms Race* (London: Weidenfeld and Nicolson for the Institute for Strategic Studies, 1961), vii.

<sup>63</sup> Thomas C. Schelling and Morton H. Halperin, *Strategy and Arms Control* (Twentieth Century Fund, 1961), 2.

<sup>64</sup> Richard Dean Burns, *The Evolution of Arms Control* (Santa Barbara: ABC-CLIO, 2009), 7.

of arms control might be “any agreement among states to regulate some aspect of their military capability or potential,”<sup>65</sup> although it could be argued “among states” is an ahistorical limitation. The more narrow instrument of disarmament has a different proposition – that reducing or removing a community’s access to weapons provides the best possibility of limiting that community’s incentive and ability to wage war. As mentioned above, the two terms were amalgamated by specialists to eliminate the perceived utopianism of “disarmament,” and allow for greater flexibility in the interpretation of “arms control.”<sup>66</sup> Forms of both instruments have been employed since the days of pre-literate societies, but have gained greater importance as technological innovation has increased the reach and destructive capacity of modern weapons systems.

More recent scholars have added to Schelling and Halperin’s definition by identifying other forms of arms control in the historical and contemporary environments. Richard Burns, in *The Evolution of Arms Control*, identifies three broad categories of arms control with two subdivisions each: Retributive Measures (Extermination and Imposition), Unilateral Measures (Unilateral Neglect and Unilateral Decisions), and Reciprocal Measures (Bilateral Negotiation and Multilateral Negotiation).<sup>67</sup> Stuart Croft, in *Strategies of Arms Control*, articulates a typology of arms control that includes five types: “arms control used to end conflicts; arms control focused on strategic stability; arms control used to create norms of behavior; proliferation control; and arms control by

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<sup>65</sup> Jeffrey A. Larsen, "An Introduction to Arms Control and Cooperative Security," in *Arms Control and Cooperative Security*, ed. Jeffrey A. Larsen and James J. Wirtz (Lynne Rienner Publishers, 2009), 2.

<sup>66</sup> Burns, *The Evolution of Arms Control*, 3.

<sup>67</sup> Burn’s first measure, retributive extermination, is hard to imagine as an instrument of arms control. *Ibid.*, 7-12.

international organization.”<sup>68</sup> Christopher Lamb suggests that disarmament activities consist of seven dichotomies: “nuclear or non-nuclear activities; voluntary or nonvoluntary methods; partial or complete disarmament; unilateral achievement; bilateral accomplishment; and/or multilateral negotiation.”<sup>69</sup> Each of these typologies emphasize the “widening” and “deepening” of arms control as an increasingly complex and varied practice in the twentieth century.<sup>70</sup> In this sense, they together also illustrate how concepts such as proliferation, globalization, and verification have forced the evolution of arms control mechanisms from their more rudimentary historical forms.

The earliest manifestations of arms control are cultural practices prohibiting certain weapons or tactics in intra-social combat, although contemporary interpretation of these practices is contested. Burns proposes several examples of this sort of restriction, including an agreement among certain Pacific Islanders communities to use clubs and stones, rather than more deadly spears, in battle, and various prohibitions on poison, including a prohibition on barbed, poisonous, and flaming projectiles in the Hindu *Book of Manu*.<sup>71</sup> Military historian John Keegan also identified ritualistic restraints imposed by “primitive”<sup>72</sup> and non-western war traditions.<sup>73</sup> Yet prominent post-war anthropologist H. H. Turney-High saw most of these restrictions as the result of the primitive nature of

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<sup>68</sup> Stuart Croft, *Strategies of Arms Control: A History and Typology* (Manchester: Manchester University Press, 1996), 40.

<sup>69</sup> Christopher J. Lamb, *How to Think About Arms Control, Disarmament, and Defense* (Englewood Cliffs, NJ: Prentice Hall, 1988).

<sup>70</sup> Croft, *Strategies of Arms Control: A History and Typology*, 15-16.

<sup>71</sup> Burns, *The Evolution of Arms Control*, 13.

<sup>72</sup> In anthropology, ‘primitive’ refers only to technological condition. It has been replaced by a number of “inelegant neologisms such as *preliterate* or *nonliterate*, *prestate* or *nonstate*, *preindustrial* or *small-scale*,” but for the purpose of this essay I will retain the use of ‘primitive’ in its non-derogatory sense. For discussion on this question, see Lawrence H. Keeley, *War before Civilization* (New York: Oxford University Press, 1996), 27.

<sup>73</sup> John Keegan, *A History of Warfare* (New York: Vintage Books, 1993).

these societies and their inability to reach a specific “military horizon” rather than a result of deliberate restraint.<sup>74</sup> Later anthropologists such as Lawrence Keeley argue that these alleged restrictions in no way hindered the overall violence and lethality of “primitive” war.<sup>75</sup> Consequently, although examples of arms control and disarmament exist amongst early societies, the extent to which the intent of these practices is congruent with the intent of contemporary arms control is contested.

Many Mesopotamian and Mediterranean empires used primitive forms of arms control to keep their enemies subjugated, or establish buffer regions between themselves and rivals. For example, the Egyptians and Hittites established a neutral region between their areas of influence following the Battle of Qadesh (c. 1280 BCE) and Sparta imposed harsh terms on defeated Athens in 404 BCE that included the destruction of its defensive walls and much of its fleet.<sup>76</sup>

The early Roman Republic provides perhaps the clearest example of systematic arms control within the context of the ancient world. Early Rome relied upon a legalistic framework for conflict that situated war as a means for seeking redress from an opposing party (the war declaration was often cast in the form of a lawsuit).<sup>77</sup> This framework inherently limited the conflict in proportion to the perceived grievance, while also providing societal justification for the conflict. The Romans imposed arms restriction and heavy financial reparations upon defeated foes as the penalty for war, and to limit their

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<sup>74</sup> Harry Holbert Turney-High, *Primitive War: Its Practices and Concepts* (Columbia: University of South Carolina Press, 1971).

<sup>75</sup> Keeley, *War before Civilization*.

<sup>76</sup> Croft, *Strategies of Arms Control: A History and Typology*, 22.

<sup>77</sup> Gregory M. Reichberg, Henrik Syse, and Endre Begby, *The Ethics of War* (Cornwall: Blackwell Publishing, 2006), 47.

ability to rebuild militarily.<sup>78</sup> In this way the Romans did not use arms control to limit the lethality of war, but instead to maintain military superiority over defeated enemies, and as a mechanism of a larger legal framework for warfare.

The Romans were inheritors of the Aristotelian notion of the “just war,” or a conflict waged in such a way as to meet certain moral and spiritual criteria. The Greek philosophers were unable to provide a way to distinguish a just war from a merely successful one, but Cicero solved this dilemma by proposing that a *justum bellum* (just war) required an appropriate *causa belli*.<sup>79</sup> Ciceronic notions of warrior virtue and glory also had a limiting effect upon the ways in which Roman warfare was waged,<sup>80</sup> and together these ideas served as the basis for the *jus ad bellum* (legitimate cause) and *just in bello* (right conduct)<sup>81</sup> components of the just war tradition. The instrument of arms control therefore had a natural connection to the just war, since it was used to both limit a society’s capacity for warfare, and to outlaw weapons that violated a society’s warrior tradition.

It is popularly believed that Christianity was brought into conversation with classical ideas of just war through the work of Augustine, and that he is therefore the “father” of the tradition in the West. This idea has been criticized by scholars such as Philip Wynn, who argues that this is impossible since the idea of an Augustinian genesis

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<sup>78</sup> Burns, *The Evolution of Arms Control*, 19.

<sup>79</sup> Frederick H. Russell, *The Just War in the Middle Ages* (Cambridge: Cambridge University Press, 1975), 4-5.

<sup>80</sup> John Von Heyking, "Taming Warriors in Classical and Early Medieval Political Theory," in *Ethics, Nationalism, and Just War*, ed. Henrik Syse and Gregory M. Reichberg (Washington, D.C.: The Catholic University of America Press, 2007), 13.

<sup>81</sup> Michael Ignatieff’s book *The Warrior’s Honour* seeks to directly link the warrior tradition with right conduct in warfare, arguing that this link can be used to influence non-state belligerents to abide by the rules and human rights conventions of state warfare. Michael Ignatieff, *The Warrior’s Honour: Ethnic War and the Modern Conscience* (New York: Henry Holt and Company, 1997).

of the just war tradition is both misleading and less than a century old.<sup>82</sup> Still, Augustine can be credited with amending Cicero's "*justa bella unciscuntur injurias*" (just wars avenge injuries) to include a sense of punishment for the sinful.<sup>83</sup> Augustine's definition also reconciled the early Christian anti-war perspective with the subsequent Christian affirmation of violent coercion by claiming that the just war was actually an act of love.<sup>84</sup> This reconciliation became essential to the Christian just war tradition; as David Corey and J. Charles state "it is no exaggeration to say that Augustine's concept of benevolent harshness constitutes the cornerstone of the Christian just war tradition, for it fuses justice and charity."<sup>85</sup>

The creation of a Christian concept of just war gave theologians and Christian rulers alike a framework and language for evaluating and legitimizing Christian involvement in warfare. It also introduced some of the totality and also the terminology of holy war into the previous pagan tradition.<sup>86</sup> John Langan has sought explanations for the problem—or rather lack thereof—of non-combatant immunity in Augustine's writings, but admits that "the killing of guilty non-combatants...fits with a conception of war that is punitive rather than defensive in nature."<sup>87</sup> For Augustine, a war justified by the

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<sup>82</sup> Phillip Wynn, *Augustine: On War and Military Service* (Minneapolis: Fortress Press, 2013).

<sup>83</sup> Russell, *The Just War in the Middle Ages*, 18-19.

<sup>84</sup> "The just warrior restrained sinners from evil, thus acting against their will but in their own best interest...Punishment of evil-doers that prevented them from doing further wrong when administered without being moved by revenge or taking pleasure in suffering was an act of love." Ibid., 17.

<sup>85</sup> David D. Corey and J. Daryl Charles, *The Just War Tradition* (Wilmington: ISI Books, 2012), 83.

<sup>86</sup> Von Heyking, "Taming Warriors in Classical and Early Medieval Political Theory," 15.

<sup>87</sup> John Langan, "The Elements of St. Augustine's Just War Theory," *The Journal of Religious Ethics* 12, no. 1 (1984): 32.

inherent guilt of the enemy society must seek to punish that inherent guilt in all members of that society, not just the combatants.

Concepts of holy war pervade just war theories in several socio-religious traditions, but they have been most fully explored in Western thought. Because holy war escalates conflict and transforms it into a struggle of supernatural consequences, it marginalizes both the worth of the enemy combatant and the importance of practices that encourage restraint (such as arms control). The evolution of just war into and during the medieval period involved a continual struggle to balance its two major inspirations: the Roman law which provided a limitation and framework for war as the redress for injury, and the Bible—and more specifically the Old Testament—which was interpreted as allowing the just warrior to become an agent of divine punishment within a holy war.<sup>88</sup> Yet as the Middle Ages progressed, the fragmentation of authority in Christendom led to the state's loss of monopoly on force,<sup>89</sup> necessitating a shift towards restraint (at least in conflicts between Christians).

The medieval period began a convolution of the previously linear Roman hierarchy of authority, and consequently required a framework for just war that allowed for more diverse permutations of conflict. Although the Catholic Church stepped in to fill the political void left by the Roman Empire after its collapse, the church lacked both the direct military power of the Empire and direct governing authority over Europe's states. The church therefore, allied with the Roman legal tradition and medieval chivalric

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<sup>88</sup> Russell, *The Just War in the Middle Ages*, 292.

Walzer calls just war “an argument of the religious center against pacifists, on the one side, and holy warriors, on the other.”

Michael Walzer, "The Triumph of Just War Theory (and the Dangers of Success)," *Social Research* 69, no. 4 (2002): 925.

<sup>89</sup> Corey and Charles, *The Just War Tradition*, 84.

tradition, pursued a policy of limiting the legitimate causes for war (*jus ad bellum*), limiting the ways in which war could be fought (*jus in bello*), and channeling violence against antagonists outside Christendom.

The Peace of God and Truce of God were church initiatives in the tenth and eleventh centuries that sought to harness the Christian just war tradition, Roman law, and the chivalric warrior tradition into a framework of restrictions upon violence that would compensate for the fragmentation of authority in Europe. The Peace of God (*pax Dei*) movement began as a means for protecting church property from assault, but was quickly expanded to protect the unarmed and their possessions.<sup>90</sup> The later Truce of God (*treuga Dei*) movement restricted the use of arms to only 80 days a year at the Council of Narbonne in 1054.<sup>91</sup> These movements institutionalized early ideas of non-combatant immunity that had been absent in Augustine, but also, by differentiating rules for wars against Christian and non-Christian opponents, can be understood as validating unrestrained warfare against heathens.<sup>92</sup> Tomaz Mastnak argues that the Peace of God movement “opened the way for the Church not only to assert its control over the use of arms but also to direct violent action,” and therefore “the crusade was the consummation of the peace movement — its accomplishment and the realization of its ideals.”<sup>93</sup> Although the Crusades are not within the scope of this thesis, the literature produced to explain and defend them constitutes a significant reimagining of the Christian just war tradition.

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<sup>90</sup> Tomaz Mastnak, *Crusading Peace: Christendom, the Muslim World, and Western Political Order* (Berkeley: University of California Press, 2002), 5.

<sup>91</sup> *Ibid.*, 6.

<sup>92</sup> Reichberg, Syse, and Begby, *The Ethics of War*, 94.

<sup>93</sup> Mastnak, *Crusading Peace: Christendom, the Muslim World, and Western Political Order*, 10, 44.

This differentiation between members of an ethnic or religious community and outsiders/foreigners is present in both the Islamic and Western just war traditions, and influences both their understanding of holy war (especially crusade) and their attempts at arms control. The Hellenic Greeks considered all wars against non-Hellenes to be justified, and the Romans showed an “instinctive animosity” towards barbarian tribes that was reinforced by notions of paganism after the Empire’s Christianization.<sup>94</sup> The Koran bans fire as a weapon of war, but Islamic military units used liquid fire against Crusaders.<sup>95</sup> Church bans on siege engines and crossbows in the West were similarly limited to wars between Christians, with explicit exemptions for conflict with the Saracens.<sup>96</sup> Holy war components of just war traditions were most often reserved for conflicts with geographic or religious “outsiders”, while limiting instruments such as arms control were used to restrain conflict escalation between “insider” factions.

Arms control measures were also used by societies to maintain the social hierarchy in war by restricting weapons that threatened the martial supremacy of the upper classes. This is most famously illustrated in the successful suppression of the use of firearms in Japan between the mid-seventeenth and mid-nineteenth centuries,<sup>97</sup> but chivalric concerns also informed a series of bans in Europe on weapons that threatened the dominance of mounted and armoured nobility in battle. The Second Lateran Council of 1123 CE, which summed up the main tenets of the Peace of God and Truce of God movements, also banned the use of “incendiarism [arson]” in canon 18 as well as

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<sup>94</sup> Russell, *The Just War in the Middle Ages*, 293.

<sup>95</sup> Burns, *The Evolution of Arms Control*, 62.

<sup>96</sup> Second Lateran Council, "Canons of the Second Lateran Council, 1123," in *The Ethics of War*, ed. Gregory M. Reichberg, Henrik Syse, and Endre Begby (Cornwall: Blackwell Publishing, 2006), 97.

<sup>97</sup> Burns, *The Evolution of Arms Control*, 62.

“crossbowmen and archers” against Christian opponents in canon 29.<sup>98</sup> Russell notes that both these weapons were destabilizing to the medieval hierarchy since “they pierced or crushed armor, struck without discernment, and the tips of arrows and crossbow bolts could be poisoned. Since they were usually manned by non-nobles, often mercenaries, the nobles considered them both lethal and unfair.”<sup>99</sup>

Scholars debate how effective these bans were in practice. Corey and Charles note that Gratian ignores the question of licit and illicit weapons and actions for Christians in times of war in his *Decretum*, despite the contemporary Peace of God movement.<sup>100</sup> Johnson proposes that Gratian’s omission of the 1123 CE canon banning siege engines and crossbows little more than a decade after the Council “suggests the ban was already in low repute,” and later canonists such as Hostiensis regarded all weapons as licit in war by the mid-13<sup>th</sup> century.<sup>101</sup> Russell speculates that Gratian omitted the ban because it contrasted with his ideological position.<sup>102</sup> The Islamic ban on the use of fire as a weapon of war is similarly problematic, as sources disagree on whether it was a universal ban or simply a ban on the use of fire in conflicts against other Muslims.<sup>103</sup> Either way, petrochemical incendiaries were used in 683 CE by Muslims besieging Muslim-held Mecca, and were later used to great effect during the Crusades.<sup>104</sup> For various reasons,

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<sup>98</sup> Second Lateran Council, "Second Lateran Council – 1139 A.D." *Papal Encyclicals Online*, accessed August 18, 2017. <http://www.papalencyclicals.net/councils/ecum10.htm>

<sup>99</sup> Russell, *The Just War in the Middle Ages*, 156.

<sup>100</sup> Corey and Charles, *The Just War Tradition*, 74.

<sup>101</sup> James Turner Johnson, *Just War Tradition and the Restraint of War: A Moral and Historical Inquiry* (Princeton: Princeton University Press, 1981), 129.

<sup>102</sup> “Gratian’s position suggests the reason for the omission: if a war was necessary and just, then all possible means to victory must be employed including the use of more effective weapons.” Russell, *The Just War in the Middle Ages*, 71.

<sup>103</sup> Burns, *The Evolution of Arms Control*, 65.

<sup>104</sup> *Ibid.*

multilateral arms control measures during the Middle Ages were largely ineffective, and the tradition only experienced a serious revival in the mid-nineteenth century.<sup>105</sup>

Yet the just war tradition, for which arms control was simply a means to an end, flourished during the Middle Ages. Augustine was systematized by Gratian, who was himself summarized by Aquinas.<sup>106</sup> The Peace of God movement's restrictions of warfare to certain classes and certain weapons paved the way for the rise of professional armies and an understanding of "inhuman" uses of military technology. Aquinas' formulation of three major requirements of just war (legitimate authority, just cause, right intention)<sup>107</sup> defined centuries of theory on war, and restricted its practice to the state. War was seen a means to right injustice, a legitimate undertaking for defence, to punish evil, or to redress injury.<sup>108</sup> Current understandings and articulations of war are consequently still guided and legitimized by the remnants of the Christian just war tradition.

This is not to say that just war continues from Aquinas to the twentieth century in an unchanged state. James Turner Johnson concludes that the transition of just war theory between the medieval and modern eras was affected by seven key factors, including the breakdown of the unity of Christendom, the discovery and colonization of the New World, the increasing deadliness of warfare, and the development of political relationships outside the Old World.<sup>109</sup> By rejecting the universal authority of the papacy

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<sup>105</sup> Johnson, *Just War Tradition and the Restraint of War: A Moral and Historical Inquiry*, 166.

<sup>106</sup> Corey and Charles, *The Just War Tradition*, 67.

<sup>107</sup> Thomas Aquinas, "From *Summa Theologiae*, II-II," in *The Ethics of War*, ed. Gregory M. Reichberg, Henrik Syse, and Endre Begby (Cornwall: Blackwell Publishing, 2006), 177.

<sup>108</sup> Gratian, "From Gratian, *Decretum*, Part II, Causa 23, and from Decretists," *ibid.*, 114-15.

<sup>109</sup> Johnson, *Just War Tradition and the Restraint of War: A Moral and Historical Inquiry*, 172-73.

as well as the legitimacy of wars of conversion and/or divine retribution, war theorists of the early modern period were able to articulate limitations upon the practice of war. They established a natural law framework that allowed for more conflict, but also conflict of a type inherently limited by the inalienable rights of the commonwealths involved. Johnson describes the progression of just war history from the medieval to modern eras as having three stages:

First came a shift in the conception of sovereignty together with an emphasis on the defense of national territory as the primary justifying cause for the use of armed force. A bit later came the rise of internationalism, the idea that disputes between and among states could be ended by the creation of a new international legal and political structure taking precedence over states and their governments. And still later came a conception of modern war as inherently grossly indiscriminate and destructive, leading to the effort to abolish war altogether in relations among states.<sup>110</sup>

The first stage was achieved during the early modern period, when prominent scholars modified the just war tradition in response to the breaking of the Roman Catholic Church's monopoly and the discovery of the New World. The second was a result of the age of revolutions, mass armies, and increasingly ruinous wars. The third resulted from both world wars and the invention of doomsday weapons beginning with the atom bomb.

In the early modern period the just war tradition evolved from a system assuming a primarily theological foundation complemented by natural law assumptions, to one with a primarily natural law foundation complemented by theological assumptions. The impetus for this reformulation of just war lay in the extension of sovereign rights to non-Christians, as well as the fracturing of the Catholic hegemony within Christendom caused by the Reformation. A series of early modern scholars, beginning with Francisco de

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<sup>110</sup> "The Right to Use Armed Force: Sovereignty, Responsibility, and the Common Good," in *Just War: Authority, Tradition, and Practice*, ed. Anthony F. Lang Jr., Cian O'Driscoll, and John Williams (Washington: Georgetown University Press, 2013), 21.

Vitoria and Francisco Suarez in the sixteenth century, and continuing through the work of Hugo Grotius, worked to merge concepts of just war with fledgling ideas of international law.<sup>111</sup>

It was the Spanish School of Salamanca, rooted in the philosophy of the Dominican jurist Francisco de Vitoria, which reformulated the just war tradition both to provide the right to dominion and war to all peoples and to substitute natural law for divine law at the root of *ius ad bellum* (legitimate cause). Vitoria's stance that "Difference of religion cannot be a cause for just war" was a response to European incursions in the Americas, as well as a rebuttal to the 1493 Bulls of Donation granting Spain and Portugal the rights to non-Christian lands in both the West and East.<sup>112</sup> By arguing that Christians and non-Christians had equally legitimate sovereignty, Vitoria undercut the argument being used by the Spanish to justify territorial annexation.<sup>113</sup> Additionally, his "emphasis on natural law would have a formative influence on the development of the modern, post-Westphalian conception of the legitimate use of force by sovereign states,"<sup>114</sup> framing the right to war as equally valid for pope or caliph, emperor or sultan, king or *tlatoani*.<sup>115</sup>

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<sup>111</sup> Corey and Charles, *The Just War Tradition*, 14.

<sup>112</sup> Oliver O'Donovan and Joan Lockwood O'Donovan, *From Irenaeus to Grotius: A Sourcebook in Christian Political Thought 100-1625* (Grand Rapids: William B. Eerdmans Publishing Company, 1999), 611.

<sup>113</sup> Walzer attests that "sometime around 1520, the faculty of the University of Salamanca met in solemn assembly and voted that the Spanish conquest of Central America was a violation of natural law and an unjust war." Walzer, "The Triumph of Just War Theory (and the Dangers of Success)," 926. As Corey and Charles note, "modern minds fail to appreciate how radical and how comprehensive Vitoria's message was, to the extent that it mounts an attack on Spain as a kingdom as well as on the church and the papacy." Corey and Charles, *The Just War Tradition*, 132.

<sup>114</sup> Reichberg, Syse, and Begby, *The Ethics of War*, 290.

<sup>115</sup> Nahuatl for "King."

Vitoria's protégé, Suarez, continued to lay the foundation for modern military interventions. Suarez argued that war should be an encounter between an offender to the law of nations and an authority given the power to discipline him.<sup>116</sup> This was potentially a return to an almost-Ciceronian concept of war as a legal principle, yet extended beyond the bounds of the Roman Empire to apply equally to all states. Suarez and Vitoria also added several secondary criteria to Aquinas' definition of just war, arguing that sovereign authority must also consider concepts of proportionality, last resort, and reasonable chance of success when contemplating war.<sup>117</sup> Together the two Spanish scholars maintained that war was a mechanism for punitive justice, whereas Grotius separated it from theological constructs and depicted war as a defensive response to violations of natural law.

Grotius, deeply influenced by the contemporary Thirty Years War, was an early champion of religious tolerance and concepts of statehood. One of his arguments famously begins with the phrase *etiamsi daremus Deum non esse* (meaning 'even were we to accept that God did not exist'),<sup>118</sup> indicating that he was attempting to formulate natural law constraints on warfare that remained cogent with or without explicit theological justification. As with Suarez, the right to just war lay in the debt incurred by those who sinned against nature (not directly against God), yet Grotius' just war was not explicitly punitive.<sup>119</sup> Unlike classical just war scholars who prioritized justice and

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<sup>116</sup> O'Donovan and O'Donovan, *From Irenaeus to Grotius: A Sourcebook in Christian Political Thought 100-1625*, 726.

<sup>117</sup> Corey and Charles, *The Just War Tradition*, 137.

<sup>118</sup> O'Donovan and O'Donovan, *From Irenaeus to Grotius: A Sourcebook in Christian Political Thought 100-1625*, 788.

<sup>119</sup> Grotius, "From the Satisfaction of Christ," in *From Irenaeus to Grotius: A Sourcebook in Christian Political Thought 100-1625*, ed. Oliver O'Donovan and Joan Lockwood O'Donovan (Grand Rapids: William B. Eerdmans Publishing Company, 1999), 818-19.

reasoned downward from the responsibility of the sovereign authority to defend justice, Grotius reasoned upward from an individual's right to violent self-defence to a state's right to the same defence through warfare.<sup>120</sup> In other words, legitimate sovereignty did not belong to a ruler alone, but to the community, and defence of that community's territory was the primary justification for warfare. Grotius, even more so than Vitoria or Suarez, emphasized *in bello* requirements over *ad bellum* justifications, foreseeing in his proto-Westphalian system a proliferation of conflicts in which neither side could be definitively characterized as 'just'. The formalization of this system at Westphalia eliminated some problems while creating others, since it increasingly formalized the right to state self-defence, which automatically privileged the state with the legitimate authority necessitated by just war thought, and assumed "it was the state's prerogative to use force to advance its aims if it so pleased."<sup>121</sup>

This reformulation of the just war tradition as a typology (even a simple list of criteria) defining the acceptable parameters of violent relations between states created the beginnings of a new emphasis on arms control. Such a reformulation was not as concerned with Aquinas' traditional *ad bellum* criteria (as long as the appropriate formalities were observed), as it was with the ways and weapons with which wars were fought. Initially, the rudimentary nature of national industrial bases meant that most arms control measures were primarily concerned with preventing weapons from being sold out of country, but later efforts dealt with the perceived inhumanity of military technology.

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<sup>120</sup> James Turner Johnson, "Just Cause Revisited," *JamesBowman.net*, September 1, 1998 <http://www.jamesbowman.net/reviewDetail.asp?pubID=1242>

<sup>121</sup> Anthony F. Lang Jr. and Cian O'Driscoll, "Introduction: The Just War Tradition and the Practice of Political Authority," in *Just War: Authority, Tradition, and Practice*, ed. Anthony F. Lang Jr., Cian O'Driscoll, and John Williams (Washington: Georgetown University Press, 2013), 3. Walzer, "The Triumph of Just War Theory (and the Dangers of Success)," 927.

For example, King Louis XV of France is said to have suppressed the newly rediscovered secret of Greek Fire during the mid-18<sup>th</sup> century, as well as the invention of incendiary bullets thirty years later, for moral reasons.<sup>122</sup>

The French revolutionary wars transformed the nature of European warfare, abolishing what is known as the “limited war” tradition, and beginning the modern conception of “total war.” Armies of unprecedented size ravaged Europe, unilateral weapons restrictions such as those on incendiary bullets were swept aside,<sup>123</sup> and the messianic impulse of “exporting the revolution” overcame the Grotian concept of defensive war.<sup>124</sup> The new lethality and scope of warfare led to the beginnings of Johnson’s second stage of just war history: the development of international legal and political structures to oversee states and restrict warfare where possible.

Many of these structures also included multilateral arms control conventions on weapons considered inhumane, or in violation of *in bello* criteria of discrimination or proportionality. The St. Petersburg Declaration of 1868, signed by seventeen European nations, and outlawing the use of “dum-dum” bullets was “the first formal, modern agreement prohibiting the use of certain weapons in war.”<sup>125</sup> The “Lieber Code” or

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<sup>122</sup> Burns, *The Evolution of Arms Control*, 63.

<sup>123</sup> *Ibid.*, 64.

<sup>124</sup> Johnson, "Just Cause Revisited".

<sup>125</sup> Burns, *The Evolution of Arms Control*, 63. The Declaration explicated considers the projectile to be inhuman: “Considering:

That the progress of civilization should have the effect of alleviating as much as possible the calamities of war;

That the only legitimate object which States should endeavour to accomplish during war is to weaken the military forces of the enemy;

That for this purpose it is sufficient to disable the greatest possible number of men;

That this object would be exceeded by the employment of arms which uselessly aggravate the sufferings of disabled men, or render their death inevitable;

That the employment of such arms would, therefore, be contrary to the laws of humanity;

*Instructions for the Government of Armies of the United States in the Field* of 1863 laid out rules for Union military conduct during the Civil War, and established the groundwork for the Hague Conference of 1899 (which prohibited aerial bombardment, gas projectiles, and hollow-point bullets).<sup>126</sup> The Brussels Declaration of 1874 and Oxford Manual of 1880 provided further declarations on warfare and weaponry, pronouncing a limit on the power of belligerents to injure each other, and emphasized strict delineations of combatants and noncombatants.<sup>127</sup> The later Hague Conference of 1907 went even farther than its predecessor, restricting the use of submarine contact mines and naval bombardment, while articulating strict rules for naval warfare.<sup>128</sup> Multiple Geneva Conventions protecting the wounded and sick were adopted by international bodies in 1864, 1906, and 1929 before being amalgamated into the famous 1949 Convention.<sup>129</sup> In general, military theorists were struggling to incorporate military innovations in technology and organization into the just war tradition, and to preserve the principles of proportionality and discrimination despite the burgeoning importance of “civilian” means of production to a nation’s war capability.

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The Contracting Parties engage mutually to renounce, in case of war among themselves, the employment by their military or naval troops of any projectile of a weight below 400 grammes, which is either explosive or charged with fulminating or inflammable substances.”

"Declaration Renouncing the Use, in Time of War, of Explosive Projectives under 400 Grammes Weight. Saint Petersburg, 29 November / 11 December 1868," International Committee of the Red Cross, accessed September 2016.

<https://ihldatabases.icrc.org/applic/ihl/ihl.nsf/Article.xsp?action=openDocument&documentId=568842C2B90F4A29C12563CD0051547C>

<sup>126</sup> The Avalon Project, "The Laws of War," Yale Law School: Lillian Goldman Law Library. [http://avalon.law.yale.edu/19th\\_century/hague01.asp](http://avalon.law.yale.edu/19th_century/hague01.asp)

<sup>127</sup> William H. Boothby, *Weapons and the Law of Armed Conflict*, 2 ed. (Oxford: Oxford University Press, 2009), 12.

<sup>128</sup> The Avalon Project, "The Laws of War".

<sup>129</sup> ICRC (International Red Cross), "The Geneva Conventions of 1949 and Their Additional Protocols," accessed September 2016.

<https://www.icrc.org/en/document/geneva-conventions-1949-additional-protocols>

This struggle created two differing perspectives. In one sense, large indiscriminate weapons increased the cost of warfare to both sides and therefore incentivized short conflicts (Johnson calls this “a twentieth-century dogma”).<sup>130</sup> In another sense, the escalating human and economic cost of violence made war into an increasingly dangerous act for the international community. This would be fully realized in the 20<sup>th</sup> century in the world-ending possibilities of nuclear war, but the fear was gaining traction even before the Second World War. For much of the 20<sup>th</sup> century, modern just war thinkers consequently prioritized the avoidance of war at the crux of the tradition, rather than the more historical presumption against injustice.

The triumph of self-defence as the only legitimate cause for warfare began with Grotius, and was formalized in the system of international relations between states that he envisioned and was created at Westphalia.<sup>131</sup> The most famous 20<sup>th</sup> century just war thinker, Michael Walzer, essentially agrees with this state-centric position,<sup>132</sup> while several 21<sup>st</sup> century scholars have blamed Grotius for transforming the just war *tradition* into a just war *theory* which functioned more as a checklist than a system of moral inquiry.<sup>133</sup> Since this legalistic emphasis only culminated in the 20<sup>th</sup> century, it can hardly

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<sup>130</sup> “The attitude that all weapons that can be used to injure the enemy, the more severely the better, are good; that such weapons by making a war sharper make it shorter and thus benefit the belligerents. This has become a twentieth-century dogma: such was one of the reasons given for the use of atomic bombs against Japan.” Johnson, *Just War Tradition and the Restraint of War: A Moral and Historical Inquiry*, 283.

<sup>131</sup> “In the arena of limiting the resort to war, though, those who wanted to maintain the state system centered their efforts on restricting the resort to force to the case of defense. This effectively ignored the concern of earlier just war tradition—from Gratian through Grotius—that focused on violations of justice as the problem for just war. By the new measure, war itself was the problem.” “Just Cause Revisited”.

<sup>132</sup> Michael Walzer, *Just and Unjust Wars*, 3 ed. (New York: Basic Books, 1977).

<sup>133</sup> Chris Brown, “Just War and Political Judgment,” in *Just War: Authority, Tradition, and Practice*, ed. Anthony F. Lang Jr., Cian O’Driscoll, and John Williams (Washington: Georgetown University Press, 2013), 45.

be attributed to Grotius alone. For example, the League of Nations Covenant in 1919 formalized an international arbitration process for avoiding war, and the Kellogg-Briand Pact of 1928 made the signatories (including most major powers) promise to renounce war as a means of resolving disputes. This “illegalizing” of war was impossible to enforce (considering the very thing it condemned was the primary means of enforcement). Still, it normalized a perspective that war itself, rather than injustice, was the primary target of the just war and international law traditions.

The founding of the United Nations in 1945 provided the obvious zenith of Johnson’s second stage of just war history, and the institutionalizing of the third.<sup>134</sup> Set up with the purpose of preventing another major international war, the UN concept sought to drastically limit the occurrence of war by maintaining a state-centric status quo. The UN Charter Article 51 grants member nations the right to individual and collective self-defence if an armed attack occurs, but allows no other situation (just cause) in which a member state can resort to arms. Only the Security Council is allowed the collective discretion for interventionary force (including peacekeeping and security); a potential throwback to traditional understandings of just cause as more than simply self-defence. Still, examples of first-use force, such as the Israeli preemptive strike in 1967, have not been universally condemned, suggesting that self-defence in isolation is too limited to meet the modern challenges of non-state belligerents, alternative forms of aggression, and humanitarian interventions.<sup>135</sup> Additionally, the initial promise of the UN as an

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Anthony F. Lang Jr., "Narrative Authority," *Ibid.*

<sup>134</sup> “A conception of modern war as inherently grossly indiscriminate and destructive, leading to the effort to abolish war altogether in relations among states.” James Turner Johnson, "The Right to Use Armed Force: Sovereignty, Responsibility, and the Common Good," 21.

<sup>135</sup> *Ibid.*, 23.

international force has not proven as effective as hoped because of the continuing primacy of the state as the locus of political will and military capability. In this sense, the importance of state sovereignty and emphasis upon an “aggressor-defender” model which continually vindicates the defender also shields tyrants from outside intervention.

The evolution of the just war tradition within the modern Catholic Church is even more extreme. Since the 1870 *Postulata*, the Catholic church has become increasingly opposed to the waging of war, even in self-defence.<sup>136</sup> Chris Brown argues that modern concern with legitimate authority and casualties of war have motivated some Catholic theologians to migrate from just war thinking as a “moral praxis” to a more “legalistic conception,”<sup>137</sup> but this might be a reversal of cause and effect. Johnson instead argues that recent Catholic thought understands war as so morally questionable that it can no longer reasonably service justice; it has been subverted by “the militarism imposed by large military establishments, for which the only cure is disarmament; and second, that the destructiveness of modern weapons, and in particular nuclear weapons, severely restricts and perhaps eliminates the possibility of resort to them as instruments of moral purpose.”<sup>138</sup> This parallels the famous statement from Pope John XXIII’s 1963 encyclical *Pacem In Terris* (“Thus, in this age which boasts of its atomic power, it no longer makes sense to maintain that war is a fit instrument with which to repair the violation of justice”<sup>139</sup>), as well as the definitive 1983 pastoral letter from the US National Conference

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<sup>136</sup> *Just War Tradition and the Restraint of War: A Moral and Historical Inquiry*, 341.

<sup>137</sup> Brown, "Just War and Political Judgment," 43.

<sup>138</sup> Johnson, "Just Cause Revisited".

<sup>139</sup> Pope John XXIII, "Pacem in Terris: Encyclical of Pope John XXIII on Establishing Universal Peace in Truth, Justice, Charity, and Liberty," (The Holy See, 1963).

of Catholic Bishops.<sup>140</sup> The modern Catholic position therefore parallels the development of international law in the 20<sup>th</sup> century in the emphasis upon self-defence, but also creates further restriction by outlawing any resort to weapons of mass destruction. Even a war of self-defence may not be moral if the cost of resistance is disproportionate to the cost of surrender.

The development of nuclear weapons has had perhaps the largest effect upon the just war tradition in the 20<sup>th</sup> century. The “nuclear option” has dramatically changed the calculus of warfare, and continues to push the tradition’s purpose towards limiting conflict rather than punishing injustice. Nuclear weapons (as well as certain devastating conventional weapons) also violate *in bello* criteria, specifically proportionality, discrimination, and chance of success.<sup>141</sup> A nuclear weapon fired at a major population centre cannot discriminate between civilians and non-civilians, nor be limited at a specific military installation; the potential for such a military strike to create an escalating nuclear exchange is not proportional to almost any offence committed by the target nation; and the strong possibility of nuclear retaliation removes all but the faintest possibility of successfully accomplishing the aims of a dispute through a nuclear strike. In the immediate turbulence after the Second World War, several proposals (such as the 1946 Baruch Plan) were made to eliminate nuclear weapons entirely,<sup>142</sup> but, just as with crossbows during the early medieval period, or aerial bombing at the end of the 19<sup>th</sup>

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<sup>140</sup> United States Conference of Catholic Bishops, "The Challenge of Peace: God's Promise and Our Response," United States Conference of Catholic Bishops, accessed October 2016. <http://www.usccb.org/upload/challenge-peace-gods-promise-our-response-1983.pdf>

<sup>141</sup> The long-lasting environmental effects of nuclear weapons also violate a suggested third category of the just war tradition, *ius post bellum* or “justice after warfare.” *Just Post Bellum: Towards a Law of Transition from Conflict to Peace*, (The Netherlands: TMC Asser Press, 2008).

<sup>142</sup> Burns, *The Evolution of Arms Control*, 32.

century, the proverbial cat could not be put back in the bag. Instead arms control regimes were created to limit and supervise the types, deployment, and number of nuclear weapons. These regimes were predicated upon and justified through the just war tradition.

Of course, there is a possibility of weapons having some effect over *ad bellum* criteria as well. For example, does the nuclear capability possessed by North Korea constitute a legitimate and immediate threat to South Korea (or another target) that could justify a resort to force? Many of the arms control measures of the 20<sup>th</sup> century (including the Non-Proliferation Treaty [NPT], SALT, and SMART, among others)<sup>143</sup> were designed to prevent the proliferation, production and stockpiling of nuclear weapons because of the disproportionate threat of such devices when compared to the possible strategic gains of warfare. The *possession* of such weapons (and even the capacity to produce them) became a strategic threat with the possibility to provoke a “defensive” strike from another nuclear power. In a world where city-destroying weapons can travel across oceans in a matter of minutes, the concept of “self-defence” is not nearly as limiting as one might assume. Both sides in the Falklands conflict invoked their right to defence,<sup>144</sup> as did the US and other allied states, before the Afghanistan and Iraq invasions. The fact that the production, possession, and transfer of nuclear weapons were all restricted by significant arms control measures in the twentieth century in part indicates the significant role that such weapons played in calculations of international security. At times even the capability to develop nuclear weapons (consider the 1981

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<sup>143</sup> Agreements predicated on the mechanisms of the Washington and London Naval Treaties of the 1920s and 1930s (when navies were the most sophisticated and dangerous military technology of the day). Larsen, "An Introduction to Arms Control and Cooperative Security."

<sup>144</sup> Johnson, "Just Cause Revisited".

Israeli preemptive strike on an Iraqi nuclear reactor) has been argued to satisfy the “just cause” criteria of the just war tradition and consequently catalyzed a violent response.

In this sense, a state’s capacity for violence (as indicated by the technology and weapons it possesses) has increasingly become the basis for “defensive” intervention against that state in a globalized system. David Mutimer writes of this “securitization” of weapons proliferation in his book *The Weapons State*, arguing that, especially since the Gulf War, developed Western nations have seen the proliferation of weapons and technology to developing countries as just cause for interventions to protect the international system and status quo.<sup>145</sup> This proliferation construct does not apply only to nuclear technology, but also to biological, chemical, and even conventional arms if accumulated in “destabilizing” numbers. Consequently, both the arms trade and arms control measures have been translated into security concerns for both western nations and the UN, and been used to legitimize military intervention through the *ad bellum* criteria of just cause. Whether or not arms transfers actually cause longer, deadlier wars in greater numbers is still being analyzed,<sup>146</sup> but that has not stopped the threat constituted by weapons proliferation (specifically the potential for *in bello* violations through the use of “illegal” armaments) from being used to justify interventions in “defence” of the international system.

Many of the “rogue states” constructed as global security threats by the international community have undergone multilateral interventions, including Iraq, the

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<sup>145</sup> David Mutimer, *The Weapons State: Proliferation and the Framing of Security* (Boulder: Lynne Rienner Publishers, 2000).

<sup>146</sup> Michael Brzoska and Frederic S. Pearson, *Arms and Warfare: Escalation, De-escalation, and Negotiation* (The University of South Carolina Press, 1994); Cassidy B. Craft, *Weapons for Peace, Weapons for War: The Effect of Arms Transfers on War Outbreak, Involvement and Outcomes* (London: Routledge, 1999).

former Yugoslavia, Afghanistan, and Libya. These interventions have been justified using the language of international law, human rights, and the just war tradition upon which both are based. Because these interventions violate the Westphalian/Grotian primacy of national sovereignty, they also represent a modified return to traditional just war principles and the presumption against injustice rather than self defence (although the justifications for each conflict are often still articulated in defensive terms).

The foundational legal principles for modern interventions were decisively articulated in the UN's Universal Declaration of Human Rights in 1948 (which was itself a product of earlier Hague Conferences and Geneva Conventions). The Declaration, by recognizing fundamental human rights outside of the political structure of the state, turned the following half century into "the struggle of colonial peoples for their freedom, the struggle of minorities of colour and women for full civil rights, and the struggle of aboriginal peoples to achieve self-government."<sup>147</sup> While the rights guaranteed in the Declaration were not limited to wartime, they were direct successors of the principles of international law developed by Vitoria, Suarez, and Grotius, and consequently a branch of the just war tradition.

Of course, the "Rights Revolution" and consequent reinterpretation of International Humanitarian Law (IHL) also constituted a significant departure from the Westphalian/Grotian tradition of state primacy. The international system of the 20<sup>th</sup> century was designed to protect states, and struggled to balance national sovereignty

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<sup>147</sup> Michael Ignatieff, *The Rights Revolution*, 2 ed., CBC Massey Lectures (Toronto: House of Anansi Press, 2000), 3.

against the rights of people within states.<sup>148</sup> Consequently, compliance with IHL has been problematic, and enforcement abysmal,<sup>149</sup> even as a marked rise in intrastate conflict has created increasing opportunity for humanitarian intervention. The process of globalization in the 20<sup>th</sup> century has made the consequences of interstate conflict a concern of other communities around the world, and linked political and economic practices in the developing world with fallout in developing polities and economies. As Timothy Shaw, Sandra MacLean, and David Black observed in 2006:

The world polity includes some 200 states, but between a quarter to a third of these actually control very little. Instead, their erstwhile national territory is the site of mafias and militias with their own transnational networks for drugs, forced migration, guns, money, etc. Thus, increasingly, conflict is intra- or trans-national rather than inter-state....<sup>150</sup>

This situation has led proponents of globalization to argue that traditional national security concerns are largely irrelevant in a globalized world, geography is no longer a defence against the consequences of instability, and that security must be redefined as “human security” to reflect the increasing importance of the individual as compared to the state.

Human security as a term is the result of the UN Development Programme’s *Human Development Report 1994*,<sup>151</sup> and became a significant phrase in both UN and

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<sup>148</sup> Rob McRae, "Human Security in a Globalized World," in *Human Security and the New Diplomacy*, ed. Rob McRae and Don Hubert (Montreal & Kingston: McGill-Queen's University Press, 2001), 15.

<sup>149</sup> *Ibid.*, 25.

<sup>150</sup> Timothy M. Shaw, Sandra J. Maclean, and David R. Black, "Introduction: A Decade of Human Security: What Prospects for Global Governance and New Multilateralisms?," *A Decade of Human Security* (Cornwall: Ashgate, 2006). 5.

<sup>151</sup> Catherine Schittecatte, "Toward a More Inclusive Global Governance and Enhanced Human Security," *ibid.*

Canadian policy in the 1990s.<sup>152</sup> It replaced the earlier term “common security” within political discourse, which had become prominent in the 1980s. Human security combined the “securitization” of non-violent threats to global stability (poverty, economic exploitation, female disempowerment, lack of education, etc.) with a base understanding the people should enjoy both a “freedom from want” and a “freedom from fear.” The triumphs of human security and IHL in the 1990s include the criminal tribunals in both Rwanda and the former Yugoslavia, as well as the formation of the International Criminal Court (ICC).<sup>153</sup> In practice, human security seems to be the application of law and legalism to global politics<sup>154</sup> through the fulfillment of the UN’s original role as a mediator and enforcer of IHL.

Advocates of humanitarian intervention claim that an international mandate and capability to intervene forces states to take crimes within their jurisdiction more seriously.<sup>155</sup> This argument was formalized in the mid-2000s with the official acceptance of the “Right to Protect” doctrine, but it has faced criticism from many quarters. For example the continual subordination of “freedom from want” to “freedom from fear” in

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<sup>152</sup> “In essence, human security means safety for people from both violent and non-violent threats. It is a condition or state of being characterized by freedom from pervasive threats to people’s rights, their safety, or even their lives. From a foreign policy perspective, human security is perhaps best understood as a shift in perspective or orientation. It is an alternative way of seeing the world, taking people as its point of reference, rather than focusing on the security of territory or governments... Human security entails taking preventative measures to reduce vulnerability and minimize risk and taking remedial action where prevention fails.” Canada, “Human Security: Safety for People in a Changing World,” ed. Department of Foreign Affairs and International Trade (Ottawa: DFAIT, 1999), 5.

<sup>153</sup> Darryl Robinson and Valerie Oosterveld, “The Evolution of International Humanitarian Law,” in *Human Security and the New Diplomacy*, ed. Rob McRae and Don Hubert (Montreal: McGill-Queen’s University Press, 2001), 161-63.

<sup>154</sup> Antonio Franceschet, “Global Legalism and Human Security,” ed. Sandra J. Maclean, David R. Black, and Timothy M. Shaw, *A Decade of Human Security* (Cornwall: Ashgate, 2006).

<sup>155</sup> Robinson and Oosterveld, “The Evolution of International Humanitarian Law,” 168.

the human security agenda has suggested the “wealthy Northern states” have “prioritised political and civil rights over economic, social and cultural rights as an agenda to be pursued by the international community and its agencies.”<sup>156</sup> This subordination can be interpreted as a concession to a global economic system which vastly benefits those wealthy Northern countries. Additionally, there is a significant North-South divide in peacebuilding research which means Southern actors are generally at the receiving end of policies theorized in the global North,<sup>157</sup> as part of interventions largely constructed and justified by global North actors.

The human security turn in IHL has had significant impact upon the rhetoric and aim of arms control since the end of the Cold War. Although the underlying principles harken back to the criteria of proportionality and discrimination in the just war tradition,<sup>158</sup> the “securitization” of proliferation has heightened scrutiny of the trade in all types of weapons and technologies. Calls for stricter controls on arms transfers, especially to regions where human rights have been violated, have formed part of the momentum behind initiatives like the UN Arms Trade Register as well as the recent UN Arms Trade Treaty (ATT). Even the much-lauded Ottawa Treaty, which banned anti-personnel mines as fundamentally indiscriminate weapons, used the language of human security to argue

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<sup>156</sup> Schittecatte, "Toward a More Inclusive Global Governance and Enhanced Human Security," 131.

<sup>157</sup> Pam Scholey, "Peacebuilding, Research and North-South Research Relationships: Perspectives, Opportunities and Challenges," ed. Sandra J. Maclean, David R. Black, and Timothy M. Shaw, *A Decade of Human Security* (Cornwall: Ashgate, 2006), 179.

<sup>158</sup> Generally articulated in modern conventions as a prohibition on weapons that are “indiscriminate by nature” and “by their very nature cause superfluous injury or unnecessary suffering to combatants. These two precepts have been alluded to by the International Court of Justice as ‘intransgressible.’” Yoram Dinstein, "Forward to the First Edition," in *Weapons and the Law of Armed Conflict* (Oxford: Oxford University Press, 2009), vii-viii.

the long-term development and stability consequences to regions in which landmines were used.

The evolution of one branch of the just war tradition into human rights / human security theory has created three significant changes to the arms control construct. First of all, it has securitized a diverse series of issues and linked them to international systems beyond the jurisdiction or control of any one state. Arms control conventions must therefore also be multilateral, international agreements with an increasing diversity of aims. Second, human security concerns transcend traditional *in bello* criteria of proportionality and discrimination, and therefore weapons that arguably satisfy these criteria can become the subject of arms control initiatives when they are sold to repressive or unstable regimes. Third, the universal right to “freedom from want” within the human security paradigm has created discussion surrounding the economic impact of the arms trade, in terms of its cost to developing states, its division between Northern “supplier” states and Southern “consumer” states, and its ability to destabilize regional power structures.

While the ideas and initiatives of the human security paradigm are a radical departure from the state-centric ideologies of most of the twentieth century, they rely on a system of international law that springs from the just war tradition. This law has been renovated and expanded, but it still fundamentally requires polities to justify both their decisions to go to war, and the actions taken during wartime, against a universal moral standard. Are these justifications, in fact, important? Why do we consider it essential to justify our wars in the language of a tradition more than 2000 years old? The answer lies in what several scholars have described as the “triumph” of the just war tradition in

modern international politics.<sup>159</sup> Although this “triumph” has faced multiple criticisms for its historical ties to colonialism and patriarchy,<sup>160</sup> it has successfully normalized a moral imperative to justify warfare using the terminology of this tradition. The just war is now the primary way in which the dominant (western) apparatus of international law, the U.N., as well as individual state polities frame modern war. Although this does not preserve the tradition from hypocrisy and cheap justifications in these moral arguments for war, it does provide a means and language for the wider population to evaluate and criticize the decisions of their governments. As Walzer has argued, in the post-Vietnam era, “justice has become a military necessity.”<sup>161</sup>

Weapons and tactics have also adapted to meet resurgent requirements of just war. The American bombing campaigns of the Gulf War were far more selective than those in Vietnam,<sup>162</sup> and the strikes of Afghanistan and Iraq were more “surgical” still. Today the US military has poured significant resources into developing “smart” weapons that minimize civilian casualties (sometimes even reducing the size of the explosive to prevent collateral damage), as well as creating sophisticated algorithmic models to estimate

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<sup>159</sup> “The just war tradition is the predominant moral language through which we address questions pertaining to the rights and wrongs of the use of force in international society. Boasting a lineage that is typically traced to the sunset of the Roman Empire, it furnishes us with a set of concepts, principles, and analytical devices for making sense of the moral-legal questions that war raises.” Lang Jr. and O’Driscoll, “Introduction: The Just War Tradition and the Practice of Political Authority,” 1. Walzer, “The Triumph of Just War Theory (and the Dangers of Success).”

<sup>160</sup> Tarik Kochi, “Problems of Legitimacy within the Just War Tradition and International Law,” in *Just War: Authority, Tradition, and Practice*, ed. Anthony F. Lang Jr., Cian O’Driscoll, and John Williams (Washington: Georgetown University Press, 2013); Laura Sjoberg, “The Inseparability of Gender, Hierarchy, the Just War Tradition, and Authorizing War,” *ibid.*

<sup>161</sup> Walzer, “The Triumph of Just War Theory (and the Dangers of Success),” 931.

<sup>162</sup> *Ibid.*, 932.

noncombatant risk while planning missions.<sup>163</sup> Weapons that are considered “indiscriminate” or “disproportional” have become the focus of disarmament measures to eliminate them from common usage. These include categories of weapons such as landmines or cluster munitions, as well as chemical or biological agents. In this way, the “triumph” of just war has been deeply influential in disarmament and arms control arguments and initiatives.

The disarmament agenda of Project Ploughshares in the early 1990s (which will be described in detail in Chapter 3) did assume a moral application for warfare, yet also a strict control regime upon the global military economy that had sprung up during the Cold War. Ploughshares argued a return to a just war paradigm in which the UN (a legitimate authority) would intervene to confront aggression, correct rights violations, prevent injustice (right intention) using carefully proportioned policing techniques (right conduct). Ploughshares further argued that the militarized Cold War world had incentivized the creation of military industries dependent upon the production and proliferation of military goods, and this global arms trade undermined the peacebuilding efforts of “legitimate authority” at the UN. This agenda assumed the “securitization of proliferation” articulated by Mutimer, an ideological position which asserts that the uncontrolled proliferation of weapons is inherently destabilizing to the international status quo, and specifically damaging to the human rights of civilians and noncombatants.

Ploughshares argued that militarization violated the moral framework founded in just war thought, encouraged the proliferation of weapons in destabilizing violation of

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<sup>163</sup> Neta C. Crawford, "Bugsplat: US Standing Rules of Engagement, International Humanitarian Law, Military Necessity, and Noncombatant Immunity," in *Just War: Authority, Tradition, and Practice*, ed. Anthony F. Lang Jr., Cian O'Driscoll, and John Williams (Washington: Georgetown University Press, 2013).

global security, and subverted multilateral arms control and disarmament measures enacted to protect noncombatants around the world. While Ploughshares favoured a common security/human security agenda that prioritized the individual over the Grotian/Westphalian preeminence of the state, the organization did tend to ascribe to the post-Second World War understanding of just war as the minimizing of conflict rather than violent eradication of injustice. This was partially because the violent coercions of “rogue states” in the international order generally required significant military support from (and therefore control by) global superpowers, as well as burgeoning understanding that military intervention alone was an inappropriate tool for bringing justice to civil wars and ethnic conflicts. As international forums began to build non-violent tools such as sanctions or financial incentives to achieve conflict resolution, the legitimate authorities of the international community were able to use just war principles to evaluate interventions that included hybrid military/economic/political components. The just war tradition became the ideological foundation for both official and NGO actors (like Ploughshares) who used it to evaluate interventions within a much expanded definition of both security and injustice.

## Chapter 2: Canada's Defence Industrial Base

The Canadian controversy over arms control and disarmament in the 1990s was largely a product of historical circumstances. Canadian military production, procurement, and export decisions in the 20<sup>th</sup> century critically shaped the options available to Canadian policy-makers at the end of the Cold War. Project Ploughshares, being both a product of the Canadian context and primarily interacting with the Canadian government, was also both constrained and advantaged by the specific nature of the Canadian environment. Ploughshares' advocacy was a product of the Canadian context, just as the Canadian context was shaped by geopolitical and economic circumstances. Neither position can be interpreted without an understanding of the Canadian Defence Industrial Base (DIB) since 1945.

The DIB is a military-economic concept which became critically important during the "total" wars of the first half of the twentieth century (which required the mustering of significant economic and technological resources). It is "a fairly new label for an old idea, namely, a state's ability to generate and sustain the industrial capability required for amassing military power in the modern industrialized era."<sup>164</sup> Ideally, a nation seeks to nurture an autonomous DIB which produces all the requirements of the nation's military forces, while also developing weapons systems and technology through robust research and development programs. Very few nations in the late 20<sup>th</sup> century could claim to possess an autonomous DIB (possible only the two super-powers), but the drive to protect one's military potential from the "boogeyman" of defence industrial collapse was key to many nations' military and economic policy. From a military perspective, a DIB must

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<sup>164</sup> David G. Haglund, "Introduction," in *Canada's Defence Industrial Base*, ed. David G. Haglund (Kingston: Ronald P. Frye & Company, 1988), 2.

fulfill two criteria: providing material requirements to a nation's military forces in peacetime, and possessing the potential to be rapidly expanded to meet increased requirements in wartime.<sup>165</sup> From an economic perspective, DIB policies can be leveraged to improve employment, economic growth, and achieve other political goals.<sup>166</sup> A robust DIB is therefore essential for a nation wishing to retain the capacity to wage industrialized warfare, maintain the potential to fight a prolonged campaign, and sustain highly technical military production and innovation.

This chapter argues that the Canadian DIB, and therefore Canadian military industry and export policy, has been fundamentally influenced by Canada's economic and military subordination to the United States, its global status as a "middle power," and debate surrounding the continued importance of maintaining an autonomous military force. It explores the chronological development of both industry and policy since the Second World War, and summarizes the Canadian environment at the end of the Cold War. In this way it provides an overview of the national economic and political forces that exist in general tension with the international ideological and moral "norms" articulated in the previous chapter.

The general consensus of scholars analyzing the 20<sup>th</sup> century Canadian military industrial base (or lack of one) is that Canada was not the master of its own ship. Alistair Edgar, David Haglund, and Douglas Bland have argued that Canada did not have a DIB in the conventional sense and was consistently incapable of supporting an independent Canadian strategy, although David Langille has attributed significant policy influence to

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<sup>165</sup> John M. Treddenick, "Economic Significance and the Canadian Industrial Base," *ibid.*, 16.

<sup>166</sup> *Ibid.*, 20.

the Canadian DIB, especially in the 1980s.<sup>167</sup> Canada's place in the British orbit prior to the Great War, and the American orbit by the Second World War, stunted attempts to develop autonomous military industry. By the end of the 1950s, Canada had abandoned its attempt to create an independent military industrial base<sup>168</sup> and instead embraced an export-oriented strategy that is still largely in place today. This reliance on exports necessitated a large degree of integration into the exponentially larger American DIB, and production of subsystems and components rather than complete military systems,<sup>169</sup> as well as significant reliance upon the dynamic international economic and security environment. Consequently, successive Canadian governments have faced a dilemma between working to make Canadian military exports more competitive on the global market (to secure continued Canadian military industrial production), and working towards Canada's commitment towards foreign policy independence and international human rights. In the words of Project Ploughshares' founder Ernie Regehr:

On the one hand, [Canada] has the technical and financial resources to become a strong competitor in the race to make the weapons of war widely available in an unrestrained global arms bazaar. On the other hand, it has the political and moral resources to resist dealing in weapons for the economic fun of it...Rejection of the arms-for-profit strategy of the many will be a crucial step towards energetic and unencumbered Canadian diplomatic initiatives in support of international arms trade

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<sup>167</sup> "The first and most general remark to make regarding defence production in Canada is that there does not now exist, and has never existed, a 'military-industrial complex' comparable to what is found in the United States, the larger European countries, or for that matter, even in neutral Sweden." Alistair Edgar and David G. Haglund, *The Canadian Defence Industry in the New Global Environment* (Montreal & Kingston: McGill-Queen's University Press, 1995), 75.

Canada has never had a balanced capability in armed forces, nor "a balanced industrial base to support one." Douglas Bland, "Canada's Defence Industry of the Future," *Canadian Defence Quarterly* 24, no. 5 (1995): 13. Howard Peter Langille, *Changing the Guard: Canada's Defence in a World in Transition* (Toronto: University of Toronto Press, 1990).

<sup>168</sup> A decision symbolized by the cancellation of the Avro Arrow project.

Edgar and Haglund, *The Canadian Defence Industry in the New Global Environment*, 46.

<sup>169</sup> *Ibid.*, 62.

control and towards the recapture of Canadian sovereignty and independence in military and defence affairs.”<sup>170</sup>

Regehr illustrates two choices for Canadian military export policy: become a major arms exporter or reject the manufacture of military goods as an industrial strategy. This is not, in fact, a false dichotomy, although some might argue that the options are not as stark as Regehr describes. Export-dependence through the latter-half of the 20<sup>th</sup> century warped the Canadian military industrial base to meet the requirements of international (especially American) consumers, while subordinating the requirements of Canada’s own forces. Shrinking domestic procurement budgets forced military producers to rely upon foreign buyers, and increasingly complex and technologically sophisticated military systems made the “dream” of an independent military industrial base increasingly phantasmagorical. The question of whether strategic goals or economic realities were the primary shapers of Canada’s military industrial base is a salient one, and caused significant concern. The argument that “the tail was wagging the dog,” so to speak, was a critical assertion of Project Ploughshares in the 1980s and 1990s as they pressed for a reconciliation of foreign policy and military export controls.<sup>171</sup>

The establishment of a military industrial basis as a strategic necessity is a product of the 20<sup>th</sup> century’s experience with total war, especially the Second World War. Prior to the incredible government-organized industrial mobilization which occurred in the late

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<sup>170</sup> E. Regehr, *Arms Canada: The Deadly Business of Military Exports* (Toronto: James Lorimer & Company, Publishers, 1987), 217.

<sup>171</sup> “Ernie Regehr also argues that continental defence co-operation with the United States and defence-production sharing ultimately became balanced dimensions of a single policy. He posits a symbiotic relationship between the industry’s reliance upon its participation in the production of US weapon systems for its survival and the influence of US weapon systems on Canadian perceptions of security requirements.” Langille, *Changing the Guard: Canada's Defence in a World in Transition*, 26.

1930s and mid 1940s, the arms trade was often characterized as the territory of private arms dealers operating on the fringes of the international market. These “merchants of death” included such famous figures as Du Pont, Krupp, Colt, Maxim, Zaharoff, and others.<sup>172</sup> Some critics of this private arms trade called for government ownership of arms producers to reduce what they saw as a dangerous and unregulated market.<sup>173</sup> During the Second World War this goal was realized, but government intervention in the arms trade created a boom (rather than bust) in arms production and transfer. This trend continued to the end of the 20<sup>th</sup> century, at which point private merchants existed only “on an obscure periphery of the arms question ... governments control[led] virtually all arms production and sales: they own[ed] most of the patents and equipment.”<sup>174</sup> In short, the “merchants of death” of the mid to late 20<sup>th</sup> century were government officials, and most arms transactions were orchestrated and/or approved by government agents.

The Canadian transition from reliance upon British armaments to domestic production was neither an easy nor a short process. In fact, the Canadian military experience between 1867 and the end of the Second World War was one of “ill-preparation in peace punctuated by hectic and belated scrambles for munition preparation in war — a process best described as apoplectic mismanagement.”<sup>175</sup> The groundwork for a Canadian DIB was laid several times, only to be abandoned once the catalyzing conflict (or threat of conflict) had been resolved. For example, the work of the Canadian Shell

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<sup>172</sup> H.C. Engelbrecht and F.C. Hanighen, *Merchants of Death: A Study of the International Armament Industry* (New York: Dodd, Mead & Company, 1934).

<sup>173</sup> Engelbrecht and Hanighen explain this movement, and their skepticism of it. *ibid.*, 263.

<sup>174</sup> Leonard Beaton, "Economic Pressures in the Arms Trade," in *Occasion Papers*, School of International Affairs (Ottawa: Carleton University, 1971), 5.

<sup>175</sup> Ronald G. Haycock, "Policy, Patronage, and Production: Canada's Public and Private Munitions Industry in Peacetime, 1867-1939," in *Canada's Defence Industrial Base*, ed. David G. Haglund (Kingston: Ronald P. Frye & Company, 1988), 71.

Committee and later Imperial Munitions Committee during the Great War to organize and mobilize war material production was quickly undone during the post-war period as military expenditures tumbled from \$335.5 million in 1919-1920 to \$13.3 million in 1922.<sup>176</sup> A robust peacetime military supplied by an autonomous DIB was hardly considered necessary, considering that interwar Canada – in the famous words of Liberal senator Raoul Dandurand – was a “fireproof house.”

The Second World War disabused Canadians of this notion, and provided the context for a series of agreements which solidified an enduring direction for a fledgling Canadian DIB. This new direction was a pivot away from the traditional British orbit, and into the shadow of the new American empire. The 1940 Ogdensburg Declaration established a structure for coordinated defence production between Canada and the US, and the Hyde Park Declaration of 1941 signaled both governments’ intention to “develop a coordinated program of requirements, production, and procurement” to equip their respective military forces.<sup>177</sup> Ogdensburg is considered the first formal acknowledgement of Canada and the US as allies united in the mutual defence of North America,<sup>178</sup> and began a new chapter of Canadian military and industrial policy. The Hyde Park Declaration affirmed the new reality of economic cooperation, as well as addressing the balance-of-payment problem that would continue to be a salient issue throughout the 20<sup>th</sup> century.<sup>179</sup>

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<sup>176</sup> Ibid., 80.

<sup>177</sup> Edgar and Haglund, *The Canadian Defence Industry in the New Global Environment*, 62.

<sup>178</sup> Robert Van Steenburg, "An Analysis of Canadian-American Defence Economic Cooperation: The History and Current Issues," in *Canada's Defence Industrial Base*, ed. David G. Haglund (Kingston: Ronald P. Frye & Company, 1988), 190.

<sup>179</sup> Ibid., 191.

The Korean War cemented this Canadian-American military-industrial alliance within the context of a larger regional alliance against communism. The demands of this alliance also created tension with Canada's commitment to the fledgling UN and the dream of global collective security. In the words of Regehr, Canada was caught between "the pursuit of mutual and common security through a managed system of global cooperation on the one hand, and the acceptance of protective custody under the wing of an imperial eagle on the other."<sup>180</sup> These two approaches were symbolized in Canada's strong historical commitments to the collective security of the United Nations, its participation in American foreign policy goals, and its frequent oscillations between the two.

The establishment of the North Atlantic Treaty Organization in 1950 brought Canada into the Cold War, tied the nation to the American-led alliance, and jump-started Canadian rearmament.<sup>181</sup> In 1951 the Department of National Defence Production was established under C.D. Howe to coordinate this rearmament, overseeing an industry that, by 1957 was selling a wide range of sophisticated products including jet engines, electronics, and even entire aircraft.<sup>182</sup> By 1952 Canadian defence spending had reached a historic peak at 7.5 percent of GDP,<sup>183</sup> and by the end of the Korean War in 1953-54, defence spending was 37 percent of the federal budget.<sup>184</sup> Canadian officials worked (mostly successfully) to stave off a resurgence of US protectionism in the immediate

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<sup>180</sup> Regehr, *Arms Canada: The Deadly Business of Military Exports*, 38-39.

<sup>181</sup> Ironically, scholars such as Langille posit that Canada initially saw NATO as a way to balance US influence and jump-start economic cooperation between the allies.

Langille, *Changing the Guard: Canada's Defence in a World in Transition*, 59.

<sup>182</sup> Edgar and Haglund, *The Canadian Defence Industry in the New Global Environment*, 63.

<sup>183</sup> *Ibid.*, 82.

<sup>184</sup> Regehr, *Arms Canada: The Deadly Business of Military Exports*, 45.

post-war period,<sup>185</sup> and helped produce a series of joint statements creating further ties between the American and Canadian DIBs. Canada seemed well on its way to establishing a peacetime defence industrial base subsidized by American purchasing, as well as the comprehensive military forces required to aid the Americans in continental defence.

Unfortunately, the increasing sophistication and cost of defense technology, coupled with the tenuous reliability of foreign markets, quickly crushed the Canadian dream of an autonomous DIB. The resultant crisis can be symbolized by the cancellation of the Avro Arrow in 1958, which effectively ended Canada's bid to become a prominent manufacturer of complete weapons systems for export.<sup>186</sup> In retrospect, 1958 has become a watershed moment in Canadian military and economic policy – the year the Canadian dream of an autonomous DIB truly died.<sup>187</sup>

Retrospective analysis of the Arrow debacle reveals two structural processes that combined to sink the Arrow. The first is what is referred to as Augustine's Law, or the observation made by Norman Augustine in 1984 that the cost of high-tech military systems seem to increase by a factor of four every decade.<sup>188</sup> Obviously such an increase would be unsustainable for any national DIB in the long term, but smaller markets such as Canada reach crisis most quickly. The point when a nation's defence budget plus export potential is too small to bring defence development and production costs down to

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<sup>185</sup> Van Steenburg, "An Analysis of Canadian-American Defence Economic Cooperation: The History and Current Issues," 193.

<sup>186</sup> Regehr, *Arms Canada: The Deadly Business of Military Exports*, 45.

<sup>187</sup> "At the same time it decided to cancel the Arrow, Ottawa also acknowledged the impracticality of defence-industrial autarky." Van Steenburg, "An Analysis of Canadian-American Defence Economic Cooperation: The History and Current Issues," 195.

<sup>188</sup> By 2054, this would require the entire US military to purchase one tactical fighter aircraft.

Edgar and Haglund, *The Canadian Defence Industry in the New Global Environment*, 45.

acceptable levels is known as “structural disarmament,” since the afflicted nation is forced to sacrifice military readiness to the structural restrictions of its own economy.<sup>189</sup> In 1958, Canada was the first NATO country to experience structural disarmament, as well as “the first of the larger defence industrial countries of the postwar era to succumb to Augustine’s Law, effectively abandoning domestic development of all major weapons systems or platforms with the exception of ships.”<sup>190</sup>

With an autonomous DIB unobtainable, Canadian policy-makers fell back on the proven model of trading independent defence policy for access to American markets. In September 1958 Canada joined NORAD, effectively hitching its security wagon to the US. In 1959, the two countries signed the Defence Production Sharing Agreement (DPSA), followed by the Industry Modernization for Defence Exports Program (an early iteration of the Defence Industry Productivity Plan), and then the Defence Development Sharing Arrangement (DDSA) in 1963.<sup>191</sup> These policies facilitated the integration of the Canadian DIB into its much larger American counterpart by waiving “Buy America” requirements, streamlining or eliminating many import duties and security restrictions,<sup>192</sup> and subsidizing military research and development. In exchange, Canadian policymakers ceded military policy control to their American allies, and began to adapt Canadian military production to meet international (mostly American), rather than domestic, demand. The Defence Programs Bureau, established in 1963, worked to affect this change in three significant ways: 1. cultivate contacts and agreements with other countries to create defence trade relationships, 2. general export promotion through conferences, trade

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<sup>189</sup> Ibid.

<sup>190</sup> Ibid.

<sup>191</sup> Ibid., 64.

<sup>192</sup> Regehr, *Arms Canada: The Deadly Business of Military Exports*, 52.

fairs, and data analysis, 3. maintaining official trade stats for DPSA.<sup>193</sup> The Canadian Commercial Corporation was also adapted to a gateway role between Canadian and American corporations, becoming a required intermediary between the two parties for defence production contracts.<sup>194</sup>

The establishment of the Defence Production Sharing Agreement and collapse of Canada's bid to become a producer of complete weapons systems left the Canadian DIB defined by two distinct purposes. Firstly, it still continued to produce some components and products closely associated with the three branches of the Canadian armed forces, and secondly, it became a "specialist part of an informally integrated multi-national alliance-oriented complex," making the export of defence materiel as important as supplying for domestic defence consumption.<sup>195</sup> As the economic feasibility of the former purpose waned, the attractiveness of the latter waxed, leading to a distinctly Canadian practice of importing most major defence systems while manufacturing a limited range of smaller systems, sub-systems, and components primarily for export.<sup>196</sup>

These changes in the Canadian DIB post-1958, created some significant challenges for military planners. The proliferation and increasing complexity of weapons systems required by the Canadian forces (albeit in modest numbers) made domestic production prohibitively expensive. Yet without domestic production of essential weapons systems, the Canadian DIB became unable to meet either of the two strategic goals of a national DIB: providing peacetime defence material requirements, and possessing the capacity to quickly mobilize to meet wartime defence material

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<sup>193</sup> Ibid., 102-3.

<sup>194</sup> Ibid., 106.

<sup>195</sup> Bland, "Canada's Defence Industry of the Future," 13.

<sup>196</sup> Treddenick, "Economic Significance and the Canadian Industrial Base," 17.

requirements. This created “an awkward contradiction” between the strategic requirements of wartime production, and the economic realities of peacetime which continued to the end of the century.<sup>197</sup> In the words of one scholar: “Complete autonomy in [Canadian] defence production must, therefore be ruled out; even if that were physically possible, it would be economic nonsense.”<sup>198</sup>

Since that critical year of 1958, Canadian government and military planners have explored numerous options for expanding Canada’s ability to meet national defence requirements, while also expanding Canada’s portion of the international arms trade. In doing so they have had to contend with the evolving nature of defence production, including the staggering increase in unit and development costs mentioned above, a proliferation of competitors in the international defence market, a breakdown of the colonial system in which a small number of developed states provided defence resources for a large number of developing states, and the increased importance of defence exports as a way to balance trade deficits.<sup>199</sup> In general, the defence industry in developed nations adapted to the increasingly competitive market by creating “national champions” (corporations via merger that control all production of a major defence component or system in a given state),<sup>200</sup> as well as relying increasingly on “value added” and “offset” mechanisms. The latter were economic benefits added to a defence procurement arrangement to help sweeten the deal for Canadian industry. In a sense, they incentivized the transaction for the Canadian peacetime DIB at the possible expense of the cost and

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<sup>197</sup> Ibid.

<sup>198</sup> Ibid., 45.

<sup>199</sup> Beaton, "Economic Pressures in the Arms Trade," 2-4.

<sup>200</sup> Edgar and Haglund, writing in 1995, gave such examples as British Aerospace, DASA, and Sextant Avioniques. Edgar and Haglund, *The Canadian Defence Industry in the New Global Environment*, 49.

capability of the product, as well as (potentially) the overarching Canadian military strategy.

This Canadian fixation with “IRBs” (Industrial and Regional Benefits) beginning in the late 1960s was premised on the reality that Canada’s export-oriented DIB was not meeting Canadian military procurement requirements. Consequently, a significant portion of the Canadian military procurement budget was being spent to import weapons systems with little benefit to Canadian industry. In 1986 the Canadian government established an IRB policy to formalize the addition of economic benefits to military procurement decisions, acknowledging that regional benefits, industrial offsets, etc. were (secondary) considerations for military procurement contracts.<sup>201</sup> Still, this formal policy reiterated what defence companies bidding on Canadian contracts already knew: successful bids necessitated a balance between the cost and capability of the product and strategic IRB benefits for Canadian industry. While the popularity of IRBs was a boon to Canadian defence producers, many observers were concerned with the potential for short-term economic windfalls to outweigh long-term military requirements in regards to defence procurement.<sup>202</sup>

Canadian reliance upon IRBs also created other concerns. For example, the traditional assumption that defence spending increases economic activity more efficiently than other types of spending came under increasing criticism in the 1980s.<sup>203</sup> Despite the occasional DIB success story (Sweden), there emerged a series of economic giants, such

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<sup>201</sup> Ibid., 72.

<sup>202</sup> J.W. Arseneault, "The DDH 280 Program: A Case Study of Governmental Expenditure Decision-Making," in *Canada's Defence Industrial Base*, ed. David G. Haglund (Kingston: Ronald P. Frye & Company, 1988); Frank L. Boyd, "The Politics of Canadian Defence Procurement: The New Fighter Aircraft Decision," *ibid.*

<sup>203</sup> David G. Haglund, "Introduction," *ibid.*

as Japan and Germany, that spent very little per capita on defence. Additionally, Canadian corporate executives complained that IRB policies encouraged new entrants into defence industries that were already overcrowded.<sup>204</sup> This was the result of the popularity of offset agreements that involved the establishment of licensed production facilities in Canada, which created job opportunities for Canadians, but at an undetermined future cost. If the newly established facilities failed to obtain foreign contracts, the Canadian government was obliged to support them through federal contracts, capturing DND procurement dollars by virtue of “an existing production capacity, which in turn serve[d] to dictate future capital acquisitions.”<sup>205</sup> By encouraging the establishment of permanent facilities as part of the IRB incentives for short-term contracts, Canadian policymakers created further impediments to the foundational goal of military procurement – namely to obtain national defence at the cheapest cost, but with the highest capability.

The defence policy review by the Trudeau government in 1970 led to the scrapping of most defence projects and a freeze on the defence budget during a period of significant inflation.<sup>206</sup> The resultant erosion of Canadian military capability and procurement budget began a cycle of underfunding, that, by the 1990s, “had created a serious cumulative shortfall in expenditures on equipment.”<sup>207</sup> Edgar and Haglund estimate that between 1965 and 1995 the DND procurement budget was \$19 billion below the minimum necessary to maintain modern and capable forces in Canada.<sup>208</sup>

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<sup>204</sup> Edgar and Haglund, *The Canadian Defence Industry in the New Global Environment*, 123.

<sup>205</sup> James Fergusson, "The Missing Dimension of the White Paper: A Defence-Industrial Strategy," *Canadian Defence Quarterly* 24, no. 5 (1995): 8.

<sup>206</sup> Douglas Bland, "Canada's Defence Industry of the Future," *ibid.*: 240.

<sup>207</sup> Edgar and Haglund, *The Canadian Defence Industry in the New Global Environment*, 84.

<sup>208</sup> *Ibid.*, 83-84.

Additionally, Trudeau's embrace of a "short-war concept" through the 1971 White Paper emphasized forces-in-being and reduced the need for significant defence industrial capacity or equipment reserves, handicapping both the Canadian armed forces and the defence industry.<sup>209</sup>

Aside from domestic threats, the increasing external competition within the market in the later 20<sup>th</sup> century also increased political friction and intervention, and forced industry to bow to politics in both market structure and defence trade relationships.<sup>210</sup> The most important manifestation of this friction for Canadian industry was American pushback against the DPSA and its access guarantees to Canadian defence producers. American observers had two main criticisms of Canadian participation in the agreement: Canadian inability to comply with the "rough balance" provision, and the continuing use of IRBs to accrue secondary benefits of defence contracts to Canada.

The "rough balance" provision was an informal agreement between the two North American allies that was introduced four years after the DPSA in 1963.<sup>211</sup> According to the provision, both countries would seek to maintain "a rough long-term balance in reciprocal defence procurement at increasing levels."<sup>212</sup> This provision was initially seen as a victory by Canadian bureaucrats worried about a defence trade imbalance which heavily favoured the US. Yet burgeoning American demand during the Vietnam War quickly shifted the balance in Canada's favour, and put pressure on the DND to honour its

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<sup>209</sup> Langille, *Changing the Guard: Canada's Defence in a World in Transition*, 84.

<sup>210</sup> Edgar and Haglund, *The Canadian Defence Industry in the New Global Environment*, 57.

<sup>211</sup> Regehr, *Arms Canada: The Deadly Business of Military Exports*, 59.

<sup>212</sup> Edgar and Haglund, *The Canadian Defence Industry in the New Global Environment*, 64.

commitment to a rough balance.<sup>213</sup> By the mid-1970s, the Americans were able to use this trade imbalance, along with the 1963 provision, to influence Canadian procurement decisions toward American weapons systems.<sup>214</sup>

Even in the years following the Vietnam War, when the Canadians did manage to achieve defence spending parity (or even exceed US purchases in Canada), the Americans continued to criticize the Canadian practices of requiring offset agreements on defence contracts as a form of “double-dipping.”<sup>215</sup> Because neither the DPSA nor the 1963 Defence Development Sharing Agreement (DDSA) had official status, they could be easily modified or superseded by protectionist measures in Congress or other American governmental initiatives.<sup>216</sup> Several times in the 1970s and 1980s American debates surrounding these agreements seemed to cast the continuity of these agreements into doubt, and led to significant worry among producers and policy-makers in the increasingly US-dependent Canadian DIB. For example, in 1971, an American review of US international economic relationships sought to eliminate trade “irritants” like the Canadian defence trade surplus (unsuccessfully).<sup>217</sup> Even a return to American surpluses in the late 1980s and early 1990s didn’t quell continuing Congressional pressure to protect struggling American defence producers from their Canadian competition. Measures such as the Small Business Act, Set-Aside Legislation, and the use of “black” (classified) programs and “no foreign” contract provisions were used to hinder

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<sup>213</sup> Regehr, *Arms Canada: The Deadly Business of Military Exports*, 63.

<sup>214</sup> *Ibid.*, 59.

<sup>215</sup> Edgar and Haglund, *The Canadian Defence Industry in the New Global Environment*, 68.

<sup>216</sup> *Ibid.*, 64.

<sup>217</sup> *Ibid.*, 65.

international (and thereby Canadian) participation in American defence production.<sup>218</sup> Consequently, although Canadian defence producers in the late 20<sup>th</sup> century had informal access to a US defence market estimated at \$20 billion, they tended to obtain less than five percent of that market due to political restriction, cultural ignorance, and an inability to compete with the lobbying capability of larger American firms.<sup>219</sup>

The instability of the US market between conflicts, as well as its vulnerability to the whims of American politicians, led Canadian defence producers to seek to cultivate other markets for Canadian products. At first, Canadian efforts were largely focused on European NATO members, resulting in bilateral Research and Development Partnerships (RDPs) with Belgium, Denmark, France, Germany, Italy, the Netherlands, Norway, Sweden, and the United Kingdom.<sup>220</sup> Although these agreements produced some success, the increasingly competitive arms market, shrinking defence spending, and political demands for offset agreements from both Canada and its European allies, cooled enthusiasm for the initiatives. So Canadian defence producers turned to the developing world as a way to mitigate the uncertainty of the American market.

The history of Canadian military exports to developing nations in the 20<sup>th</sup> century is long and embarrassing. It becomes even more egregious when one counts the final destination of products manufactured with Canadian components in developed nations and then sold internationally. Just during the mid-century, systems with Canadian components were sold to conflict areas in Zimbabwe, Angola, Chad, Libya, Sudan, Israel, Jordan, Syria, Saudi Arabia, Indonesia, Honduras, and Argentina.<sup>221</sup> In one instance,

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<sup>218</sup> Ibid., 100.

<sup>219</sup> Ibid.

<sup>220</sup> Ibid., 101.

<sup>221</sup> Regehr, *Arms Canada: The Deadly Business of Military Exports*, 3.

Canadian corporations sold \$60 million worth of military commodities to the Iranian Shah during the 1970s, when Iran had one of the worst human rights records in the world.<sup>222</sup> In another, long-range artillery technology developed by the Quebec-based Space Research Corporation inexplicably found its way to South Africa in violation of a UN arms embargo.<sup>223</sup> The Canadian DIB's dependence upon military exports forced a continual search for markets, and pressure to ignore the potential ethical dilemmas in selling to those markets. After all, as the timeless justification goes, if Canada didn't sell arms to the developing world, someone else most certainly would.

This is not to imply that Canada had a pivotal role in the international arms market. In the 1980s, 80 percent of Canadian military exports went to the US, with only about \$150 million a year going to the developing world.<sup>224</sup> Canada's combined direct and indirect sales to the developing world in the 1980s is estimated at about one percent of the annual world total.<sup>225</sup> The superpowers obviously dominated military production and supply, together providing about two-thirds of the market between 1963 and 1983.<sup>226</sup> Still, just because Canadian military exports didn't play a pivotal role on the global market does not justify the hypocrisy with which the Canadian government wielded its military export policy.

In the 1980s, the arms trade also underwent an important transition, which introduced new suppliers (Brazil, Israel, West Germany, etc.) into the market, broke the almost total monopoly on the trade enjoyed by the superpowers, and began a fundamental

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<sup>222</sup> Ibid., xii.

<sup>223</sup> Ibid., 96.

<sup>224</sup> Ernie Regehr, "Military Sales," in *Human Rights in Canadian Foreign Policy*, ed. Robert O. Matthews and Cranford Pratt (Montreal: McGill-Queens University Press, 1988), 211.

<sup>225</sup> Ibid.

<sup>226</sup> Regehr, *Arms Canada: The Deadly Business of Military Exports*, 4.

transition from arms export deals primarily motivated by strategic concerns to those motivated by economics. The Cold War superpowers tended to use arms transfers as a tool for securing influence in other states, but for the middle powers, such transactions were primarily about money, jobs and trade balances.<sup>227</sup> During the Cold War, the potential market for these middle powers was restrained by their allegiance to one of the two major alliances (NATO or Warsaw Pact), but the tendency of the superpowers to distort arms levels in favoured countries through massive transfers created an artificial arms race that benefited middle power suppliers.<sup>228</sup>

The increasingly competitive nature of the arms trade, as well as the introduction of new suppliers, advantaged less scrupulous sellers. In an environment where non-compliance with defence trade sanctions could reap significant economic benefits, yet compliance held only abstract political benefits, middle powers had significant incentive to sidestep attempts at multilateral controls.<sup>229</sup> This occasionally led to embarrassment,<sup>230</sup> or national outcry,<sup>231</sup> but middle powers struggling to maintain national DIBs had little choice. In the words of Leonard Beaton in 1971:

The middle powers are also particularly aware of the crushing weight of research and development in staying in modern weaponry: and since they have armed forces which themselves are of reasonable size, and which expect to have first class equipment, they are obliged to maintain arms industries which can only pay their

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<sup>227</sup> Beaton, "Economic Pressures in the Arms Trade," 6.

<sup>228</sup> Ibid.; Regehr, "Military Sales," 212.

<sup>229</sup> As in the case of France's resistance to the UN attempt to ban arms exports to South Africa in the later 1970s. Beaton, "Economic Pressures in the Arms Trade," 8.

<sup>230</sup> As when British troops were fired on by British-built missiles during the Falklands/Malvinas War. Regehr, *Arms Canada: The Deadly Business of Military Exports*, 6.

<sup>231</sup> As the domestic debates surrounding the Canadian trade in LAVs to Saudi Arabia in the early 1990s illustrates. Edgar and Haglund, *The Canadian Defence Industry in the New Global Environment*, 102.

way on exports, and which are lucky if they can recoup the cost of arms imports in categories they cannot cover.<sup>232</sup>

Beaton's observations are remarkably accurate in the Canadian context, where economic concerns and American influence have played a defining role in military export policy. It is no accident that the restriction of military exports via permit requirements in 1947 did not apply to military exports to the US, a process that continues to this day. Canadian policy regarding military exports has struggled to reconcile the tension between economic, strategic, and political forces since the end of WWII in its attempts to create an actual Canadian DIB.

The Canadian government adopted a "restrictive" military export policy in 1948 (as part of a broader Export Import Permit Policy approved in 1947)<sup>233</sup> in response to the Cold War, and expanded the policy under Pearson in 1956 to prevent exports to "areas of tension."<sup>234</sup> Yet in 1975, the Trudeau government led a policy review that made three significant concessions to economic pressure: a consideration of commercial concerns in permit application reviews, an end to the Foreign Affairs and Defence Department veto over export deals, and a reversal of the onus for proof from the proponents to the critics of an export deal.<sup>235</sup> The policy was again reviewed in 1985, when an Export Control List and Area Control List were established to formalize control over specific goods, and

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<sup>232</sup> Beaton, "Economic Pressures in the Arms Trade," 7.

<sup>233</sup> The Export and Import Permits Act, *Acts of Parliament of the Dominion of Canada* 3 (May 14, 1947) [Can.].

<sup>234</sup> Ernie Regehr and John Lamb, "Time to Review Canada's Military Exports Policy," *Disarming Conflict*, January 31, 2016. <http://disarmingconflict.ca/2016/01/31/time-to-review-canadas-military-exports-policy/>

<sup>235</sup> Ibid. Also consider the testimony of John Lamb during the Bill C-6 discussions in 1991.

"Minutes of Proceedings and Evidence of Legislative Committee E on Bill C-6: An Act Respecting the Exporting, Importing, Manufacturing, Buying or Selling of or Other Dealing with Certain Weapons," (House of Commons, 1991).

export to specific countries, respectively.<sup>236</sup> Both these lists could be revised as necessary, depending upon Canada's international commitments and foreign policy concerns.

Of course, legislation on paper and legislation in practice tended to reflect different realities. Canadian governments have long self-described their military export policy as "restrictive," but without much explanation of how it operated.<sup>237</sup> Exports to countries in, or in imminent danger of entering into, conflict were allegedly closely controlled, but this did not stop exports to the US during the Vietnam War or the British during the Falklands/Malvinas War.<sup>238</sup> It also did not stop exports to non-alliance members involved in conflict, including Saudi Arabia (despite a formal state of war with Israel) and Indonesia (despite involvement in East Timor).<sup>239</sup> The obvious conclusion was that, contrary to Canadian government claims, there were no hard and fast rules to Canadian military exports in the mid-twentieth century barring Cold War constraints.<sup>240</sup>

In 1986, Canadian External Affairs Minister Joe Clark was tasked with guiding an internal review of export guidelines, while at the same time promoting a potential arms deal between a Canadian supplier and Saudi Arabia.<sup>241</sup> Both the review and the deal were eventually accomplished, a remarkable state of affairs considering the two could have easily been perceived as mutually exclusive. The new guidelines adapted a fourth criteria for countries receiving Canadian military exports that explicitly considered their human rights record (a criteria almost indistinguishable from that mentioned in the current

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<sup>236</sup> *Export and Import Permits Act*.

<sup>237</sup> Regehr, "Military Sales," 216.

<sup>238</sup> *Ibid.*, 216-17.

<sup>239</sup> *Ibid.*, 217.

<sup>240</sup> The Coordinating Committee for Multilateral Export Controls (COCOM) placed strategic restrictions on the export of military goods to Soviet bloc countries and allies.

<sup>241</sup> Regehr, *Arms Canada: The Deadly Business of Military Exports*, 101.

policy).<sup>242</sup> A Communique issued to explain the new guidelines quoted Clark as saying, “The new policy with respect to countries with serious human rights problems places the onus of proving ‘no reasonable risk’ squarely on the exporter.”<sup>243</sup> Partially to determine how the Department of External Affairs had met that onus, both legislative bodies in Canada held extended debates on the Saudi-LAV deal.

Additionally, in 1991, Michael Wilson, Minister of International Trade, proposed a bill to allow GM Diesel to export automatic weapons to Saudi Arabia (attached to the prior-mentioned LAVs). The export of weapons prohibited in Canada by the Criminal Code had previously been illegal,<sup>244</sup> but Wilson’s bill successfully advocated the creation of an “Automatic Firearms Country Control List” to regulate the export of such weapons to specific countries.<sup>245</sup> Wilson stressed the restrictive nature of the bill, and initially argued in a 1991 address to the House of Commons that the list would include only “Canada’s NATO allies and close defence partners.”<sup>246</sup> Later in the address he explained that the bill was necessary to keep two significant Canadian defence producers (Kitchener’s Diemaco and London’s GM Diesel Plant) competitive on the international

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<sup>242</sup> “Countries whose governments have a persistent record of serious violations of the human rights of their citizens, unless it can be demonstrated that there is no reasonable risk that the goods might be used against their own civilian population.” Department of External Affairs, "Communique," news release, Sept 10, 1986.

[http://gac.canadiana.ca/view/ooe.sas\\_19860910BEP/1?r=0&s=1](http://gac.canadiana.ca/view/ooe.sas_19860910BEP/1?r=0&s=1)

<sup>243</sup> Ibid., 1.

<sup>244</sup> A 1977 amendment to the Criminal Code specified “that such weapons may be possessed or imported only by or on behalf of the Canadian Armed Forces and members of Canadian police forces.” "Official Report: Third Session-Thirty-Fourth Parliament," in *House of Commons Debates* (Ottawa: House of Commons, 1991), 786.

<sup>245</sup> An Act Respecting the Exporting, Importing, Manufacturing, Buying or Selling of or Other Dealing with Certain Weapons, Acts of the Parliament of Canada: Passed in the year 1991

(June 21, 1991).

<sup>246</sup> "Official Report: Third Session-Thirty-Fourth Parliament," 786.

market, and that one of the first countries to be added to the list would be (the non-NATO member) Saudi Arabia.<sup>247</sup>

Bill C-6 stressed both primary incentives of Canadian defence export policy: the need to maintain a “restrictive” veneer for the sake of politics, and the underlying reality of Canadian military export dependence. Despite Wilson’s promise that Canada would export automatic firearms only to NATO allies and “close defence partners,” it was not those in the developed world who were generally in need of imported light weapons. The bill was primarily a means to remove regulations upon the sale, manufacture, and export of an advanced weapons system (LAVs) to a theocratic kingdom (Saudi Arabia) which routinely beheaded civilians for blasphemy.

The mid-1980s were boom years for the Canadian DIB, which received significant government incentive to expand and capitalize upon a buoyant international arms market. In 1984 Canadian Defence Minister Gilles Lamontagne had endorsed a shift to a long-war policy (perhaps encouraged by the doctrine of flexible response), and Defence Minister Perrin Beatty’s 1987 Defence White Paper promised a windfall for DND and Canadian defence producers alike based upon the requirements of that shift.<sup>248</sup> Langille quotes one defence trade publication as heralding Beatty as “our champion,” and describes the significant impact of Canadian defence lobby groups and institutions such as the Business Council on National Issues, the Conference of Defence Associations, and the Canadian Institute of Strategic Studies upon Canadian policy in the mid-1980s. Much criticized by peace movement organizations such as Ploughshares, the 1987 White paper committed the Canadian Forces to a more active aerospace defence, an expansion of submarine

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<sup>247</sup> Ibid., 789-90.

<sup>248</sup> Langille, *Changing the Guard: Canada's Defence in a World in Transition*, 88,96.

capacity, a long-war policy, and a doubling of Canada's commitment to the armor-intensive NATO Central European Front.<sup>249</sup> Perhaps ironically, the disintegration of the Soviet Union, as well as recession in both the domestic economy and international defence market, quickly eroded the more extravagant promises of 1987.

### **State of the Industry in 1990**

In addition to factors such as increasing competition, increasing defence system sophistication, American influence, and an evolving export policy, the Canadian DIB in 1990 was caught up in the significant defence policy uncertainty caused by the collapse of the USSR. The threat vacuum left by this collapse had a significant effect upon the international defence industry, but especially upon NATO members.<sup>250</sup> Its immediate consequences were a global decline in defence spending, the sudden opening of new defence markets to Canadian producers, and a series of force reductions in Europe.

The most fundamental consequences from the perspective of Canadian defence producers were the opening of new markets and an immediate reduction in global defence spending. The establishment of the Coordinating Committee for Multilateral Export Controls (COCOM) in 1948 had strictly controlled military and technology exports to the Soviet Union and its allies, essentially limiting the Canadian market to the American "sphere of influence." Because of the revision of COCOM in 1990 (and its eventual collapse in 1994), and an American marketing push to China and former Warsaw Pact countries, the political limitations on the Canadian military export market became highly

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<sup>249</sup> Ibid., 35.

<sup>250</sup> Edgar and Haglund, *The Canadian Defence Industry in the New Global Environment*, 5.

ambiguous.<sup>251</sup> Without the strategic limitations imposed by the superpowers during the Cold War, middle powers like Canada suddenly gained significant autonomy in exploring and evaluating military export opportunities.

The end of the Cold War also created a significant drop in global military spending which continued through the 1990s. Without the imminent threat of hostilities with the Soviet Union, the populations of NATO countries began calling for “peace dividends,” or a redistribution of a portion of the national defence budget to other projects.<sup>252</sup> According to SIPRI, world military expenditure did not return to 1988 levels until 2008, and dropped by almost a third between 1988 and 1995.<sup>253</sup> In the words of Edgar and Haglund in 1995, “The disappearance of the Soviet threat has led to a loss of credibility of any new ‘preparedness’ appeal made to Western publics, who are now convinced that domestic programs must take priority over foreign (including defence) policy.”<sup>254</sup>

One of the clearest consequences of détente was the immediate reduction of military forces in Europe. The Conventional Forces in Europe (CFE) Treaty, signed on November 19, 1990, placed strict limits on seven categories of weapons systems: aircraft, helicopters, tanks, armoured personnel carriers, armoured infantry fighting vehicles, heavy armour, and artillery.<sup>255</sup> In order to prevent the weapons withdrawn from Europe from being sold to buyers in the developing world, the CFE Treaty required that the

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<sup>251</sup> Andrew Latham, "Military-Technical Revolution: Implications for the Defence Industry," *Canadian Defence Quarterly* 24, no. 5 (1995): 23-24.

<sup>252</sup> Edgar and Haglund, *The Canadian Defence Industry in the New Global Environment*, 8, 16.

<sup>253</sup> SIPRI, "Military Expenditure Database," (Sweden 2017).

<sup>254</sup> Edgar and Haglund, *The Canadian Defence Industry in the New Global Environment*, 8.

<sup>255</sup> *Ibid.*, 5-6.

surplus weapons be destroyed.<sup>256</sup> Still, the sudden reduction in force levels in Europe helped create an excess defence production capacity on both sides of the former Cold War divide. The combination of shrinking defence budgets, shrinking arsenals, and the resultant cutting of defence contracts, heightened the temptation for struggling defence contractors to sell to the developing world (and tempted states to abet domestic contractors in doing so).<sup>257</sup>

In 1992, the Mulroney government withdrew the Canadian contingent stationed in Europe, ending a significant cost for the Canadian defence budget, but also a significant opportunity for Canadian defence producers.<sup>258</sup> John Halstead, writing in 1991, argues that this withdrawal was necessitated by Canada's shrinking military resources and expanding commitments, yet laments the loss of Canada's stake in building a new European order.<sup>259</sup> The withdrawal also coincided with the cancellation of a \$2.8 billion Canadian program for a "new multi-role combat vehicle" that would have provided a significant boost to a number of Canadian contractors, replaced by much humbler contracts for LAVs and wheeled light support vehicles.<sup>260</sup> It is hard to estimate how much Canadian defence shrank in reality from 1989 to the mid-90's, because the majority of the cuts were to "projected" rather than "real" spending, but the loss of defence dollars in the

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<sup>256</sup> E. Regehr, "Profits to Losses: The International Arms Trade and Canada," (Waterloo, ON: Project Ploughshares, 1991), 1.

<sup>257</sup> John Halstead, "A New Order in Europe: Evolving Security Systems," in *Canada among Nations 1990-1991: After the Cold War*, ed. Fen Osler Hampson and Christopher J. Maule, (Ottawa: McGill-Queen's University Press, 1991), 151.

<sup>258</sup> Edgar and Haglund, *The Canadian Defence Industry in the New Global Environment*, 88.

<sup>259</sup> "The ultimate question is, therefore, whether Canadians want their country to be a genuine partner in the construction of a new European security system or a bystander increasingly confined to the North American sidelines." Halstead, "A New Order in Europe: Evolving Security Systems," 161-62.

<sup>260</sup> Edgar and Haglund, *The Canadian Defence Industry in the New Global Environment*, 88.

five years leading up to 1994 was probably close to \$6 billion.<sup>261</sup> The consequence of this reduction in military capability as well as military spending was a moderate “peace dividend,” but also the alleged loss of a critical economic lever for the Canadian government.

In Canada in the late 1980s and early 1990s, defence spending represented more than a third of discretionary government spending, and, equally significant, was immune to the restrictions and conditions of international trade agreements.<sup>262</sup> Of course, the exception was not unique to Canada, and most NATO countries relied on defence spending to subsidize domestic defence industries and revitalize regional economies. For this reason, the difficult economic environment coupled with the absence of a unifying existential threat in the Soviet Union, also led to deteriorating inter-alliance defence relationships. As NATO members re-entrenched nationalist military policies, inter-Alliance defence trade emerged as a form of bartering heavily reliant on offset agreements, rather than a free economic market.<sup>263</sup> Edgar and Haglund speak of this as a post-Cold War swing in inter-alliance defence relations away from “competitive interdependence” and towards “divisive competition.”<sup>264</sup>

In general, the Canadian DIB in 1990 was also struggling with the economic challenges of the revolution in information technology. The “micro-electronicisation” of warfare since the late 1970s had allowed a shift from mass destruction to precision destruction that fundamentally altered the technology, doctrine, and organization of

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<sup>261</sup> Ibid., 69.

<sup>262</sup> Ibid., 72.

<sup>263</sup> Ibid., 44.

<sup>264</sup> Ibid., 19.

war.<sup>265</sup> This technical revolution in computing also accelerated the life cycle of a weapons system, while further increasing unit cost and production complexity. Even the largest military producers could no longer do all their research and development in house,<sup>266</sup> and increasingly relied on “off the shelf” civilian technology. In fact, the oft-cited benefit of military “spin-offs” into the civilian market became increasingly mythical in the 1990s as technologies were instead “spun-on” to military systems.<sup>267</sup> The consequent sophistication of modern military systems reduced the ability of national governments to sustain complex DIBs,<sup>268</sup> even as the post-Cold War surge in nationalism elevated the importance of national DIBs to political and military strategy.

Defence budget reductions, inter-NATO defence production competition, and increasing weapons system complexity should have led (in a normal industry market) to producers leaving the defence business, yet the political and economic consequences of conversion created significant obstacles for potential industry candidates. This was partially the result of the public perception of most early conversion attempts (especially in the Soviet Union) being failures.<sup>269</sup> Additionally, it was impeded by strategic and political considerations in defence production that were entirely absent in non-strategic markets.

In Canada, the government was faced with four options in attempting to manage the conversion of Canadian defence producers: direct conversion of defence industries to “civil uses,” the merger of defence producers with larger civilian producers, the closure of

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<sup>265</sup> Latham, "Military-Technical Revolution: Implications for the Defence Industry," 18.

<sup>266</sup> Ibid., 21.

<sup>267</sup> GPS is by far the best example of a successful military spinoff, but there are few others of the same scale. Keith Krause et al., "Constraining Conventional Proliferation: A Role for Canada," (Toronto: York University, March 1996), 49-50.

<sup>268</sup> Latham, "Military-Technical Revolution: Implications for the Defence Industry," 20.

<sup>269</sup> Krause et al., "Constraining Conventional Proliferation: A Role for Canada," 54-55.

defence plants, or laissez-faire non-intervention.<sup>270</sup> All options were considered problematic. For example, the government subsidization of specific conversions would have angered Canadian producers in other endangered industries, and forced the converted producer to compete with established competitors in the new market.<sup>271</sup> Additionally, defence and civil production “cultures” are very different, and require different approaches to security, innovation, assembly, and marketing. In the words of a 1996 report, “Perhaps the biggest single factor arguing against conversion is that it presumes that a defence company can change its whole focus to producing civil products at competitive prices in a market place which already has well established competing manufacturers.”<sup>272</sup> In the defence industries where conversion did have some measure of success (such as aerospace in Canada), the conversion coincided with a significant international market expansion, and allowed the direct application of proprietary technology.<sup>273</sup>

Consequently, the Canadian DIB in the early 1990s was undergoing significant internal and external stress. The dream of an autonomous DIB, allegedly crushed in 1958 after the cancellation of the Avro Arrow and the onset of structural disarmament, still influenced funding and procurement decisions from a DND with ever diminishing resources to meet burgeoning development and production costs. Canadian defence integration into the American base shaped the Canadian DIB to respond to foreign (rather than domestic) demand, and yet such integration was once again meeting increased American hostility as Congress sought to end international trade irritants such as

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<sup>270</sup> Ibid., 54.

<sup>271</sup> Edgar and Haglund, *The Canadian Defence Industry in the New Global Environment*, 125;13.

<sup>272</sup> Krause et al., "Constraining Conventional Proliferation: A Role for Canada," 54.

<sup>273</sup> Ibid., 56.

Canadian IRB preferences. Declining global defence spending also increased competition in the international defence market, which influenced Canadian policy-makers to adopt a more lenient defence export policy in an attempt to provide advantages to Canadian producers.

The end of the Cold War had removed the *raison d'être* for NATO, and consequently the most significant incentive for inter-alliance cooperation. As defence production and procurement became increasingly politicized, Canada's military export reliance was exposed as a significant liability. Yet the end of the Cold War also created new opportunities for military exports to countries that had previously been restricted by COCOM, providing new markets in the developing world to replace shrinking demand in alliance countries.

Ultimately, the Canadian DIB into the early 1990s continued to be defined by several key characteristics. The first is that Canada didn't have a DIB in the American sense; the Canadian DIB was less than one percent of GDP in 1988, and was only statistically significant in aerospace and shipbuilding industries.<sup>274</sup> The second was that Canadian defence exporters were still overwhelming dependent upon American contracts, with between 60 and 80 percent of all exports going to the US. The third is that the Canadian DIB remained concentrated in Quebec and Ontario, and was strongest in the aerospace, electronics, and communications sectors.<sup>275</sup> The fourth is that the Canadian DIB was still composed primarily of small to medium companies with sales under \$100 million a year, and foreign ownership as high as 60 percent (partially a result of IRB

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<sup>274</sup> Treddenick, "Economic Significance and the Canadian Industrial Base," 43.

<sup>275</sup> Edgar and Haglund, *The Canadian Defence Industry in the New Global Environment*, 77.

policies).<sup>276</sup> As a result, Canadian defence producers tended to be a proportionally small group who exported components or sub-systems to foreign manufacturers, forcing the Canadian DND to import the complete weapons systems necessary for Canadian forces. Canadian export reliance, as well as the necessity of maintaining access to American markets through agreements like the DPSA, often forced Canadian governments to make military policy decisions in pursuit of economic objectives, rather than national security.<sup>277</sup>

Although the end of the Cold War opened up significant ideological space for criticisms of military policy and military export policy by advocacy groups such as Project Ploughshares, the fundamental structures of the Canadian DIB (as listed above) remained intact. Although the DIB was not statistically significant, it remained an essential consideration in debates about Canada's military preparation and sovereignty. Although the Soviet "threat" had crumbled, Canadian defence policy remained inextricably tied to the US by both political and economic considerations. Although global defence spending was falling, the opportunity of new markets exerted significant pressure upon Canadian military export policy and "restrictive" rhetoric. Institutional, political, and economic momentum hindered swift change, despite the dynamic nature of the international situation.

In the early 1990s Project Ploughshares was seeking to create radical change for a DIB that had been conceptualized, built, and managed within a Cold War system. Despite the challenges of procuring increasingly sophisticated military systems, as well as outdated concepts of interstate "total" warfare, Canadian policy-makers still dreamed of

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<sup>276</sup> Ibid., 76.

<sup>277</sup> Regehr, *Arms Canada: The Deadly Business of Military Exports*, 70.

creating a domestic pipeline by which necessary defence material could be sourced, produced, and used by Canadian forces. To accomplish this dream, an increase in both Canadian procurement and international export of Canadian-produced defence material was necessary. It was such institutional imperatives that Project Ploughshares advocated against as it sought to create a post-Cold War, Canadian DIB that conformed to both Canadian foreign policy and post-national concepts of globalization and human security.

### Chapter 3: Project Ploughshares in the Early 1990s

The original mandate of Project Ploughshares at its formation in 1976 was to be a “working group on militarism and underdevelopment.”<sup>278</sup> This mandate highlighted the basic argument behind the genesis of Project Ploughshares: “the role of the international arms trade...as an impediment to social and economic development [especially in the Third World].”<sup>279</sup> Arms spending allegedly created an “opportunity cost” that retarded spending on health care, education, infrastructure, and other development opportunities. This argument, coupled with the fundamental accusation that international security could not be obtained through the escalating purchase of arms, comprised Ploughshares’ original ideological foundation.<sup>280</sup>

Although the mandate was clear, the nature of Project Ploughshares itself was somewhat harder to quantify. When the organization was formed in 1976, it brought together a political surge in ecumenical (church) political advocacy, an international concern with the exploding arms market, and a humanitarian focus upon the economic exploitation of the developing world. Through the 1980s and 1990s it served as the central hub for dozens of affiliated advocacy groups (both religious and secular) from across Canada,<sup>281</sup> and provided factual criticisms of Canadian military export and defence

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<sup>278</sup> Project Ploughshares, "History," accessed September 2015.

<http://ploughshares.ca/about-us/history/>

<sup>279</sup> Project Ploughshares, "Q&A with Ernie Regehr," accessed September 2015.

<sup>280</sup> It should be remembered that this thesis is primarily concerned with conventional arms, and therefore its discussion of Project Ploughshares will concern itself with the organization’s conventional disarmament policy. Ploughshares’ work regarding nuclear disarmament is beyond the scope of this work.

<sup>281</sup> Part of the strength of Ploughshares, according to Jacquetta Newman, was its ability to combine a “locally based grassroots network that ha[d] more than two decades of experience organizing on and engaging with peace issues, and a professional central office focused on developing alternative sources of knowledge and expertise on peace

policy. Although the original focus of Ploughshares was on the conventional arms trade, the organization had branched into nuclear disarmament issues by the late 1970s, and explored many regional issues (such low-level NATO flight training in Goose Bay) through its first few decades of existence.

Still, the fundamental vision for Ploughshares was always the connection between militarization and underdevelopment. In a 2016 interview, Ploughshares founder Regehr described a pivotal experience during a three-year Mennonite Central Committee study assignment in southern Africa that crystalized this connection just prior to Ploughshares' founding:

[My wife Nancy and I] lived for a time in Zambia, and Zambia was acquiring fighter aircraft and tanks and all of those sorts of things, all oriented towards fighting other armies and air forces with fighter aircraft and tanks, but they faced no threats in that regard. There were no challenges to its territorial integrity or its sovereignty. I mean all of these contribute nothing to the security of the people ... which depended entirely upon getting access to jobs and health and food and all of those kinds of things. So that was, that phenomenon, sort of the impact of militarism and militarization of those newly independent countries on development, on social human development, that was the basic theme.<sup>282</sup>

Although their African assignment was ostensibly on the role of the churches in supporting and resisting apartheid, the Regehrs returned to Canada with a vision to

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issues." Jacquetta Newman, "Surviving the End of the Cold War: Project Ploughshares in the 1990s," *Peace Research* 31, no. 4 (1999): 47.

<sup>282</sup> E. Regehr (Ploughshares founder), interview by Paul Esau, June 2016. "Zambia and Botswana were determined, as were other newly independent states in Africa, to assemble modern armed forces, with jet fighters, tanks and all the rest of the military paraphernalia that was assumed to be essential to modern security forces – all supplied by the arms factories of the North. At the same time, it was obvious that the long-term viability of those states would depend on their capacity to provide for the human security of their citizens – education, health care and the economic wherewithal to meet daily needs of food and shelter. Tanks and jet fighters were not going to deliver human security, in fact they were an obvious impediment to reaching such goals." Regehr, "Q&A with Ernie Regehr."

explore the connection between the arms trade and development, especially in the context of what was then called the “Third World.”

In Canada, Ernie Regehr approached the eventual co-founder of Ploughshares, Murray Thompson, then-director of the development organization CUSO (formerly Canadian University Service Overseas). Thompson had experience running an NGO, a modest amount of seed money for a new project, and had written a “very positive” review of Regehr’s first book, *Making a Killing*,<sup>283</sup> making him a “natural fit” for Regehr’s vision.<sup>284</sup> Additionally, Regehr initiated discussions with Conrad Grebel College president Frank Epp (who had commissioned the writing of *Making a Killing* in Ottawa)<sup>285</sup> in an attempt to seek out an institutional home for the nascent organization. Epp offered Regehr and Thompson free office space at Conrad Grebel in Waterloo, Ontario, convincing them to found their organization there instead of in the more conventional destination of Ottawa.<sup>286</sup>

Still, by offering to place Project Ploughshares under the wing of Conrad Grebel, Epp placed himself and the College in a difficult position. Conrad Grebel was one of four denominational colleges related to the University of Waterloo,<sup>287</sup> and the larger University had recently shuttered its Social Development Studies program on campus for fostering radical activism.<sup>288</sup> Epp insulated Project Ploughshares (as another source of

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<sup>283</sup> Ernie Regehr, *Making a Killing* (Toronto: McClelland and Stewart, 1975).

<sup>284</sup> Regehr, interview by Paul Esau.

<sup>285</sup> Conrad Grebel University College, *Peace and Conflict Studies Director's Colloquium* (Waterloo 2014).

<sup>286</sup> Ibid.

<sup>287</sup> Mennonite Archives of Ontario, "Mennonite Archives of Ontario: Conrad Grebel University College," University of Waterloo. <https://uwaterloo.ca/mennonite-archives-ontario/mennonite-organizations-and-institutions/conrad-grebel-university-college>

<sup>288</sup> Members of the program had formed a local communist party chapter that had organized protests against the Cold War and against the University.

“radical activism”) from the College by encapsulating it within the Institute of Peace And Conflict Studies (IPACS).<sup>289</sup> This arrangement kept Ploughshares from meeting the same fate as Social Development Studies, but did not prevent a later audit by the CRA, who were concerned about the level of political activity undertaken by Ploughshares and funded by tax-deductible donations through the College.<sup>290</sup>

Later in 1976, Ploughshares had merged with the United Church group CANADA (Canadian Defence Alternatives),<sup>291</sup> and by the end of 1977 Regehr and Thompson had accumulated a number of formal sponsors, and officially situated their new organization as a project of the Canadian Council of Churches. Becoming part of the CCC allowed Ploughshares the tax status of a charity, and provided a degree of moral authority and legitimacy.<sup>292</sup> The arrangement was unusual in that Ploughshares was still responsible for the majority of its own funding, but also given tactical freedom in implementing its mandate.<sup>293</sup> The former precluded any significantly long-term planning for the latter, since “the objective at the time, as I [Regehr] recall it now, was simply to do the work as long as we could afford to do it (assuming that when the funds ran out we would get real jobs and find other means of livelihood...).”<sup>294</sup> Yet the funds kept coming, and so Regehr and Thompson were slowly able to create a stable financial base for their fledgling organization.

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Conrad Grebel University College, *Peace and Conflict Studies Director's Colloquium*.

<sup>289</sup> The alleged alternative, Conflict Resolution And Peace Program, was discarded because of the acronym. Ibid.

<sup>290</sup> Ibid.

<sup>291</sup> This merger is credited with “broadening the focus of the organization to include Canadian defence policy and associating it with the mainstream churches.” Newman, “Surviving the End of the Cold War: Project Ploughshares in the 1990s,” 47.

<sup>292</sup> Ibid.

<sup>293</sup> Ernie Regehr, “Project Ploughshares,” in *Coalitions for Justice*, ed. Christopher Lind and Joe Mihevc (Ottawa: Novalis, 1994), 190.

<sup>294</sup> Regehr, “Q&A with Ernie Regehr.”

Two of the reasons that Project Ploughshares was given this specific deal from the CCC was because of the financial difficulties of the major church sponsors at the time,<sup>295</sup> and because of the CCC's inherent suspicion of both of Ploughshares' founders. The major contributors to the CCC (the Catholic, Anglican, and United churches) were all churches with a traditional just war position on military conflict. By contrast, Regehr came from a Mennonite background, and Thompson had Quaker roots – both traditionally pacifist denominations. Regehr alleges that at the meeting where Ploughshares was adopted by the CCC, the Anglican representative warned the rest of the council, “We don't want a bunch of Quakerism coming out of this organization.”<sup>296</sup> Once again, the idea of a disarmament organization, even in Canada during the Cold War thaw, was considered sufficiently socially and theologically radical to inspire suspicion and friction.

This potential theological controversy resulted in a stark compromise. Project Ploughshares was given a mandate to be “a source of policy research and information, advocacy and engagement” on the arms trade and Canadian defence policy, but warned to leave all theological interpretation to the churches themselves.<sup>297</sup> This actually suited Regehr and Thompson, since neither was explicitly interested in the latter direction:

So here we were, two guys dealing with military matters who were coming from decidedly pacifist traditions. So that created a lot of suspicion, and I don't think suspicion was too strong a word for it. They thought, we weren't going to be in their theological tradition, but neither Murray nor I had much theological interest...we were both motivated by the ethics of the traditions from which we came, that was a strong motivating factor, but we didn't have any interest in kind of working out the theological implications or issues around it.<sup>298</sup>

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<sup>295</sup> Regehr, interview by Paul Esau.

<sup>296</sup> Ibid.

<sup>297</sup> College, *Peace and Conflict Studies Director's Colloquium*.

<sup>298</sup> Regehr, interview by Paul Esau.

Instead, Project Ploughshares was based upon a fundamental assumption that its founders believed could be shared by all churches – that war was to be avoided, the use of violence minimized, and conflict to be resolved “as much as possible in the interests of justice and without resort to violence.”<sup>299</sup> This position was sufficiently broad to allow for a consensus from both pacifist churches and just war churches, since the nuclear age had already increased both groups’ ideological alignment.<sup>300</sup> It also allowed for an alliance with a number of secular groups that held similar concerns about the developmental effects of militarization, and so the Ploughshares board quickly grew to include many non-religious organizations alongside religious ones, including representatives from OXFAM, CUSO, and The Voice of Women.<sup>301</sup> Ploughshares thus became a hybrid: an ecumenical organization in theory that was limited to non-theological arguments in practice.

The symbol of this essential contradiction is the name “Project Ploughshares” itself. Obviously, this title alludes to the famous Old Testament prophecy of Isaiah 2:4 “They will beat their swords into plowshares and their spears into pruning hooks. Nation will not take up sword against nation, nor will they train for war anymore.”<sup>302</sup> Yet traditional interpretations of this verse would imply that Project Ploughshares was intending to pursue a vision that was explicitly pacifist – a world where violence and conflict have ceased to exist. Regehr instead argues that he and Thompson, having witnessed the opportunity cost of militarization, wished to reverse this phenomenon by redirecting the resources currently producing “swords” into those producing

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<sup>299</sup> Regehr, "Project Ploughshares," 187.

<sup>300</sup> For a longer discussion, see the second chapter of this work or Ernie Regehr’s chapter on Project Ploughshares in *Coalitions for Justice* (see Bib.).

<sup>301</sup> Regehr, "Project Ploughshares," 190.

<sup>302</sup> New International Version (NIV)

“ploughshares.”<sup>303</sup> The name “Project Ploughshares” was therefore not primarily a nod to a utopian pacifist vision, but instead a statement about resource allocation.

Regehr recalls that the name was initially proposed by Frank Epp at the end of a steering committee meeting in 1976. Allegedly, the committee had finished the meeting and were packing up, when Epp said “Well I guess we'll have to call this Project Ploughshares!”<sup>304</sup> Regehr says that, in retrospect, he has often been conflicted about the name:

I would have favoured something like Institute for Peace and Conflict Studies... You know, give it a more dispassionate kind of, a little more academic sounding, although we weren't aspiring to be academic, we were an advocacy group, but we stuck with Ploughshares and I think it's been a good name... but I always wondered whether it was the wisest one.<sup>305</sup>

Consequently, Project Ploughshares was an unusual organization, even amongst the ecumenical proliferation of the time. Its focus on defence policy and disarmament was largely unique among Canadian ecumenical organizations, and its funding practices further isolated it from these traditional groups. Additionally, by situating itself in a schism between traditionally just war and pacifist denominations, Project Ploughshares was largely precluded from theological interpretation, and operated almost entirely as a policy research and advocacy organization. Despite the explicitly religious nature of the name “Project Ploughshares,” the CCC actually forced Regehr and Thompson to develop the organization in a secular direction.

This did not mean that Ploughshares lacked foundational ideological assumptions. Chief among these was the assumption of a link between militarization in the Third

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<sup>303</sup> Regehr, "Project Ploughshares," 189.

<sup>304</sup> Regehr, interview by Paul Esau.

<sup>305</sup> Ibid.

World and underdevelopment. Second was the assumption that militarization perpetuated the global hierarchy by turning developing states into “clients” of the superpowers.<sup>306</sup> Finally, both Regehr and Thompson argued that state militarization leads to repression, that “militarized societies, as surely as night follows day, engage in officially sanctioned violence against their citizens.”<sup>307</sup> Together, these foundational “truths” of Project Ploughshares made a Canadian withdrawal from the arms trade (and militarism in general) a political, economic, and moral necessity.

### **Project Ploughshares in the 1980s**

The 1980s were years of growth and maturation for Project Ploughshares. While expanding its mandate to include nuclear issues, the organization began developing a grassroots network of local groups across Canada. Ploughshares (and Regehr) became familiar names in Canadian media and political circles as mediators between protest advocacy movements and the actual mechanisms of policy change.

The jump into nuclear disarmament issues was a natural evolution for the organization in the late 1970s and early 1980s, although it was occasionally lamented as a cooption.<sup>308</sup> In preparation for the UN Special Session on Disarmament in 1978 Ploughshares staff travelled across the country holding workshops and sessions on nuclear disarmament issues, and stirring up interest in the UN conference.<sup>309</sup> These activities also catalyzed the formation of local groups which loosely affiliated themselves

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<sup>306</sup> Regehr, "Project Ploughshares," 189.

<sup>307</sup> *Ibid.*, 200.

<sup>308</sup> Taylor writes, “Focussing on the nuclear threat has diverted public attention from what Ploughshares considers the fundamental issue – the relationship between disarmament and development.” In the same article Regehr admitted, “we got caught up in the nuclear question. Often we get our agenda from beyond our borders, rather than from within.” Jim Taylor, "Project Ploughshares Renews Its Peace and Justice Roots," *Mandate*, April 1984.

<sup>309</sup> Regehr, "Project Ploughshares," 190.

with Ploughshares, and became the basis for a national network (albeit heavily focused in Ontario) that would form the foundation of the organization's support throughout the 1980s. At its height in the late 1980s, this network included more than 45 affiliated groups comprising almost 10,000 members.<sup>310</sup>

Interest in nuclear issues in Canada only intensified after a decisive shift in the American political climate following the election of Ronald Reagan in 1980.<sup>311</sup> In the words of Regehr, Reagan's "scary rhetoric and scarier nuclear policy decisively shifted the world's attention, as well as that of the churches and non-government organizations in Canada, to the nuclear threat."<sup>312</sup> Just as Reagan's prodigious military spending created a boom for Canadian defence producers, many nuclear-focused Canadian NGOs expanded exponentially on a rising tide of anti-Cold War sentiment. Fundraising was easy due to the nuclear scare, and Ploughshares grew to include eight employees<sup>313</sup> and a budget of more than half a million dollars by the end of the decade.<sup>314</sup>

Ploughshares also capitalized on a growing ecumenical shift away from protest movements, and towards active engagement in policy formation and political institutions. In 1982 and 1983 Ploughshares led a delegation of church leaders to meet directly with Prime Minister Pierre Trudeau, clarifying the ecumenical perspective as "an unqualified rejection of the moral validity of nuclear weapons" and providing specific proposals to

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<sup>310</sup> Gordon Legge, "Clergy 'Qualified' to Query Defence Plans," 1989.

<sup>311</sup> The political climate was further intensified by the Soviet invasion of Afghanistan, the decision to modernize the NATO nuclear arsenal, the accelerating superpower arms race, and, in Canada, the debate surrounding the testing of American cruise missiles over Canadian territory. Newman, "Surviving the End of the Cold War: Project Ploughshares in the 1990s," 48.

<sup>312</sup> Regehr, "Project Ploughshares," 190.

<sup>313</sup> Gordon Legge, "Clergy 'Qualified' to Query Defence Plans."

<sup>314</sup> "Canadian Council of Churches: Project Ploughshares: Statement of Operations and Equity Year Ended December 31, 1989," (Project Ploughshares, 1990).

reduce nuclear arsenals.<sup>315</sup> During the foreign policy review initiated by Trudeau's successor, Brian Mulroney, in 1985 Ploughshares aided the CCC in crafting an ecumenical response with more than 60 specific recommendations for Canadian foreign policy.<sup>316</sup> Later, following the publication of the 1987 Defence White Paper by Mulroney's government, Ploughshares was tasked with formulating a response by twelve Canadian church leaders.<sup>317</sup> This response became *Peacebuilding: The Church Response to Canadian Defence Policy*,<sup>318</sup> a document which articulated Regehr's criticism that the White Paper was a "Cold-War cliché" which "misread the international security climate, proposed ill-conceived equipment acquisitions, and either ignored or misunderstood the economic climate of the day."<sup>319</sup> All of these ecumenical initiatives did more than simply protest government decision-making – they also proposed policy alternatives buttressed with factual data drawn from research and advocacy organizations such as Project Ploughshares. In fact, Ploughshares was suddenly essential to an ecumenical movement which, galvanized by Reagan and mobilized by a new focus on policy formation, needed to translate between abstract theology and actionable policy in secular governance.<sup>320</sup>

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<sup>315</sup> Paul C. Heidebrecht and Jennifer Wiebe, "Chronicling the Role of the Canadian Churches in Shaping Public Policy over the Past 40 Years," *Ploughshares Monitor* 36 no. 2, (2015).

<sup>316</sup> "Keeping the Faith? Tracing the Struggle to Amplify the Peace Witness of Canadian Churches," *The Ecumenist* 52, no. 1 (2015).

<sup>317</sup> Dwight Burkhardt, "Churches Respond to Defence White Paper," *Peace Magazine* Jun-Jul (1988).

<sup>318</sup> Michael J. Peers et al., "Peacebuilding: The Church Response to Canadian Defence Policy," in *Ploughshares Working Papers* (Waterloo, Ontario: Project Ploughshares, 1988).

<sup>319</sup> Regehr, "Project Ploughshares," 193.

<sup>320</sup> Regehr argued vigorously to convince soldiers and politicians alike that church leaders were as qualified to comment on the ethical and moral implications of defence policy as anyone.

Gordon Legge, "Clergy 'Qualified' to Query Defence Plans."

Regehr's response to the 1987 White Paper was inspired by a fundamental disagreement with its premise of security through military force (and its continuing fixation with the Soviet threat). In a 1990 discussion piece titled "True North Strong and Armed?" Regehr answered a series of six key questions to propose that the Canadian Armed Forces did not defend Canada, in fact were incapable of defending Canada, and were consequently only peripheral to the machinery of Canadian security.<sup>321</sup> The best Canadian contribution to international stability, in his opinion, would be to obtain "robust surveillance abilities" adequate to guarantee both superpowers that the other was not using Canadian territory to gain a geopolitical advantage.<sup>322</sup> Since such a large and sparsely-populated nation could never deter an extended conventional attack, nor survive an international nuclear conflict, Regehr concluded that Canadian national security lay not in the acquisition of better tanks or nuclear subs, but instead in a robust international community.

The foundation for this criticism of Canadian foreign policy was the concept of "common security" first articulated in the 1982 report of the same name from the Independent Commission on Disarmament and Security Issues (otherwise known as the Palme Commission). The premise of common security was that national security could not be achieved through unilateral military action by one nation, since it would immediately be destabilized by reactions from potential adversaries. In the language of the commission itself, "States can no longer seek security at each other's expense; it can

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<sup>321</sup> Ernie Regehr, "True North Strong and Armed?," *Ploughshares Monitor* XI, no. 2 (1990).

<sup>322</sup> *Ibid.*

be obtained only through cooperative undertakings.”<sup>323</sup> This definition opened the door for the securitization of economics, the environment, and rights issues, among others, and providing a language for concept of “human security” a decade later.<sup>324</sup> According to former Ploughshares employee Ken Epps, human security was always at the core of common security, even though the latter was articulated in terms of the state:

We couched it in terms of common security, but that concept really is security for people, not security for states, or not just for states. Security, even the UN system is based on sovereignty, state sovereignty, and the notion that the security of states is paramount. Well, Ploughshares interest [was] in moving past that concept of security into providing security for people.<sup>325</sup>

Common security provided Project Ploughshares with a foundational paradigm to champion as an alternative to Canadian foreign and defence policy. No longer limited to simply articulating criticism of specific portions of said policy, Ploughshares began homogenizing its various advocacy initiatives into a cohesive alternative. Consequently, one of the key battles for Ploughshares in the 1980s was to challenge the “East-West, Cold-War, ‘evil empire’ lenses” which shaped the Canadian security perspective and instead articulate a common security perspective.<sup>326</sup> A world in which “security” was not defined primarily as the military capacity of a nation to defend itself was a world in which Project Ploughshares’ three focus areas – alternative security policies, the connection

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<sup>323</sup> "23. The Concept of Common Security," *Bulletin of Peace Proposals* 17, no. 3-4 (1986).

<sup>324</sup> Heidebrecht and Wiebe, "Keeping the Faith? Tracing the Struggle to Amplify the Peace Witness of Canadian Churches," 4.

<sup>325</sup> Ken Epps, interview by Paul Esau, June 2016.

<sup>326</sup> Regehr, "Project Ploughshares," 199.

between militarism and underdevelopment, and Canadian military production and export – could not be trumped by a simple appeal to national security<sup>327</sup>.

As the Cold War wound down in the latter half of the decade, so did the urgency of nuclear disarmament. Many advocacy groups which had been built upon fear of a nuclear war began to disintegrate as membership and fundraising declined.<sup>328</sup> Although Ploughshares had pursued nuclear disarmament only as a secondary mandate, and actually enjoyed an increase in donations in the latter part of the decade,<sup>329</sup> the organization had to struggle to convince Canadians that the disarmament agenda was still salient in the post-Cold War world. As one local Waterloo environmentalist put it, “Now that protesting war is a sunset industry, these peace groups shouldn’t mind contributing to the ‘peace dividend’ by letting their government grants be used to save the environment.”<sup>330</sup> Regehr’s response in the same paper was somewhat caustic, and pointed out the much disarmament work remained to be done in regards to nuclear and conventional weapons, as well as global militarization and defence spending.<sup>331</sup>

In Regehr’s eyes, the chief lesson off the Cold War was not specifically the threat of nuclear war, but, more generally, that “the decades-long militarization of relations

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<sup>327</sup> Ibid. According to Newman, these three specific policy goals were introduced in 1986 as part of a new “common security orientation.” Newman, “Surviving the End of the Cold War: Project Ploughshares in the 1990s,” 49.

<sup>328</sup> “There was a time during the nuclear scare when it was very easy to raise money. And that's what a lot of groups did like Operation Dismantle, the Canadian Peace Alliance, so forth. They took advantage of the nuclear fear, raised a lot of money, grew very big, spent it all, and the bust came and they were gone.” Regehr, interview by Paul Esau

<sup>329</sup> Newman, “Surviving the End of the Cold War: Project Ploughshares in the 1990s,” 52.

<sup>330</sup> Editorial, “Peace Dividend?,” *Kitchener-Waterloo Record*, June 6, 1990.

<sup>331</sup> “I take your editorial...to have been in jest. You could not have been serious in suggesting that peace has arrived and that citizen peace organizations have nothing to do but jump on the environmental bandwagon.”

Ernie Regehr, “Warriors Still Arm,” *ibid.*, June 15.

between and within states does not make states and communities secure; it brutalizes.”<sup>332</sup>

The links between militarization, repression, and underdevelopment had been evident during the Cold War, but superseded by the existential threat of nuclear war. As the possibility of nuclear conflict between the superpowers faded, and with the proclamation of a “new world order” by both Soviet and American leaders, radical opportunities presented themselves for arms control activism. Military budgets and arms transfers shrank, Conventional Forces in Europe (CFE) treaty negotiations accomplished the unthinkable, and the United Nations Security Council broke free from deadlock. The collapse of the bilateral Cold War system left a geopolitical vacuum that needed to be filled by something drastically different: a system which very possibly might pursue security and stability through political and economic means rather than military potential.

### **Ploughshares at the End of the Cold War**

Still, it was difficult for inherently conservative military institutions to break out of Cold War paradigms and adapt to the possibility of a new system. In the words of Regehr in 1989:

Facing up to change in the international security environment is proving not to be easy. We’re told any grieving process usually includes a denial stage, even in the loss of a trusted enemy. We could always count on the Soviet threat. It brought order, the comfort of predictability, to defence planning.<sup>333</sup>

Without that predictability, any number of military initiatives and ideological positions were reopened to question. Many in the west assumed that with the “victory” of NATO over the Warsaw Pact, NATO members would enjoy a “peace dividend” as resources

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<sup>332</sup> Regehr, interview by Paul Esau.

<sup>333</sup> Ernie Regehr, "Military Cutbacks: The Wave of the Future," *The Toronto Star*, June 15 1989.

could be diverted from military spending to other areas. Disarmament groups such as Ploughshares further hoped that the resultant decrease in global arms spending would lessen the opportunity cost of disproportionate defence spending upon global development and humanitarian expenditures.

Ploughshares proposed a number of concrete ways to extract a peace dividend from the Canadian defence budget at the turn of the decade. The most radical was a campaign for a 50 percent reduction in Canadian defence spending in 1991,<sup>334</sup> or roughly the amount which Ploughshares had calculated was still being spent to deter potential Soviet aggression.<sup>335</sup>

Ploughshares activism also argued for the conversion of Canadian military bases,<sup>336</sup> the withdrawal of Canadian troops from Europe,<sup>337</sup> and the conversion of struggling (often subsidized) military producers to civilian products.<sup>338</sup>

The concepts of peace dividend and opportunity cost were closely related in Ploughshares' advocacy, since reducing defence spending would lower the opportunity cost of militarization while producing a peace dividend to be spent elsewhere. Many publications written by Ploughshares employees at the turn of the decade included comparative statistics documenting what national and global defence budgets could hypothetically be spent to achieve. In 1990, employee Bill Robinson pointed out that the 1990-1991 DND budget (\$12.3 billion) was about 43 percent higher in real terms than it

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<sup>334</sup> Project Ploughshares, "Agenda: Project Ploughshares Board Meeting November 22-23, 1991," (Toronto 1991).

<sup>335</sup> Bill Robinson, "Canada and the Peace Dividend," *Briarpatch* 1990.

<sup>336</sup> Ernie Regehr, "Closing Bases, Saving Jobs," *Ploughshares Monitor* 1989.

<sup>337</sup> MGen L. V. Johnson, "Trapped in Europe: An Assessment of Canada's Nato Commitment," *Forum* 1989.

<sup>338</sup> Ernie Regehr, "Economic Conversion in the Canadian Context," *Press for Conversion* 1990.

had been to begin the 1980s, despite the end of the Cold War.<sup>339</sup> He also noted that the annual DND budget for ammunition and bombs (\$325 million) would pay for the immunization of 30 million children, and that the whole budget was larger than the combined military spending of the entire continent of South America.<sup>340</sup> Readers of the *Ploughshares Monitor* were further informed that the world spent \$30,000 a second on defense, that three hours of that spending would pay for the entire budget of the World Health Organization, that one half day's worth would pay to immunize every child in the world against common infectious diseases, and that four days' worth would pay for a five-year global malaria control program.<sup>341</sup> The systemic consequences of these opportunity costs had been laid out in the 1987 *Ploughshares Working Paper Missiles and Malnutrition*, which argued that high levels of arms spending disproportionately burden developing countries, pit urban elites against the rural majority, and enrich the North at the expense of the South.<sup>342</sup>

Without the existential justification of the Cold War to protect military budgets and "strategic" transfers to client nations and regions fighting proxy wars, Project Ploughshares sensed a new opportunity to push arms control and disarmament to the front of the international agenda. This opportunity was made more compelling by key events at the turn of the decade. Embarrassing revelations in 1989 about Canadian violations of the

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<sup>339</sup> Robinson, "Canada and the Peace Dividend."

<sup>340</sup> "The 1990-91 Military Budget: Where Does the Money Go?," *Ploughshares Monitor* 1990.

<sup>341</sup> Victor W. Sidel, "Undermining True Security: One Child Every Second," *ibid.* 1989.

<sup>342</sup> Esther Epp-Tiessen, "Missiles and Malnutrition: The Links between Militarization and Underdevelopment," in *Ploughshares Working Papers* (Waterloo, Ontario: Project Ploughshares, 1987).

UN arms embargo of South Africa<sup>343</sup> provided an opening for new discussions of Canadian military export policy.<sup>344</sup> The success of the CFE negotiations whet international appetites for more arms control negotiations, and, although outstripped by realities on the ground,<sup>345</sup> proved a symbolic triumph for Western powers. International concern over unrestrained arms transfers (especially after the Persian Gulf Crisis in 1990-1991), combined with a global downturn in global defence spending, challenged the lucrative strategies employed by many arms-supplying countries in the mid 1980s. Without the potential of an imminent Soviet-US conflict, and facing the numerous consequences of arms proliferation (especially in the developing world), northern suppliers and southern consumers began to seriously discuss the impact and restriction of the arms trade.

The 1991 Project Ploughshares working paper *Profits to Losses* articulated the reasons for the shrinking arms trade, possible multilateral solutions at the UN level, as well as potential domestic changes in Canada.<sup>346</sup> The paper argued that unrestricted conventional arms proliferation leads to “a desire for nuclear ‘trumps’ to avoid stalemates”, “defeats attempts to practice ‘non-offensive defence,’” and undermines the ability of the UN to undertake police action since any intervention in an area of

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<sup>343</sup> Olivia Ward, "Clark on the Spot over South African Trade," *Toronto Star*, February 11, 1989.

<sup>344</sup> Tim Harper, "Ottawa Said at Fault as Arms Embargo Is Broken," *ibid.*

<sup>345</sup> "In many ways these developments are outrunning the CFE process. There is a danger that CFE will only delay the dissolution of the Cold War – that it will help to preserve the division of Europe into competing military blocs. For example, the agreement is likely to include a provision permitting the continued presence of 195,000 Soviet troops in Eastern Europe. Without this provision, these troops will almost certainly be gone in the next few years." Bill Robinson, "Nuclear and Conventional Arms Control Talks: Big Promises, Small Cuts," *Ploughshares Monitor* 1990.

<sup>346</sup> E. Regehr, "Profits to Losses: The International Arms Trade and Canada," (Waterloo, ON: Project Ploughshares, 1991).

unrestricted arms flow becomes war.<sup>347</sup> In response to these threats, *Profits to Losses* emphasized the benefits of the potential UN Arms Transfer Register,<sup>348</sup> as well as a tightening of Canadian military export regulations. Although Canada had some of the best export controls in the world in the early 90s *on paper*,<sup>349</sup> the discussion surrounding the passage of Bill C-6 regarding the export of automatic weapons in June 1991, had proven that the *interpretation* of said controls left much to be desired. In the opinion of Regehr, this gap was largely the result of a DIB which prioritized industrial policy over security concerns.<sup>350</sup> Project Ploughshares would expend considerable effort at the turn of the decade trying to leverage post-Cold War optimism into a tightening of loopholes in Canadian export policy, and into assisting in the creation of a UN Register to introduce greater levels of transparency in the international system.

Tied to Project Ploughshares' arms control efforts was its constant advocacy of industrial conversion. In Regehr's words:

The aim of industrial conversion is to dismantle an institutionalized military industry which a) influences and distorts assessments of military need and actually drives military procurement, b) depends for its survival on regularly repeated military contracts, and c) relies on foreign sales that undermine constructive national policies related to peace and justice.<sup>351</sup>

According to Ploughshares, the necessity of industrial conversion in Canada at the turn of the decade was tied to two distinct factors. The first was the Canadian push in the mid-1980s to expand defence production through IRB contract incentives to produce Canadian

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<sup>347</sup> Ibid., 2.

<sup>348</sup> Regehr had recently participated in a UN study recommending such a register. This endeavor would eventually be implemented as the UN Arms Register in 1991.

<sup>349</sup> Epps, "Epps Transcript."

<sup>350</sup> Regehr, "Profits to Losses: The International Arms Trade and Canada," 16.

<sup>351</sup> Regehr, "Economic Conversion in the Canadian Context."

military procurements domestically.<sup>352</sup> This push, made during a surge in global defence spending, was intended to increase Canada's portion of an expanding market. When the market began to contract in the second half of the decade (the second factor), it produced a significant crunch for Canadian military producers. Epps, writing in 1990, estimated that some 3000 Canadian layoffs could be directly attributed to the market's contraction, as well as plant closures by MIL Vickers, the Canadian Marconi Company, and Astra Pyrotechnics Ltd.<sup>353</sup> Soviet General Secretary Mikhail Gorbachev had popularized the notion of "konversiya" in the late 1980s, initiating Soviet programs and challenging NATO governments to submit national conversions plans to the UN, and yet the Canadian government under Mulroney mustered no significant response.<sup>354</sup> Ploughshares worked hard to keep the idea of industrial conversion in the public conversation as a potential solution for military producers, a method for closing excess Canadian military bases, and as the basis for the "conversion" of portions of the Cold War oriented DND budget to other purposes.<sup>355</sup>

These ideas were obviously opposed. In 1989, David Langille documented the lobbying activity of the Business Council on National Issues (BCNI), a powerful Canadian collection of corporate interests, to increase the military budget and especially military procurement.<sup>356</sup> In the same year Ken Epps noted the rise of the "Planned Producer" designation for Canadian defence corporations, giving preferred access to American markets in return for a promise to produce for the American Department of

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<sup>352</sup> Regehr, "Profits to Losses: The International Arms Trade and Canada," 12.

<sup>353</sup> Ken Epps, "The Boom Is Bust," *Ploughshares Monitor* 1990.

<sup>354</sup> "Unions Talk Conversion: Words into Ploughshares," *Ploughshares Monitor* 1989.

<sup>355</sup> Bill Robinson, "Rethinking Canada's Security Budget," *Ploughshares Working Papers* 91-3, (Waterloo, Ontario: Project Ploughshares, 1991).

<sup>356</sup> David Langille, "Military-Industrial Canada," *Compass: A Jesuit Journal* 1989.

Defence during wartime.<sup>357</sup> The “Planned Producer” program, coupled with the North American Defense Industrial Base Organization (NADIBO) created in 1987, further incentivized Canadian defence producers to integrate into the American DIB.<sup>358</sup> Additionally, the Canadian government was still channeling significant public funds into defence producers in the post-Cold War era (\$416 million during 1990-1991)<sup>359</sup> through programs like the Defence Industry Productivity Plan (DIPP), which Ploughshares portrayed as a significant impediment to conversion and an agent of American integration.<sup>360</sup> While the Canadian defence budget wasn’t growing in the immediate post-Cold War years, neither was “real” spending shrinking; the government was still expending significant resources to keep the Canadian DIB operational and defence export channels open.

These impediments to change were characterized by Ploughshares as part of the “denial” stage described by Regehr above. The loss of a trusted enemy had upset the balance of power, discombobulated the Canadian defence paradigm, and forced states around the world to redefine their concept of security. Ploughshares saw this change as an opportunity to transcend traditional understandings of security as a national concern guaranteed by military power, and instead embrace the idea of “common security” in both Canadian defence policy and the Canadian defence budget. By advocating for a peace dividend, bringing Canadian military export policies into line with its foreign policy, and

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<sup>357</sup> Ken Epps, "Integrating Canadian and Us Military Industries: Pentagon 'Planned Producers'," *Ploughshares Monitor*, June 1989.

<sup>358</sup> *Ibid.*

<sup>359</sup> "Public Money, Private Industry," *Ploughshares Monitor* 1992.

<sup>360</sup> While DIPP supports some civilian production, its primary purpose is to increase Canadian military and military-related exports. This promotion of international arms dealings by Canadian companies neither creates the foundation for sustainable economic activity nor enhances Canadian security.” Project Ploughshares, "Economic Conversion: The Canadian Way," *ibid.*

encouraging industrial conversion, Ploughshares hoped to decrease militarization in Canada and break Canadian reliance upon the DIB as an economic tool.

On an international level, the end of the Cold War had begun an unprecedented period of UN effectiveness. Ploughshares attempted to harness this effectiveness by arguing for the UN as the primary negotiator of conflict between states, as a facilitator of international policing forces to aid in peacekeeping and peacemaking, and as a home for a universal register cataloguing the international arms trade. This global agenda was obviously secondary to Ploughshare's domestic agenda, but it articulated a vision for the UN that would need to be realized for the domestic agenda to be successful.

### **Ploughshares in Canada: 1989-1995**

In 1986, Project Ploughshares had adopted what it described as a "common security orientation" to encapsulate its three basic program priorities: militarism and underdevelopment, Canadian military industry and conversion, and alternative security policies.<sup>361</sup> This orientation quickly became the foundation of a domestic program that sought to explode traditional security paradigms and replace them with a drastic reformulation of the Canadian defence budget, the Canadian defence industry, and Canadian defence planning. It was, in the words of Regehr, "a pioneering effort at applying the common-security perspective to the much narrower question of defence policy."<sup>362</sup> Although Ploughshares' agenda focused on a number of seemingly disparate issues during the late 1980s and early 1990s, all were tied into the transcendent goal of convincing Canadian policymakers to adopt a common security orientation.

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<sup>361</sup> Newman, "Surviving the End of the Cold War: Project Ploughshares in the 1990s," 49.

<sup>362</sup> Regehr, "Project Ploughshares," 194.

The basis for this proposed reorientation was the answer to a question asked by the Canadian churches' response to the 1987 Defence White Paper, namely "Do the Canadian Armed Forces defend Canada?"<sup>363</sup> Without a recognizable military threat to Canadian sovereignty (and the dissolution of the Soviet Union had removed the one recognizable threat), Ploughshares argued there was little justification for assuming that the Canadian military were the nation's primary means of defence. Instead, Ploughshares continuously argued, "It is the attempts to mount military defences that have helped create the currently over-armed, underfed and environmentally threatened world."<sup>364</sup> Common security was treated as the key to achieving the demilitarization of the global order, if only nations like Canada could be convinced to discard traditional ideas of national security through military strength.

In the trenches, Project Ploughshares' war on militarism was waged through numerous vectors. The organization published a quarterly magazine, the *Ploughshares Monitor*, with content mostly supplied by Ploughshares staff and the occasional guest expert.<sup>365</sup> Additionally, Ploughshares attempted to publish four Working Papers a year, covering specific topics comprehensively for a lay audience. These Papers were complemented by a more frequent series of 1-2 page Briefings, written primarily as a means for keeping Ploughshares' affiliated groups and media contacts abreast of relevant issues. Finally, the organization routinely published brochures, pamphlets, and occasional multimedia packages for specific campaigns or topics.

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<sup>363</sup> Peers et al., "Peacebuilding: The Church Response to Canadian Defence Policy."

<sup>364</sup> Regehr, "Project Ploughshares," 195.

<sup>365</sup> In 1993, the Monitor had a circulation of 8000, making it "Canada's most widely distributed peace publication."

"1993 Annual Report," (Waterloo, Ontario: Project Ploughshares, 1994), 32-33.

Ploughshares' focus on Canadian military industry and conversion was heavily informed by the Canadian Military Industrial Database, which had been largely run by Ken Epps since its inception in 1985. What had begun as a rudimentary digital database,<sup>366</sup> had more than 50,000 records of defence contracts involving Canadian companies by the end of 1993, and was adding roughly 5000 transactions and 800 company records a year.<sup>367</sup> The point, according to Epps, was the "idea of evidence-based policy development...So for example we could express concerns about the human rights implications of Canada's involvement in the arms trade, we could look at specific weapons systems produced by specific companies in Canada that were going to specific states."<sup>368</sup> By taking fragmented information from various government and commercial sources and compiling it into a coherent picture, Epps was able to provide Ploughshares invaluable information on the activity of Canada's DIB. This information was used to help Ploughshares characterize Canadian military producers,<sup>369</sup> produce regular "Top 20" lists of the biggest producers and exporters, and even uncover contracts such as the first Canadian LAV exports to Saudi Arabia in the late 1980s.<sup>370</sup>

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<sup>366</sup> "We had a keyboard here at Grebel and it was connected to the mainframe computer at the University of Waterloo which was across the river here. And the particular software that was used for compiling the data into a database was called Spires. And these were the early days of a lot of these sorts of thing so one of the first tasks I had to learn was how basically how to use Spires."

Epps, interview by Paul Esau.

<sup>367</sup> "1993 Annual Report."

<sup>368</sup> Epps, interview by Paul Esau.

<sup>369</sup> "The typical profile of a major Canadian military prime contractor that emerges from the latest figures compiled by Project Ploughshares shows that it is likely to be foreign-owned, based in Ontario or Quebec, and in the aerospace/electronics business. It is more than 50 percent dependent on military sales, builds components for nuclear weapons systems, and sells military goods to the Third World. The odds are two-to-one that it is registered as a Planned Producer with the US war-time mobilization program." "Ranking Military Contractors: Canada's Top..." *Ploughshares Monitor* 1989.

<sup>370</sup> Regehr, interview by Paul Esau.

The Database proved to be a significant asset during the early 1990s as Ploughshares' established itself as a credible source of information and critical analysis of the Canadian DIB. Other media and advocacy organizations began to request access for their own projects, providing alternative forums to Ploughshares to pursue transparency in regards to Canadian military production and export. In 1993, the Database was queried by over 120 individuals or organizations outside Ploughshares, even as it was transitioned to a more flexible Windows platform.<sup>371</sup>

### ***ARMX***

Ironically, one of the biggest contributors to the pre-internet Database was also a significant target of Ploughshares' advocacy. Canada's largest international arms exhibition, ARMX, had been first organized in Ottawa in 1983, and by 1989 had grown to a biennial three-day event with 400 exhibitors from 16 countries.<sup>372</sup> Epps attended in 1987, and used the opportunity to gather up brochures and promotional material that he could mine for information for the Database.<sup>373</sup> By 1989, the event had become the focus of a significant protest movement, drawing thousands of protestors and national condemnation. After 1989, disrupted by the Gulf War and extricated from Ottawa by a city council ban, the exhibition went dormant until 1993, when it was reborn with a new focus as Peacekeeping '93.

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<sup>371</sup> "1993 Annual Report."

<sup>372</sup> Hein Marais, "War in Store," *Now*, June 17, 1989.

<sup>373</sup> "In those days they weren't too selective about who would be able to attend or not, provided you paid your fee. And had your nametag on. You could attend, which is what I did, and I went around, I chatted to a few people, but mostly I just gathered up all the brochures I could because again, going back to the issue of being able to track companies, this was gold. It had addresses and phone numbers and all kinds of things that wouldn't necessarily otherwise have been easy to get. Plus, lots of descriptions of what they were producing and photographs and so on." Epps, interview by Paul Esau.

The ARMX concept was offensive to the peace movement (and especially disarmament groups like Ploughshares) on a number of levels. First, the shows were seen as an attempt to offset the impact of a global slowdown in defence purchases upon an export-oriented Canadian DIB through government-endorsed promotion. Second, among the thousands of attendees of ARMX exhibitions were military and government representatives of nations engaged in human rights violations, such as South Korea, Taiwan, and Chile.<sup>374</sup> Third, the exhibitions were accused of being an attempt to offload the cost of Canadian arms production onto other countries, primarily in the Third World. Together, these three points gave ARMX shows a symbolic status as a domestic manifestation of the global arms industry, and constituted a significant rallying point for the Canadian peace movement.

Although Project Ploughshares left the street-level protests to other groups, the organization was consistently involved in criticism of the exhibitions. In 1989, Regehr and Epps were published and quoted in multiple venues discussing the impact of ARMX in Canada and abroad, and providing statistics on Canadian sales to Third World countries. While most popular news coverage focused on the vehemence of the protests, Regehr wrote about how Canada had pushed its DIB towards export-dependence during the heady Reagan days, and the end of the defence boom was forcing Canadian military producers to diversify their customer base towards the Third World.<sup>375</sup> The selections of battle tanks, military helicopters, surveillance equipment and other products being showcased at ARMX therefore constituted a desperate bid to continue the same Canadian

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<sup>374</sup> Ken Epps, "Armx'89: The Industry Struts Its Stuff," *Ploughshares Monitor X*, no. 1 (1989).

<sup>375</sup> Ernie Regehr, "Declining Military Market Spawns Arms Bazaar," *Kitchener-Waterloo Record*, June 2, 1989.

Cold War mentality that had created a long-war policy, the need for increased conventional production capacity, and the 1987 White Paper. Regehr argued that the consequences of that bid – selling to human rights violators and countries in conflict, perpetuating Canadian export-dependence, maintaining a rigidly anachronistic defence policy – far outweighed the economic benefits.

The first two ARMX exhibitions were organized by the Canadian Department of National Defence and held on military property, a relationship that Ploughshares largely understood as continued collusion between the private defence industry and the DND. In 1986 the contract was passed to a private company, Defence Publications Limited, whose main operative, Wolfgang Schmidt, became the key spokesman of the event.<sup>376</sup> Smith complained that protesters had characterized ARMX'89 as a “freewheeling arms bazaar, where every tinpot dictator is coming to buy weapons to keep citizens back home oppressed,” and that Canadian arms export guidelines could prevent representatives of oppressive regimes from buying, but not from looking.<sup>377</sup> Considering that the point of the exhibition was to expand Canada's customer base for military goods, that only Warsaw Pact members were officially excluded from the invitation list, and that the Canadian Military Industrial Database had proven Canadian military export policies to be less restrictive than alleged,<sup>378</sup> Ploughshares representatives were justifiably cynical about Schmidt's argument. Instead, in a post-exhibition Ottawa press release, Project Ploughshares called upon the Canadian government to denounce ARMX'89 and end any

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<sup>376</sup> Marais, "War in Store."

<sup>377</sup> Ibid.

<sup>378</sup> Epps is quoted in Marais' article as explaining that between 1984 and 1988, Canada approved military exports to 21 countries known to practice “frequent official violence against their own citizens.” Ibid.

future government involvement in similar events, to introduce tougher Canadian export guidelines, and to publically disclose more information on Canadian arms sales.<sup>379</sup>

The public backlash against ARMX in 1989 proved costly to the next reiteration of the exhibition in 1991. Banned by the Ottawa city council, the exhibition was forced to move 30 kilometres outside of city limits to Carp, Ontario. Additionally, the event was delayed from May to September, in a move that Epps alleged was to avoid close association with the Gulf War.<sup>380</sup> After the withdrawal of participation from several provinces (Ontario, BC, and Saskatchewan), the 1991 exhibition was delayed until 1992 and then 1993, when it rebranded as Peacekeeping '93.<sup>381</sup>

The new iteration of ARMX proved to be a point of division between Project Ploughshares, its affiliated groups, and the more protest-oriented organizations in the Canadian peace movement. As part of the rebranding, Defence Publications Limited had partnered with the Canadian Institute of Strategic Studies and introduced a parallel seminar component to the exhibition. By accepting an invitation to participate in this seminar, Ernie Regehr provided the organizers with a public relations coup that was heavily marketed as evidence of the changed nature of the exhibition. Regehr's participation was an unwelcome surprise to the Ottawa Ploughshares affiliate, as well as the Coalition to Oppose the Arms Trade (COAT), and the Alliance for Non-Violent Action.

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<sup>379</sup> Simon Rosenblum, E. Regehr, and Ken Epps, "Project Ploughshares Protests Armx '89," news release, 1989.

<sup>380</sup> Marie Carter, "Gulf War Increases Awareness of Arms Trade," *Catholic New Times*, May 26, 1991.

<sup>381</sup> Richard Sanders, "The New Face of Armx: A "Kindler and Gentler" Arms Trade," news release, 1993.

Regehr was confronted in both a private letter and *Catholic New Times* editorial from Alliance member Matthew Behrens, who argued that Regehr's participation helped validate an event that was merely an arms bazaar in camouflage.<sup>382</sup> Additionally, a stint of ambiguous press coverage (including an *Ottawa Citizen* article which seemed to pit COAT co-ordinator Richard Sanders against Regehr)<sup>383</sup> fanned the conflict. Although Epps and other Ploughshares staff were publically critical of Peacekeeping '93, arguing that Ottawa could not have a post-Gulf War emphasis on *arms control*, and actively aid domestic production of *arms exports*,<sup>384</sup> the credibility of Regehr as a peace activist was shaken. Regehr was warned by activists not to cross the protest picket line into the event, to validate the "Orwellian name change of ARMX," or to "associate [his] name with the manufacturers and salesmen of torture and war."<sup>385</sup>

Regehr's response to the controversy was indicative of Ploughshares operational mandate in the early 1990s. While he (and by extension, Ploughshares) did not approve of Peacekeeping '93 on principle and believed such shows should be cancelled, he would not turn down an invitation to engage in dialogue with the Canadian military establishment:

"[Ploughshares has] from the beginning made a point of working within the mainstream political process, proposing and advocating constructive, progressive policy changes...One of our central strategies has been to seek out opportunities to address, and enter into debate with, government officials and other persons or communities of influence. This regularly takes us to the Departments of National Defence and External Affairs. We make a point of seeking out influential audiences

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<sup>382</sup> Matthew Behrens to Ernie Regehr, March 9, 1993, Project Ploughshares Archive. Matthew Behrens and Ernie Regehr, "Why Mr. Ploughshares Spoke to Swordmakers," *Catholic New Times*, April 4, 1993.

<sup>383</sup> David Pugliese, "Up in Arms: Critics Call Trade Show a Weapons Bazaar," *The Ottawa Citizen*, March 15, 1993.

<sup>384</sup> Ken Epps, "End Arms Exhibitions," *The Globe and Mail*, February 5, 1993.

<sup>385</sup> Behrens.

that disagree vigorously with us (which is why I also lecture at the Canadian Forces staff schools and defence college when I get a chance).”<sup>386</sup>

Regehr even made a point of mentioning that such dialogue was a strong part of his Mennonite heritage, and that the peace movement needed to avoid demonizing its enemies if it wished to succeed in changing Canadian policy. The implication, that Ploughshares was engaging in an alternative form of protest rather than betraying the cause, was ultimately accepted by both the Ottawa affiliate and COAT.<sup>387</sup>

The ARMX exposition was one of the most prominent manifestations of the international arms trade on Canadian soil, and consequently a biennial magnet for protestors and advocates from the peace movement. The Ploughshares head office in Waterloo certainly used ARMX as an example of Canadian militarism and spoke out against the show at every opportunity. The office did not try to prevent its affiliate groups from taking part in such protests, but did not join other organizations or its own affiliates in direct action against the event. Instead, Ploughshares chose to publish its own criticism, resource other media and political figures with information from the Canadian Military Industrial Base, and eventually infiltrate Regehr as a dissenting voice inside the actual exposition.

The presentation which Regehr gave at Peacekeeping '93, entitled “The Future of Peacekeeping,” laid out the foundational principles of Ploughshares’ dissent to the concept of defence expositions. Although Ploughshares had previously expressed some hope for Peacekeeping '93 as a step in the right direction, Epps had already noted that most of the core suppliers of ARMX '89 and Peacekeeping '93 were the same, and that

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<sup>386</sup> Behrens and Regehr, "Why Mr. Ploughshares Spoke to Swordmakers."

<sup>387</sup> As stated in an appendix report to the April 16-17, 1993 Ploughshares board minutes.

some of the supplying producers produced only specific products that couldn't be easily defined as peacekeeping products (i.e. frigates or air-defence systems).<sup>388</sup> The official Ploughshares position had consequently become that Peacekeeping '93 was identical to ARMX in spirit: an attempt for Canadian defence producers to benefit from the commercialization of the arms trade. The new veneer of "peacekeeping" could not harmonize the attempt to profit from military exports with the relative simplicity of actual peacekeeping requirements. After all, peacekeeping forces (at least according to Ploughshares) did not require the advanced military systems which were the most profitable components of the arms trade, and peacekeeping operations had cost Canada only \$120-million in 1991-1992 (less than one percent of the \$13 billion military budget).<sup>389</sup>

Regehr's presentation at Peacekeeping '93<sup>390</sup> argued three significant points. First, that peacekeeping operations were simply a way to buy time for robust peacemaking initiatives, and therefore required a larger UN peacemaking capacity (economic, social, political) and greater cooperation with the worldwide NGO community. Second, that most peacekeeping operations would remain traditional, lightly-armed forces without the significant firepower (and consequent defence production opportunities) of the Gulf War. Third, that "effective peacekeeping, particularly if we want to confine it to minimal force levels and to minimize costs, depends on some serious gun control – and that means severely restricting, not promoting, military export and military procurement worldwide." The implication, Regehr concluded, was that if Canada wished to make peacekeeping the

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<sup>388</sup> Ken Epps, "Ploughshares' Assessment of the New Armx," *Press for Conversion!* 1993.

<sup>389</sup> Stephen Dale, "Guns N' Poses: The Myths of Canadian Peacekeeping," *This Magazine* 1993, 13.

<sup>390</sup> Ernie Regehr, "The Future of Peacekeeping," Peacekeeping '93 Seminar (Ottawa: Project Ploughshares, 1993).

central mission of the Canadian Forces, it should cut the Canadian defence budget to fund development initiatives, conduct a public defence policy consultation and reorientation, and become far more serious about controlling the proliferation of conventional weapons. Rather than engaging in activism outside the exhibition, this speech, delivered to military decision-makers and corporate producers, was Ploughshare's form of protest.

### ***Bill C-6***

The passing of Bill C-6 in 1991 allowing the sale of LAV-mounted automatic weapons from Canada on the international market came at a critical time for military producers GM Diesel and Diemaco, but a deeply problematic moment for Canadian foreign policy. Prime Minister Mulroney had just used the opportunity of the Gulf War to propose a three-point arms transfer control initiative and publically lecture US President Bush on American contributions to the arms trade,<sup>391</sup> and Foreign Minister Joe Clark had recently declared that, after searching for Middle East security through defence spending, "That search has failed. It has been folly."<sup>392</sup> Canada was emerging as a global leader in conventional arms control practices, having recently announced a new "sensitivity" in military exports and an annual public report on the export of military goods from Canada.<sup>393</sup> Since Clark had been personally involved in the promotion of the Saudi-LAV

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<sup>391</sup> Ernie Regehr, "Canada Prods United States on Arms Sales," *Arms Control Today* 1991.

<sup>392</sup> Joe Clark, "Clark: We Have an Obligation to End the Mid-East Arms Race," *The Disarmament Bulletin* 1991.

<sup>393</sup> *Ibid.*

deal, the contract had come together just in time to “give the government’s widely welcomed arms trade control initiative the clarion ring of insincerity.”<sup>394</sup>

According to Project Ploughshares, Bill C-6 was another attempt to perpetuate the export-dependence of Canadian military producers, yet one that was particularly offensive due to the destination of the weapons systems involved in the LAV contract. The Gulf War had forced western military exporters to admit that the unfettered arms trade to the Middle East needed restraint, if only to save face as their coalition contingents faced imported western weapons on the battlefield. As well, Saudi Arabia had been a coalition member in the Gulf War, was situated in an area of imminent conflict, and was a continuing serial human rights violator, which should have disqualified it from receiving Canadian military exports under the export policy revisions Clark had carried out in 1986. Instead, the Conservative government had introduced a bill (C-6) which looked suspiciously like the introduction of a loophole to specifically provide for the Saudi-LAV deal, and Trade Minister Michael Wilson had declared a six-month suspension on all other export of automatic firearms to the Middle East in exchange for opposition support of the bill (and consequent Saudi deal).<sup>395</sup>

To the credit of the Canadian parliament, the bill didn’t pass without debate. A number of expert witnesses from industry, defence, and civil society were called upon for input. On June 13, 1991, Regehr appeared before the Legislative Committee in charge of

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<sup>394</sup> Ernie Regehr, "Clark Doesn't Show 'Sensitivity' If Canadian Arms Sales at Stake," *Kitchener-Waterloo Record*, April 12, 1991.

<sup>395</sup> ‘In an agreement with opposition MPs to secure a lucrative sale of armoured vehicles to Saudi Arabia, the federal government has promised to suspend all further exports of automatic weapons to the Middle East for the next six months.’

Geoffrey York, "Ottawa Halts Arms Sales to Mideast: Commons Pact Reached to Approve Saudi Deal," *The Globe and Mail*, June 20, 1991. Ernie Regehr, "Selling Arms but Talking Peace," *The Ottawa Citizen*, August 1, 1991.

the bill to present a statement, an appearance that showed the national importance that Ploughshares had acquired as an authoritative voice on matters of military export policy.

Regehr argued three interlocking points in his opening statement.<sup>396</sup> The first was that the rationale for Canadian procurement policy –the Canadian DIB must have access to foreign markets to complement domestic demand because a military industrial complex is key to national security – was only feasible in the artificially buoyant market of the mid-80s. Second, Canada needed to differentiate between security policy and industrial policy, since the pursuit of DIB jobs and market ran counter to Canada’s true security goals. Third,<sup>397</sup> the creation of an automatic firearms list should not arbitrarily be applied to only firearms, but instead should be incorporated into a “Military Commodities Country Control List” which would restrict all Canadian military exports to countries on said list. Countries would be added to the list similarly to how Wilson had envisioned countries being added to the Firearms Control List, with one additional requirement which Regehr designated a “Security Impact Assessment.”<sup>398</sup> A version of this assessment would also be required for each export of complete military systems to countries on the list, as well as components and subsystems above a certain value. Regehr proposed the studies be carried out a Special Parliamentary Committee that would then report to Parliament. The conclusions of the study could be overruled by the government in providing export permits under the Export and Import Permits Act, but, as the SIA

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<sup>396</sup> "Minutes of Proceedings and Evidence of Legislative Committee E on Bill C-6: An Act Respecting the Exporting, Importing, Manufacturing, Buying or Selling of or Other Dealing with Certain Weapons," (House of Commons, 1991).

<sup>397</sup> Regehr didn’t reach his third point in the time allotted, but it is clearly articulated in his presentation notes given to the committee. "Notes for Presentation to the House of Commons Legislative Committee 'E'," (Ottawa: House of Commons, 1991).

<sup>398</sup> *Ibid.*, 9.

assessments would be public, the government would be responsible for the consequences of that decision.

Bill C-6, according to Regehr and Ploughshares, was simply a means to facilitate the lucrative export of LAVs to one of the most heavily militarized regions in the world. Yet Regehr's presentation argued that the concept of creating a country list was potentially constructive if it were applied to all military exports and facilitated in a manner that brought transparency into the decision-making process. This revision would, Regehr argued, help to separate industrial strategy from military policy, and heal the growing rift between the Canadian government's post-Gulf War policy commitments and tangible decisions regarding military exports.

A second presenter to the committee, John Lamb of the Canadian Centre for Arms Control and Disarmament, used his substantive study of Canada's military export to argue that continuing pressure from the Canadian DIB had led to increasing flexibility in government interpretation of its own export policy.<sup>399</sup> Since complying fully with the restrictive nature of Canadian military export restrictions would have handicapped the competitive ability of Canadian military producers, the restrictions were subjected to various interpretations according to the political situation of the government in power. Additionally, military producers like Diemaco and GM Diesel, who had been encouraged to expand during the defence spending boom of the mid-80s, leveraged the threat of factory closure to extract further interpretive flexibility for export contracts. When

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<sup>399</sup> "According to many of those whom I interviewed, by 1982 Canadian military equipment was being sold to a wider range of Third World markets than in the 1970s. Sales were being approved that even five years earlier would have been turned down even had the circumstances been identical." John Lamb, "Minutes of Proceedings and Evidence of Legislative Committee E on Bill C-6: An Act Respecting the Exporting, Importing, Manufacturing, Buying or Selling of or Other Dealing with Certain Weapons."

informed by Progressive-Conservative MP André Plourde that Diemaco had indeed threatened closure in a committee session only the previous day, Lamb described the defence trap in which the government was embroiled: “You could come back to me in three years, once the Saudi sale has been completed, and say that Diemaco is now saying it will close down if it doesn’t clear a sale to Indonesia. This situation becomes endless unless the government and the company take concrete steps at some point to get into diversification.”<sup>400</sup>

Both Regehr and Lamb seemed to expect that Bill C-6 would pass – and it did – but the controversy and discussion around the bill convinced the government to hold a public hearing and review of defence production and military export policies later in the year.<sup>401</sup> Regehr was once again called upon to present as a Ploughshares representative – this time to the Sub-Committee on Arms Exports of the Standing Committee on External Affairs and International Trade.<sup>402</sup> Armed with the recently released “First Annual Report” of Canadian military exports promised by Clark, as well as information from the Canadian Military Industrial Database, Regehr set out to answer a specific question: Do Canada’s military export control procedures effectively limit Canadian military sales to Third World Countries that are regarded as human rights violators or involved in

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<sup>400</sup> Ibid.

<sup>401</sup> Geoffrey York, "Canadian Rockets Make Big Impact," *The Globe and Mail*, August 19, 1991.

<sup>402</sup> Regehr was actually called upon a third time to present before the Sub-Committee in May 1992 as a representative of the Canadian Council of Churches. Project Ploughshares and Taskforce on the Churches and Corporate Responsibility, "Canada's Military Export Policy: Canadian Council of Churches Brief to the External Affairs/International Trade Subcommittee on Canada's Military Export Control Policy," (Canadian Council of Churches: 1992).

hostilities?<sup>403</sup> His presentation and ancillary documentation alleged that in the three year period 1988-1990, 42.4% of all Canadian military commodities exported to the Third World went to countries engaging in frequent use of official violence against the public, and 17.1% went to countries actively engaged in armed conflicts.<sup>404</sup> Consequently, Canadian military export policies did not seem to be causing a significant constriction of exports to either group of countries, despite alleged close controls. Regehr also argued that Canada needed to drastically reform its end-use controls, which amounted to “a loophole that permits tens, if not hundreds, of millions of dollars worth of Canadian-built commodities to reach destinations not authorized by Canada.”<sup>405</sup> This in turn would require military exports to the US to be brought into the export permit system, and the system itself to be equipped with better evaluation tools for determining the security impact of individual export deals (thus the need for SIAs).

Regehr’s report generated a November 22 piece in *The Globe and Mail*,<sup>406</sup> as well a rebuttal from Export and Import Permits Bureau Director Tom MacDonald, which was promptly circulated to all members of the sub-committee. MacDonald began by noting that, “Mr Regehr’s statements...create[s] the impression of a large-scale flow of Canadian

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<sup>403</sup> Ernie Regehr, "Notes for presentation to External Affairs/International Trade Subcommittee on: Canada's Military Export Control Policy." Project Ploughshares Archive: November 21, 1991.

<sup>404</sup> Regehr was of course aware that categories such as “Third World,” “human rights violator,” and “countries engaged in conflict” could all be contested, and defined them in some detail in his parliamentary report. He also alleged that if exports to regions of tension or imminent conflict were included, the latter percentage would be significantly higher (since it would include exports to Saudi Arabia among others). "Supplement to November 21/91 Notes for Presentation to External Affairs/International Trade Subcommittee." Project Ploughshares Archive.

<sup>405</sup> "Notes for Presentation to External Affairs/International Trade Subcommittee On: Canada's Military Export Control Policy." Project Ploughshares Archive, 1991.

<sup>406</sup> Geoffrey York, "Half of Arms Clients in Third World Violate Rights, Mps Told," *The Globe and Mail*, November 22, 1991.

military equipment to countries that, according to the government's own policy guidelines, should not be receiving it."<sup>407</sup> This impression was "distorted" in MacDonald's eyes by the fact that only four percent of Canadian military goods exported in 1990 went to non-OECD countries (\$40 million Canadian), and only about 1.75 percent to Regehr's list of human rights violators. Furthermore, the military goods shipped by Canada include many commodities that didn't go "bang," including unarmed aircraft, navigational systems, radar parts, electric generators, flight simulator parts, and bomb disposal suits. McDonald ended with the claim that many applications to export military goods to such countries are turned down, and that the system needs a balance between rigidity and flexibility:

"It is not evident that a more rigid system would be a better system. It could produce other perhaps undesirable results: denial of military equipment to countries for legitimate security purposes, or to democratic countries facing ruthless insurgencies, or to friendly countries threatened by aggressive neighboring states."<sup>408</sup>

Regehr's response to McDonald reiterated the points made in his November presentation to the sub-committee. He argued that McDonald's four percent figure was only accurate if one included the roughly 85 percent of Canadian military goods exported to the United States (for which no export permits are required), as well as the 10 percent to OECD states (for which permits are provided as a matter of routine).<sup>409</sup> Since many Canadian exports to both the US and OECD states were manufactured into complete military systems that were then re-exported to other destinations, their significant percentages of Canadian exports required greater transparency. As well, Regehr noted that the 1990 figures that McDonald used for his argument were not representative of

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<sup>407</sup> Tom MacDonald to John Bosley, January 8, 1992, Project Ploughshares Archive.

<sup>408</sup> *Ibid.*, 5.

<sup>409</sup> Regehr to Peter McCreath, February 11, 1992, Project Ploughshares Archive.

Canadian military exports since the figure for non-OECD countries was less than a fifth of what it was in 1986 (\$255 million).<sup>410</sup> Regehr's point was that, while Canadian exports to the Third World were not currently a significant proportion of Canadian military exports, they were the only portion to which the export controls might actually be applied. Studying that specific portion was consequently the best way to evaluate the controls themselves.

Although Bill C-6 passed, allowing the sale of automatic weapon-equipped LAVs to Saudi Arabia, the discussion catalyzed a continued surge in interest surrounding Canada's participation in the international arms trade. The fact that Joe Clark and the Progressive-Conservatives had, within six months, gone from calling the build-up of arms in the Middle East "insane" and admitting "It must end,"<sup>411</sup> to orchestrating the sale of 1,117 LAVs to Saudi Arabia, gave Project Ploughshares a clear opportunity to point out hypocrisy. Regehr quickly identified four key points in Trade Minister Michael Wilson's defence of the deal: "the sales are not inconsistent with Canada's arms-control objectives; any sales would be subject to special restrictions; such weapons are useless for warfighting anyway; and besides, we need the business."<sup>412</sup> Of these, Regehr argued that by far the most persuasive was the last, even though it perpetuated a status quo that was largely considered, at the international level, to have precipitated the Gulf War. As he'd told the legislative committee earlier in the year, "You must realize that in its very welcome diplomatic initiative to curb the unrestrained arms trade, the government is

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<sup>410</sup> Ibid., 4.

<sup>411</sup> Clark, "Clark: We Have an Obligation to End the Mid-East Arms Race," 7.

<sup>412</sup> Ernie Regehr, "Besides, We Need the Business," *This Magazine* 1991.

dedicated to radically reducing, or even eliminating, the very buoyant arms market that the procurement strategy is premised on exploiting.”<sup>413</sup>

The failure of the Progressive-Conservative government to prevent the obvious policy contradiction of the Saudi-LAV sale, coupled with its active support of Bill C-6, emphasized to Ploughshares the extent to which industrial policy had come to supplant international security concerns in post-Cold War Canada. Ploughshares’ constant battle for military export transparency had been partially answered in the government’s new commitment to annual reports, and yet even the public embarrassment of the Saudi-LAV deal had not provided a successful disincentive. The traditional military doctrine which prioritized a domestic DIB, and the commercial industry which had grown to exploit that doctrine, held significant influence over the political process. This was the basis both for continued military exports to the Middle East, and the increasing interpretive flexibility that John Lamb had identified in his presentation to the Legislative Committee evaluating Bill C-6. Consequently, if Ploughshares wished to establish true change in Canadian military exports, it would need to initiate a paradigm shift in how the Canadian government viewed national security, the defence industry, and the defence budget.

### *A New Security Policy*

The Sub-Committee on Arms Exports issued its report on “The Future of Canadian Military Goods Production and Export” in September 1992.<sup>414</sup> According to Ploughshares’ official assessment in the December 1992 *Ploughshares Monitor*, the

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<sup>413</sup> "Minutes of Proceedings and Evidence of Legislative Committee E on Bill C-6: An Act Respecting the Exporting, Importing, Manufacturing, Buying or Selling of or Other Dealing with Certain Weapons."

<sup>414</sup>Ernie Regehr, "Report of the Sub-Committee on Military Exports: Converting out of the Arms Trade," *Ploughshares Monitor* 1992.

report made a number of welcome recommendations, including that a Munitions Country Control List (MCCL) should be established to define which countries could receive Canadian military exports. This recommendation, along with the suggestion that the MCCL criteria include reporting to the United Nations Arms Register, were direct descendants of Regehr's presentation to the Sub-Committee. Additionally, the report urged the usage of DIPP funds to support industry conversion efforts, the establishment of a national Conversion Resource Centre, and a renewed concern for the end use of Canadian military exports.<sup>415</sup> Regehr decided that "in general, the Sub-Committee's report deserves strong support,"<sup>416</sup> although he worried that the continued reliance upon guidelines for export decisions rather than binding criteria would allow obedience to remain a matter of interpretation.

Still, the release of the Sub-Committee report seemed to be ignored by the Conservative government.<sup>417</sup> In a *Monitor* article immediately following Regehr's assessment of the report, Epps complained that a \$1.5 billion sale of three patrol frigates to Saudi Arabia had received government approval in the same week, and catalogued a long list of instances of active DND cooperation with Canadian military producers to drum-up international contracts.<sup>418</sup> Ultimately, the MCCL was never implemented into Canadian export policy, and the report seemed to have had little immediate impact upon the flexibility of the policy guidelines.

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<sup>415</sup> Ibid.

<sup>416</sup> Ibid.

<sup>417</sup> "Dismissing all the committee's key recommendations, [External Affairs Minister Barbara] McDougal makes it clear that the government has essentially abandoned its focus on the arms trade as a serious arms control issue, and is ready now to concentrate on the military export promotion track." "Merchants of Death (Canada) Ltd.," *Toronto Star*, June 2, 1993.

<sup>418</sup> Ken Epps, "Federal Promotion of Weapons Exports: The Canadian Arms Hustle," *Ploughshares Monitor* 1992.

The lack of substantial change in Canadian export policy corroborated the fundamental Ploughshares accusation that military exports were viewed by the Canadian government as an industrial strategy first and a matter of security policy second. As long as national security remained primarily a military concern in Canadian defence policy, and as long as Canada's Cold War-esque defence policy required a significant DIB to preserve industrial capacity in the event of a long war scenario, the defence industry would continue to be viewed as a critical factor in both defence and industrial policy success. Criticizing Canadian export policy might produce tangential success, such as Canada's annual military export report (as announced by Clark following the Gulf War), or Mulroney's call for an international summit to discuss conventional arms control, but it could not alter Canada's commitment to the viability and longevity of Canadian arms producers. What Project Ploughshares needed to attempt was an alteration of the defence policy structure that placed critical importance upon the Canadian DIB, and perpetuated a DND budget aimed at counteracting an increasingly ephemeral Russian threat.

Although this shift to meta-level advocacy had begun after the 1986 embrace of a "common security" paradigm, it continued to ruffle feathers among Ploughshares' constituents into the 1990s. After all, while advocates of all denominational and religious affiliations could agree that the world had too many weapons and too few controls, attempting to nail down a consensus on the appropriate use of violence was much more difficult.<sup>419</sup> Ploughshares experienced internal criticism from certain constituents within

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<sup>419</sup> "Well it was a difficult time for Ploughshares because we, you see, the issues that we had been pursuing then, arms trade with the Third World, was not hard to get ecumenical agreement on from whatever tradition you come from. The idea of selling military weapons to newly independent states, them going into deep, deep debt in order to acquire those when what they needed was humanitarian health, education, all that. That's not a hard sell to advocate for a restrictive policy on arms sales. That wasn't, and the nuclear

traditionally pacifist denominations, including Mennonites and Quakers, who rejected all forms of violence including the international policing and peacekeeping that Ploughshares affirmed as acceptable roles for the Canadian Forces.

Pushback came in the form of public critiques,<sup>420</sup> as well as internal divisions within the Ploughshares board of directors. In the months preceding the publication of Ploughshares working paper *Building Peace*<sup>421</sup> two members of the Ploughshares board wrote formal letters of dissent regarding the drafting process of this official Ploughshares statement on security policy.<sup>422</sup> These letters argued that the drafts advocated the use of force for policing and peacekeeping in wording that both board members found reprehensible. The first letter was drafted by Doug Pritchard, of the Mennonite Conference of Eastern Canada, articulating concern over the draft's assertion that "[Ploughshares] also continue[s] to acknowledge the necessary and constructive role that the carefully constrained use of lethal force can play in human affairs."<sup>423</sup> Pritchard argued that the Mennonite Conference he represented could gladly endorse parts of the draft policy, but not potential support of any resort to violence.

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one as well, that wasn't a hard sell, not hard to get agreement that the absolute extraordinary destructiveness of nuclear weapons just had no humane place. So we could achieve clarity on that, but on Canadian defence policy, that was much more difficult." Regehr, interview by Paul Esau.

<sup>420</sup> Like this letter from Fred W. in October 1991, which was published in the bi-weekly *Mennonite Reporter*. Fred W., "Can't 'Make Peace' with International Policing," *Mennonite Reporter*, October 28, 1991.

<sup>421</sup> Project Ploughshares, "Building Peace: New Challenges for Canada's Foreign and Defence Policies," *Ploughshares Working Papers* 93-4, (Waterloo Ontario: Project Ploughshares, 1994).

<sup>422</sup> This statement was being prepared for presentation to the Special Joint Committee on Canada's Foreign Policy and Special Joint Committee on Canada's Defence Policy during their 1994 review. It was published as a working paper after that presentation.

<sup>423</sup> Doug Pritchard to Ernie Regehr, October 13, 1993, Project Ploughshares Archive.

A second letter, written by Margaret Ford of the Canadian Friends Service Committee (CFSC) to Ploughshares board chair Len Johnson, stated that the organization “cannot in conscience agree to this statement being sent out as a consensus document from a board on which we are represented.”<sup>424</sup> Ford also criticized the process by which the board claimed to have formed consensus at a November 12, 1993 board meeting, and suggested further dialogue and revisions would be needed before CFSC could be persuaded to sign off.

In a lengthy response to Ford’s letter, Regehr attempted to repair damage by explaining that the policy document was very much still in the draft stage, that consensus had not been claimed at the November meeting, and that the final statement would require significant inter-denominational flexibility:

As we said from the beginning, this is to be a statement reflecting a diverse range of Christian perspectives, and there needs to be room for those diverse perspectives to be reflected in it. This may mean that parts of the statement will support forms of military activity that the historic peace church tradition does not support – but in that case the statement should make it clear that in such a case the described military activity is supported by only some of the signatories...My personal hope is that such instances should be kept to a minimum and that the statement should accentuate those issues on which there is agreement.”<sup>425</sup>

This controversy symbolized the key difficulty of Ploughshares’ new interest in policy formulation: the requirement for a much broader theological and ideological consensus among key stakeholders than its traditional role as policy critic. Just as the unique nature of the Ploughshares vision had led to internal friction following Regehr’s decision to speak at Peacekeeping ’93, the presentation and subsequent publication of *Building Peace* exposed fractures among different constituents of the Ploughshares’ base.

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<sup>424</sup> Emphasis is Ford’s. CFSC is a Quaker organization. Margaret Ford to Len Johnson," circa November/December 1993, Project Ploughshares Archive.

<sup>425</sup> Ernie Regehr, "Draft Letter to Margaret Clare Ford -- CFSC," 1993.

Yet the 1994 foreign policy and defence review, catalyzed by the Liberal victory in the 1993 federal election, provided a significant opportunity for Ploughshares to provide policy input and potentially influence government actors. The new Chretien government was the first true post-Cold War administration, and came into power facing a recession that seemed to align its interests with Ploughshares in terms of cutting the defence budget. All of the major parties had pledged defence cuts in their 1993 electoral platforms,<sup>426</sup> and the new Liberal government had quickly cancelled a massive helicopter acquisition deal announced by the previous government, and deferred a similar submarine procurement project. Yet the military export record of the new regime, allowing controversial helicopter sales to Colombia<sup>427</sup> and Thailand,<sup>428</sup> and its sudden silence on the Sub-Committee report regarding military exports that the Liberals had vocally supported while in opposition, suggested a critical adherence to the Canadian status quo.

By contrast, Ploughshares' security policy vision, as in the document drafted between 1993 and 1994, was a radical departure. According to *Building Peace*, the vision was to "introduce the practical implications of common security into the official policy and practice of Canada's actions in the world."<sup>429</sup> This required a pivot from the traditional roles of the Canadian Forces towards a three-fold strategy of peacebuilding, war prevention, and war termination, as well as new appreciation for the roles of Official

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<sup>426</sup> Geoffrey York, "Consensus on Cutbacks for Defence Astounds Critic: Full Review of Military Role Likely Outcome of Election," *The Globe and Mail*, October 13, 1993.

<sup>427</sup> Jeff Sallot, "Copter Sale to Bogota Allowed: Federal Arms-Export Policy Questioned," *ibid.*, June 9, 1994.

<sup>428</sup> Dave Todd, "Canada Pursues Weapons Sales with Thailand," *Ottawa Citizen*, December 7, 1994.

<sup>429</sup> Ploughshares, "Building Peace: New Challenges for Canada's Foreign and Defence Policies," 1.

Development Assistance (ODA) and Foreign Affairs spending in pursuing international security.<sup>430</sup>

In an appendix to the working paper, Ploughshares recommended a radical reformulation of the mandate of the Canadian Forces. The following is a Ploughshares' categorization of existing missions:

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<sup>430</sup> Ibid., 2.

## **Major Existing Missions of the Canadian Armed Forces**

### *International – Combat missions*

1. Land and air defence of Western Europe, in cooperation with NATO forces
2. Naval defence of North Atlantic, in cooperation with NATO forces
3. Participation in “contingency” land, air, and naval warfare missions, such as the Gulf War, “anywhere in the world”

### *International – Peacekeeping missions*

4. Participation in peacekeeping, humanitarian support, and policing operations

### *North American/Domestic – Combat missions*

5. Air surveillance and early warning of air/missile attack on North America, including limited air defence and drug interdiction, in cooperation with US forces, under NORAD
6. Land and naval defence of North America, including adjacent waters, in cooperation with US forces

### *Domestic missions*

7. Surveillance and limited control over Canadian territory, airspace, territorial waters and adjacent ocean areas
8. Coordination and conduct of search and rescue operations, in cooperation with Canadian Coast Guard
9. Aid to civil authority<sup>431</sup>

Ploughshares proposed that Canada discontinue missions one to three, as well as five and six, arguing that both NATO and NORAD were largely anachronistic in a post-Cold War world. They didn’t advocate an actual withdrawal from either organization, but simply a declaration that Canada would be redirecting military resources from conventional war-fighting capability into “more effective, non-military contributions to international security, while continuing to make an effective military contribution through

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<sup>431</sup> Adapted from *Building Peace*.  
Ibid., 10.

peacekeeping activities.”<sup>432</sup> This redirection of military resources would also allow Canada to end its commitment to combat capability in three services, along with the requisite procurement expenses of maintaining such diverse capability. Instead, Canada could focus on its peacekeeping and development strengths, and end the struggle to build token capabilities that required long-term government-subsidized Canadian military industrial capacity.

*Building Peace* made a strong case that true peacemaking operations must be used to facilitate a separate political process (a policing model), not force a desired political outcome. The report made an analogy to the two stages of Canadian involvement during the Gulf War, which transitioned from a peacekeeping operation to supervise the enforcement of economic sanctions into a coercive military intervention. Simply put, the Canadian ships initially sent to enforce sanctions were part of a policing process, while the aircraft Canada later provided to attack targets in Iraq were used to force a political outcome. To Project Ploughshares, the mixed outcomes and disastrous collateral damage in Iraq and Kuwait proved that classic military intervention to coerce political outcomes was both regressive and futile. Additionally, Ploughshares tied the heavy material and firepower requirements of such missions to DND demands for broad capability requiring sustained defence spending, expensive military systems, and protection of Canada’s DIB.

Ploughshares’ proposal to the 1994 foreign policy and defence reviews included a correlated decrease in DND funding to match the reduction in mission scope. Although calls for cuts in defence spending had been a Ploughshares constant since the late 1980s, their incorporation into a coherent common security framework with a peacebuilding focus provided a more complete package for the potential redirection of Canadian policy.

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<sup>432</sup> Ibid., 11.

Previous claims from Ploughshares (including that Canada's continued commitment to preventing US-Soviet war was as high as \$8 billion in 1991),<sup>433</sup> had not provided the same clarity on policy alternatives.

Ploughshares had also long argued that, if security was to be no longer based on military strength alone, then Canada's "security budget" should also be diversified to place a higher emphasis on non-military spending. In 1991, Robinson had calculated that Canada's "global security budget" for spending on the military, international development, and environmental protection was \$17.5 billion, of which \$13.2 billion was spent on the military.<sup>434</sup> By 1994's *Building Peace*, the three components of Canada's security budget had been clarified as DND spending, Official Development Assistance (ODA) spending, and Foreign Affairs (FAIT) spending. The working paper proposed that the significant savings in DND spending that could be gained by adopting a peacebuilding focus for the Canadian military could be largely redistributed to ODA spending as part of a bid to address global inequality (as a core cause of global insecurity).<sup>435</sup> Since the prevailing common security and peacebuilding doctrine insisted that military intervention could not create peace independently, but instead simply provide time and space for non-violent conflict resolution initiatives, Ploughshares argued this redistribution would create a more accurately proportioned "security budget" for meeting Canada's international security responsibilities.

The reports by the Special Joint Committee on Canada's Defence Policy and the Special Joint Committee Reviewing Canadian Foreign Policy were released on October

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<sup>433</sup> Bill Robinson, "Rethinking Canada's Security Budget," *Ploughshares Working Papers* 91-3, (Waterloo, Ontario: Project Ploughshares, 1991), 3.

<sup>434</sup> *Ibid.*, 1.

<sup>435</sup> Ploughshares, "Building Peace: New Challenges for Canada's Foreign and Defence Policies," 2.

31 and November 15, 1994 respectively.<sup>436</sup> Ploughshares observers were enthused by the committees' initial embrace of a more holistic definition of security, but quickly realized that both reports still assumed that international instability would require fundamentally military solutions. The release of a subsequent Defence White Paper on December 1 made it clear that the DND was still set on maintain three-service combat-capability – a decisions interpreted by Ploughshares as a critical refusal to reorient into a new world. In the words of Bill Robinson, the “White Paper is best understood as an interim document that begins but does not complete the process of transition to an appropriate and realistic post-Cold War defence policy.” While the White Paper also acknowledged that the definition of Canadian security had changed, it had not reoriented the Canadian Forces from warfighting to peacemaking, nor resisted the temptation to preserve all of DND's Cold War missions. Instead, despite a projected DND personnel decline of 25% by the year 2000, and a projected budgetary decline to \$8.8 billion by the same year, DND focussed upon preserving token capabilities across all three services.<sup>437</sup>

Yet the White Paper did make clear that by the mid-1990s Canadian defence spending was definitively in retreat. The 1995-1996 budget announced in February 1995 was \$11.457 billion, down from \$12.326 billion in 1993-1994, and it was scheduled to drop even further by the end of the decade.<sup>438</sup> Still, the question of how much it was retreating was vehemently debated between the DND and its lobbies, and peace movement organizations like Project Ploughshares. In the September 1994 *Monitor*

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<sup>436</sup> Bill Robinson, "Old Ideas in New Packages," *Ploughshares Monitor* 1994.

<sup>437</sup> The \$8.8 billion figure was a Ploughshares estimate, as the White Paper did not include actual figures. Bill Robinson "Missed Opportunities: Retrenching the Armed Forces," *Ploughshares Monitor* 1995.

<sup>438</sup> Bill Robinson, "1995-96 Military Spending: Monitoring the Downward Trend," *Ploughshares Monitor* 1995.

Ploughshares attempted to debunk some of the “myths” surrounding the defence budget, pointing out that Canada remained the 12<sup>th</sup> largest military spender in the world, and that the 1994-1995 budget was “only **7 percent smaller** than its average size during the ten preceding years (1984-85 to 1993-94).”<sup>439</sup> Ploughshares also criticized the DND claim that \$21 billion had been cut from its budgets since 1987-1988, arguing that these numbers included planned future increases and projected savings, and calculated that the true cuts up to the present budget were a modest \$3.6 billion.<sup>440</sup> Military lobbyists and spokespeople had long argued that the Canadian military suffered from a “commitment-capability gap,” and that Canada’s rising commitments to international peacekeeping should be met with a corresponding increase in funding,<sup>441</sup> but Ploughshares asserted that both issues could be resolved by reorienting the Canadian military away from its Cold War era missions. In fact, Ploughshares, as mentioned above, had continually argued that DND could meet all of its necessary post-Cold War mandates despite significant cuts, once shorn of its expensive commitments to maintaining heavy armour, naval, and air capabilities.

The alternative defence policy formulated by Project Ploughshares in the mid-1990s had originated in the organization’s commitment to “common security” a decade earlier, as well as the escalating opportunities of official input into Bill C-6, the Sub-Committee review of military export policy, and the official reviews of both foreign and defence policy. The effort put into the formulation of an alternative policy, despite the

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<sup>439</sup> Original emphasis.

Project Ploughshares, "Myths and Realities About the Canadian Defence Budget," *Ploughshares Monitor* 1994.

<sup>440</sup> Ibid.

<sup>441</sup> Geoffrey York, "Peace Role Stirs Debate on Canadian Army's Future," *The Globe and Mail*, November 12, 1992.

internal divisions that the project caused, shows a burgeoning understanding within Ploughshares that Canadian resistance to embracing a peace dividend and industrial conversion, enforcing its military export policies, and terminating Cold War missions, was tied into larger structural constructs regarding the nature of security. By advocating for a new understanding of defence policy birthed from a more inclusive understanding of security, Ploughshares hoped to alter the fundamental military paradigm from which the other peripheral issues were evaluated. If successful, this strategy would have transformed the Canadian military into a radically different organization. In reality, it helped create an ideological hybrid with both a peacekeeping and warfighting mandate, tasked with maintaining a token capability in all existing missions and “defending” Canada from an increasingly unlikely foreign invasion.

### **Ploughshares and the World: 1989-1996**

Project Ploughshares began as a Canadian organization that pursued domestic advocacy with a Canadian agenda. Although the organization cultivated a comprehensive understanding of international arms control and disarmament issues – publishing an annual armed conflict report since 1987 and closely tracking related global events – its practical advocacy was consistently targeted at national policy. It wasn't until the early 1990s that Ploughshares became more active in initiatives outside of Canada.

This organizational pivot came during a bewildering time for an NGO with Ploughshares' focus. On one hand, intrastate wars fought with conventional weapons had garnered significant attention following the collapse of the bipolar world order,<sup>442</sup> on the

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<sup>442</sup> Ernie Regehr, "World in Flames: With Nuclear Arsenals Trimmed, Conventional War Escalates," *Kitchener-Waterloo Record*, January 20, 1993.

other, an unprecedented level of UN Security Council cooperation led to a proliferation of multilateral conflict interventions. For a brief moment, the international order seemed to have both the power and the will to address intrastate conflict – albeit with military doctrines and forces structured to fight interstate wars against professional opponents.

The Gulf War convinced Ploughshares (and especially Regehr) that military interventions to coerce desired outcomes could create neither stability nor peace. In his words, “the nature of current wars and the realities of international politics, mean that collective military measures will not be key factors in the international community’s efforts to respond constructively to regional and local wars.”<sup>443</sup> The suffocating threat of nuclear escalation could not be reintroduced to dampen regional conflicts, and the cost of military interventions would force them to require Western leadership. Consequently, the practical limits to military intervention would continue to constrain its practice while privileging the agenda of the traditional superpowers in its occasional implementation.

Part of Ploughshares’ new openness to international advocacy was manifested in direct UN participation. Regehr himself had long been a sceptic of the UN, and blames Ploughshares’ relatively late involvement with the organization on his leadership.<sup>444</sup> Yet by 1989 he was participating as a member of a UN Expert Study on Arms Transfer Transparency, which had been tasked with designing a feasible Arms Register. In 1991, Ploughshares drafted a memorandum to board members detailing Ploughshares’ present contact with the UN, and articulating the goals of that contact.<sup>445</sup> The memorandum claimed that Ploughshares had become more aware of the importance of the UN to arms

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<sup>443</sup> "War after the Cold War: Shaping a Canadian Response," *Ploughshares Working Papers* 93-3, (Waterloo, Ontario: Project Ploughshares, 1993).

<sup>444</sup> Regehr, interview by Paul Esau.

<sup>445</sup> Project Ploughshares, "Memorandum: Ploughshares' UN Work." Project Ploughshares Archive, 1991.

control and disarmament issues due to the Gulf War, and speculated that “as bloc politics break down into a more multilateral decision making system the UN’s importance grows.”<sup>446</sup> This forecast was more or less played out during the 1990s as most global arms control measures in both the conventional and nuclear/biological/chemical spheres were either facilitated by, or incorporated into, the UN structure.

### ***The UN Arms Register***

The idea of a universal arms register that would track the production and sale of weapons systems around the world was not unique to the early 1990s. In the September 1991 issue of the *Ploughshares Monitor*, Regehr described a rough history of the concept dating back to a nascent League of Nations’ register published between 1925 and 1938, which was revived as a possible UN initiative in 1965.<sup>447</sup> Yet actual movement on an international register only began at the UN level in 1988 with Resolution 43/75 I, which requested that the Secretary-General requisition a group of government experts to carry out “a study on ways and means of promoting transparency in international transfers of conventional arms on a universal and non-discriminatory basis.”<sup>448</sup> This UN Group of Governmental Experts on Arms Transfer Transparency was formed of one expert from each of 21 countries, including Regehr as the Canadian representative, and conducted a two-year study between 1990 and 1991.<sup>449</sup>

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<sup>446</sup> Ibid.

<sup>447</sup> Ernie Regehr, "UN Arms Transfer Register: A Seat at the Arms Dealer's Table," *Ploughshares Monitor* 1991.

<sup>448</sup> Ibid.

<sup>449</sup> The number of representatives in the group was initially reported as 21, but later sources have it listed as 18. "Mennonite College Professor on United Nations Committee," *Elmira Independent*, May 15, 1990.

Regehr's nomination at the recommendation of the Canadian Department of External Affairs was extremely unlikely, and yet it represented, in his words, "a positive intention on the part of the government to see effective movement on this issue."<sup>450</sup> Epps would later comment that "it appears that [the government] can nominate whoever. In most cases it's an ambassador, a UN ambassador or equivalent who gets on the committee, somebody who's involved in UN work already, but occasionally it can actually be a real expert."<sup>451</sup> Regehr's unusual background and "radical" viewpoint appear to have caused some friction within the group of experts,<sup>452</sup> but he also seems to have played an essential role in shaping the group's conceptual register. Ironically, because of the sudden resurgence in interest surrounding conventional arms control because of the Gulf War, the group of expert's report was quickly implemented into an actual register. Regehr therefore ended up having critical influence over the biggest international move on conventional arms control of the immediate post-Cold War period.

Canada's involvement in the UN Arms Register developed in the mid-1980s as a result of the 1985-1986 review of international affairs by a Canadian special joint committee. The Canadian Council of Churches and Project Ploughshares repeatedly recommended to the committee that Canada urge the UN to initiate a study on a potential arms register, and the recommendation was eventually internalized into the committee's report.<sup>453</sup> By 1988, the idea had sufficiently permeated Canada's Conservative government that Canada became a co-sponsor (along with Colombia and Italy) of Resolution 43/75 I, and by 1991 Joe Clark had announced a unilateral measure to start

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<sup>450</sup> Ibid.

<sup>451</sup> Epps, "Epps Transcript."

<sup>452</sup> Douglas Roche, "U.N. Arms Registry Offers Hope," *The Toronto Star*, August 23, 1991.

<sup>453</sup> Regehr, "UN Arms Transfer Register: A Seat at the Arms Dealer's Table."

publishing an annual report of Canadian military exports.<sup>454</sup> This direct link between the CCC/Ploughshares presentation and Canadian governmental action is a simplification of the actual event chronology, but it does represent, once again, Ploughshares' influence upon Canadian policy.

The report published by the group of experts in 1991 balanced a complex mix of requirements and special interests. According to the report, its object was "to examine ways and means of promoting transparency so as to encourage prudent restraint by States in their arms export and import policies and to reduce the risks of misunderstandings, suspicion or tension resulting from lack of information concerning arms transfers."<sup>455</sup> The register was consequently not intended to operate as a control measure (participation in the register was envisioned as completely voluntary, and individual countries would be responsible for compiling their own reports), yet even the simple pursuit of openness and transparency in international arms transfers produced its own apprehensions. The largest was the power disparity such a register could potentially create between countries that purchased the majority of their military goods on the international market (and would thus be encouraged to report them to the Register), and countries that produced the majority of their military goods domestically (creating little incentive for disclosure).

Regehr presented himself to reporters in Canada as a mediator between the consumers (generally developing nations in the global south) and the suppliers (generally industrialized nations in the global north) on the expert committee.<sup>456</sup> When the G-7 and

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<sup>454</sup> Ibid.

<sup>455</sup> U.N. Group of Government Experts, "Study on Ways and Means of Promoting Transparency in International Transfers of Conventional Arms," (United Nations, 1991), 11.

<sup>456</sup> Margaret Loewen Reimer, "Ploughshares Director Helps Shape UN Action on Arms Trade," *Mennonite Reporter*, 1991.

Soviet Union released a communique on its support of a potential arms control register, Regehr lauded the support in the pages of the *Toronto Star*, but sharply criticized the “language of managers” which flowed through the G-7 statement.<sup>457</sup> Regehr argued that the possibility of a “arms supplier’s cartel” in which supplier nations took it upon themselves to evaluate and control arms transfers, would kill the international cooperation necessary for real transparency, as well as transforming the register into a tool discriminating against consumers and privileging suppliers. Just as with the larger concept of common security itself, Regehr asserted that arms transfer transparency needed to be universal and non-discriminatory, to protect itself against the agenda and manipulation of the great powers.

Because different states had different levels of reliance upon military transfers, any register based solely on creating export transparency would be inherently discriminatory. To make register participation more equitable, the group of experts recommended that a potential UN register also include information on national military holdings, procurement, and even doctrine.<sup>458</sup> Supplier nations obviously weren’t enthusiastic about having to disclose sensitive military information to the UN, but Regehr argued that, since most industrialized nations already disclosed holdings and procurement

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<sup>457</sup> “For the register to become fully effective, it will have to be understood to be in the interests of buyers and suppliers alike. Without full recipient co-operation, arms transfer control could easily become just another attempt by major suppliers and powers to shape world order by the judicious opening and closing of the weapons faucet.” Ernie Regehr, “A Major Flaw in G-7’s Arms Sale Registry,” *Toronto Star*, August 5, 1991.

<sup>458</sup> “128. Especially where States differ in the extent of their reliance on imported arms, the positive impact of any reporting system would be enhanced if it were complemented by progressive measures to promote transparency in other military fields, such as military holdings and procurement, and military doctrines.” Experts, “Study on Ways and Means of Promoting Transparency in International Transfers of Conventional Arms,” 44.

domestically, full disclosure was both an easy and a necessary step.<sup>459</sup> Armed with better information about the military holdings of member states, the international community would then be able to encourage an international climate of confidence and trust, avoid arms races based on exaggerated threat estimates, encourage openness, and catalyze other diplomatic measures between rival states or regions.<sup>460</sup> In the words of Ploughshares' working paper *Profits to Losses*, the UN Arms Register "is not so much a matter of weapons suppliers exercising what they regard as their prerogatives more prudently; rather, it is the acknowledgement of a specific, defined global community that has legitimate interests, even rights, that deserve to be protected."<sup>461</sup>

In many ways, the export report promoting a potential UN register pushed a spirit and a mechanism that Regehr had been trying to persuade the Canadian government to adopt at the domestic level. His attempts during the 1980s and early 1990s to achieve Canadian transparency on procurement decisions, as well as the criteria of Canadian export policy, had met with reasonable success, yet the parallel trajectory of the Saudi-LAV deal had exposed continual shortcomings. Regehr had even lobbied to make the potential UN register compulsory by giving it the weight of the treaty, only to be allegedly confronted by the US ambassador during committee discussions,<sup>462</sup> as well as foiled by his own government.<sup>463</sup> His desire to have all military procurement and transfer

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<sup>459</sup> Annie Bourret, "Drafting the Arms Trade Register: The Importance of Being Ernie," *Peace Magazine* 1992.

<sup>460</sup> Experts, "Study on Ways and Means of Promoting Transparency in International Transfers of Conventional Arms," 37.

<sup>461</sup> Regehr, "Profits to Losses: The International Arms Trade and Canada."

<sup>462</sup> Roche, "U.N. Arms Registry Offers Hope."

<sup>463</sup> Joe Clark had used the term "voluntary" in conjunction with potential UN arms register reporting during a speech to the UN General Assembly. Regehr had later written to him to argue that the register should have more formal status among signatory states. Ernie Regehr to Joe Clark, October 4, 1990, Project Ploughshares Archive.

decisions placed in the public realm for public discussion was anathema to the contemporary wisdom of the Cold War military establishments, and experienced friction at both the domestic and international levels.

Canadian officials' reactions to Regehr's work seem to be split into pre and post-Gulf War, despite Canada's co-sponsorship of the original UN motion to study international arms transfer transparency. A letter in July 1990 from the Acting Director of Canada's Arms Control and Disarmament Division emphasized the importance of a "modest beginning" with a simple target, expressed pessimism over international compliance and potential verification and professed that Canada would have difficulty compiling the information required by the register because military exports to the States were not adequately tracked.<sup>464</sup> A letter a month later from Joe Clark to Regehr in August 1990 warned Regehr of the "hazards" of excess transparency.<sup>465</sup> Yet a letter the following year from Barbara McDougall, having newly replaced Clark as Canadian Secretary of State for External Affairs, congratulated Regehr on the UN report and expressed heavy Canadian support for the register.<sup>466</sup> The Gulf War, as evidenced by the new arms control initiatives announced by Mulroney and Clark, had transformed Canadian perspectives on a potential UN register.

Still, the perception of the register as a solution for the control problems revealed by the Gulf War, is one that Regehr continually tried to debunk. He was skeptical of the argument that a better understanding of Iraq's arms transfers would have prevented the

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<sup>464</sup> C.J. Cooney to Ernie Regehr, July 10, 1990, Project Ploughshares Archive.

<sup>465</sup> "The inadvertent release of some specific information regarding export permits last year almost caused serious prejudice to a Canadian company even though the information was dated and implied no impropriety..." Joe Clark to Ernie Regehr, August 10, 1990, Project Ploughshares Archive.

<sup>466</sup> Barbara McDougall to Ernie Regehr, August 20, 1991, Project Ploughshares Archive.

crisis, since the build-up had been largely orchestrated in the West to provide a regional counterbalance to Iran.<sup>467</sup> Instead, he argued that “A UN arms transfer register is the right solution, but to a different problem.”<sup>468</sup> What the register was meant to formalize, in Regehr’s opinion, was the rationale that arms transfers, because of the fundamentally strategic nature of the commodities themselves, don’t just affect the two states involved, but also the regional and global community.<sup>469</sup> This point was illustrated by the Gulf crisis, but the crisis itself would only have been averted by a regime empowered with arms control measures, rather than one simply designed to promote transparency.

When the first annual report of the United Nations Register of Conventional Arms was published in 1993, Ploughshares quickly evaluated it as a measured success. Ultimately, 80 countries, including the top 15 exporters and 11 of the top 15 importers, had submitted reports, covering about 90 percent of global arms transfers for the year, as well as some information on military holdings and export policies.<sup>470</sup> Still, because of a lack of standardized reporting systems and potential falsification (the Russian report was particularly suspect), the report included major discrepancies in data collection.<sup>471</sup> Even the Canadian component was significantly flawed, since (as Cooney had warned Regehr in 1990), the Canadian government collected arms transfer data through military export permits, and the vast majority of Canadian military goods were exported to the US in transactions that did not require permits. Additionally, the government had not taken

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<sup>467</sup> Regehr, "UN Arms Transfer Register: A Seat at the Arms Dealer's Table."

<sup>468</sup> Regehr, "Profits to Losses: The International Arms Trade and Canada."

<sup>469</sup> Ibid.

<sup>470</sup> Project Ploughshares, "UN Reports First Arms Trade Register," *Ploughshares Monitor* 1993.

<sup>471</sup> Ibid.

Ploughshares' recommendation to deny exports to countries not complying with the register, foiling a domestic attempt to incentivize compliance.

The Register was also lacking in one critical area. Because the structure had been based upon seven major weapons system classifications, it did not include the small arms and light weapons that were being used to fight most of the intrastate and low-level conflicts characteristic of the second half of the twentieth century. This discrepancy was not addressed until the 2001 UN Programme of Action on the Illicit Trade of Small Arms and Light Weapons.

### ***The Gulf War***

The invasion of Kuwait on August 2, 1990 precipitated the first test of the “new world order,” and the first opportunity for UN-led crisis negotiation in a post-Cold War environment. A system of economic sanctions was quickly enacted to end the flow of oil from Iraq (and Iraq-occupied Kuwait), as well as a US-led military coalition build-up in the region under the codename “Desert Shield.” The UN set a January 15 deadline for Iraq’s withdrawal from Kuwait as coalition forces in the area continued to mount, instigating a direct confrontation with what was (at the time) one of the largest conventional forces in the world. Iraq’s failure to withdraw by the deadline prompted a coalition military response that swept Iraq out of Kuwait, yet failed to remove Saddam Hussein from power, caused significant death and destruction<sup>472</sup> in both Kuwait and Iraq, and cost in excess of \$60 billion.<sup>473</sup>

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<sup>472</sup> Hameed Shaikh and Cassim Degani, "Destruction to Iraq Requires Urgent Global Attention," *Ploughshares Monitor* 1991.

<sup>473</sup> Regehr, "War after the Cold War: Shaping a Canadian Response," 2.

The decision to go to war in Iraq was the first military reminder of American international dominance in the post-Cold War era. Most of Ploughshares' rhetoric in response to the conflict emphasized its violation of common security principles, its genesis in uncontrolled arms trades to Iraq and the Middle East, and how Just War principles could be applied to this new type of UN-sanctioned intervention. Once again, Regehr criticized the international decision-making which had led to Desert Storm, while Epps presented figures on the decades of unrestricted arms transfers to Hussein that had turned Iraq into a significant military power.

According to Regehr, the Gulf War was ultimately fought for three reasons: to destroy Iraq's military power and restore a regional power balance, to rid America of a lingering Vietnam complex, and to establish American military power as the final arbiter of a new world order.<sup>474</sup> Of these three, the latter two were exclusively American interests, and the first was directly created by decades of arms sales to Hussein. Regehr argued that the Gulf War was the result of two follies in the new international order:

The first folly is the expectation that peacetime management of the international order is best accomplished by superpowers manipulating regional military power balances through the delivery of weapons. The second is that big powers claim the right, by virtue of their might, to intervene unilaterally when their misguided peacetime management efforts backfire. It's no way to run a world.<sup>475</sup>

Consequently, Regehr argued that the Gulf War was neither representative of common security, because of its reliance on military coercion, not truly multilateral, because of its primarily American organization and mission. Regehr had actually been in the Middle East, on a Canadian Council of Churches peace mission, when the war had broken out,<sup>476</sup>

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<sup>474</sup> Regehr, "The Gulf War: An Exercise in World Order Management," May 12, 1991.

<sup>475</sup> Regehr, "No Way to Run the World," *Compass: A Jesuit Journal* 1991.

<sup>476</sup> John Morris, "Waterloo's Peace People: Agency's in the Spotlight as Gulf War Rages," *UW Gazette*, February 13, 1991.

and helped to create an immediate joint CCC-Ploughshares communique condemning the conflict and arguing that international sanctions could have been effective in deterring Iraqi aggression without violence.<sup>477</sup> To Regehr, the decision to respond to Iraq's invasion of Kuwait was not a choice between military intervention or inaction, but instead an opportunity to implement the non-violent conflict resolution techniques that were the true enforcers of common security.

In launching Desert Storm, the US and its allies had fallen victim to what Regehr would later characterize as the "CNN effect," or the political rule that "foreign problems not in the headlines should be ignored, but once they have the attention of CNN they should have been addressed yesterday."<sup>478</sup> The steady flow of arms to Hussein's Iraq had not drawn much international attention until the invasion of Kuwait, at which point arms control was no longer a feasible possibility, and politicians in the West were under significant pressure to "decisively" (i.e. militarily) intervene. Part of the Ploughshares' strategy during the Gulf Crisis was to highlight the multiple economic and political decisions taken by western suppliers that, while small in isolation, had created an Iraqi juggernaut in the Middle East. This was an attempt to broaden the CNN lens to larger structural issues, and thereby set precedents for future international arms control measures.

It was no secret to the international community that, when Iraq rolled into Kuwait, it did so with Soviet tanks, French and Chinese aircraft, Brazilian munitions, and other

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<sup>477</sup> Canadian Council of Churches, "Churches Call for End to Gulf Fighting — 'Begin Negotiating Peace'," news release, January 17, 1991.

<sup>478</sup> Ernie Regehr, "War after the Cold War: Shaping a Canadian Response," *Canadian Foreign Policy* Spring (1993): 40.

military goods acquired on the international market.<sup>479</sup> These systems and materials had mostly been acquired during the heaviest period of international arms trading in history (1977-1986), when 37 percent of global transfers had gone to the Middle East (mostly supplied by members of the UN Security Council).<sup>480</sup> During the Iran-Iraq War (1980-1988), 41 countries had sold an estimated total of \$55 billion US in arms to Iran and/or Iraq,<sup>481</sup> resulting in a conventional arms saturation that Regehr argued had pushed Iraq towards acquiring chemical or nuclear “trumps.”<sup>482</sup> Epps concluded that attempts to resolve the ongoing tensions in the Middle East by “pouring arms into the region, in a never-ending attempt to balance military power, [were] only laying the basis for future disaster.”<sup>483</sup> The practice was profitable to arms suppliers, and had been justified for years as a way to court client nations and avert potential aggression, yet in the cold focus of CNN and other western media it became the primary enabler of Hussein and his expansionistic agenda.

Although Canada had not been a large player in weapons transfers to the Middle East prior to the Gulf War, Ploughshares made sure to point out the Canadian military goods that had found their way into the Iraqi desert. An article in the *Toronto Star* on January 24, 1991 relied heavily on Epps to catalogue the various Canadian components that were being employed in American systems by coalition forces in the Gulf, as well as note that engine manufactured by Canadian producer Pratt & Whitney were being used by

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<sup>479</sup> Olivia Ward, "Feeding Hussein's War Machine," *The Toronto Star*, August 5, 1990.

<sup>480</sup> Ken Epps, "Forum File: Index on Arms Sales to the Middle East," *Canadian Forum* 1991.

<sup>481</sup> Ibid.

<sup>482</sup> Ward, "Feeding Hussein's War Machine."

<sup>483</sup> Ken Epps, "Canadian Sales to the Middle East: Arms for Armageddon," *Ploughshares Monitor* 1990.

both sides in the conflict.<sup>484</sup> The December 1990 issue of the *Ploughshares Monitor* included tables showing a decade of direct and indirect Canadian military sales to the Middle East, and heaped significant criticism upon the potential Saudi-LAV sale that would cause such controversy in 1991.<sup>485</sup> In the same month, Ploughshares partnered with over 100 churches and justice organizations to place an ad in *The Globe and Mail* encouraging Canadians to support sanctions and negotiation rather than a destabilizing invasion.<sup>486</sup> Ploughshares representatives were quoted again and again to provide proof of Canadian complicity in the international arms trade, and point out that no international agreement yet existed to control weapons transfers or even monitor their flow (the UN Register was adopted late in 1991).

It could be argued that the Gulf War was the first incident in a causal chain that continues through Bill C-6, the military export policy review, the foreign and defence policy reviews, and the eventual Ottawa Process. Of course, history doesn't usually operate in a linear fashion, and so no direct causal chain will be argued here. Still, the Gulf War exposed political and ideological weakness in both international multilateralism and the international arms trade that elicited concrete (if reluctant) action on their Canadian counterparts.

As the first major international crisis of the post-Cold War order, the Iraq invasion of Kuwait also caused significant debate over the criteria and procedure of multilateral military interventions. In the west, these debates caused a resurgence in the use of just

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<sup>484</sup> The engines had reached Iraq indirectly during the Iran-Iraq war, when, according to a company spokesperson, "Sadaam [sic] Hussein was an ally, who was fighting the Ayatollah in Iran." Bob Papoe, "Key Gulf Arms Have Canadian Component," *The Toronto Star*, January 24, 1991.

<sup>485</sup> Epps, "Canadian Sales to the Middle East: Arms for Armageddon."

<sup>486</sup> Project Ploughshares et al, "Yes There Is a Solution to the Middle East Crisis: Let's Talk About It," *The Globe and Mail*, December 22, 1990.

war theory as various parties debated the “justice” of extricating Iraq from the territory of its neighbor. In the United Kingdom national newspapers ran scholarly debates between Oxford theologians on the subject,<sup>487</sup> while American president George Bush presented an “odd spectacle” by “talking like a just war theorist” during the crisis.<sup>488</sup> Although some of Ploughshares’ constituent denominations continued to reject violence as a possible response to aggression, Regehr and Ploughshares articulated a position of moderate pacifism that absolutely minimized the role of violence without rejecting it entirely.<sup>489</sup> This position allowed the organization to maintain an uneasy truce between the more conservative members of its constituency, and a Canadian government with a “realist” perspective on the necessity of violence in the application of force. It also allowed Ploughshares to adopt the international policing mandate at the centre of common security, and accept national and international military forces as necessary entities.

Ploughshares also used just war terminology to articulate a rejection of the Gulf War, primarily on the grounds that modern warfare was neither discriminate nor proportional, and could not be justified as a “last resort” since UN sanctions had not been given adequate time to work.<sup>490</sup> Regehr was especially concerned before the war that a military intervention in the weapons-saturated Middle East would spread to involve the whole region, and worried that Iraq and its sophisticated arsenal would not be vanquished without massive collateral damage. “The beneficial military overthrow of despotic rule is

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<sup>487</sup> Chris Brown, "Just War and Political Judgment," in *Just War: Authority, Tradition, and Practice*, ed. Anthony F. Lang Jr., Cian O'Driscoll, and John Williams (Washington: Georgetown University Press, 2013).

<sup>488</sup> Michael Walzer, "The Triumph of Just War Theory (and the Dangers of Success)," *Social Research* 69, no. 4 (2002): 931.

<sup>489</sup> Douglas Todd, "The Levels of Pacifism," *The Vancouver Sun*, February 9, 1991.

<sup>490</sup> Gordon Legge, "Can Warfare Be Justified?," *Calgary Herald*, December 15, 1990.

not a realistic objective,” he concluded in *Canadian Forum* in October 1990,<sup>491</sup> likening the situation in the Middle East to that of Eastern Europe, where the international community was also beginning to consider interventions.

The American-led coalition proved to have much less trouble subduing the Iraqi army and limited the scale of the conflict than Regehr had expected, but in mid-1991 he still considered the consequences of the Gulf War to be disproportionate to its accomplishments.<sup>492</sup> As well, the crisis itself had given Ploughshares significant insight into how discussions around multilateral interventions might coalesce, and how to respond to them. At a March 1991 board meeting, Ploughshares staff presented board members with what they considered the “lessons” of the Gulf War, which included the following list:

- “UN war and UN police action are not the same thing (war is not a tool of police action) and we cannot allow the Gulf War to be seen as a model of UN police action;”
- “UN police action will only work if there is control of the arms trade; the process of eliminating the arms trade is the process of building a new world order”
- “we need to delegitimize war”
- “peace is not the absence of war but the result of justice and we need to work at the structures that bring justice”<sup>493</sup>

These lessons articulated a basic Ploughshares position on the Gulf Crisis and the legitimacy of the eventual war. First of all, the initial UN economic and political pressure

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<sup>491</sup> Ernie Regehr, "Sailing to Iraq," *Canadian Forum* 1990, 9.

<sup>492</sup> “When it was all over it was clear that we had overestimated the loss of life to coalition forces, had overstated Iraq’s nuclear capacity, and our fears of Israeli involvement, with its nuclear arsenal, were happily not borne out. Beyond that the fears were unfortunately justified – major loss of life, the Iraqi and Kuwaiti infrastructures were severely damaged, continuing loss of civilian life to the war, and extraordinary environmental damage.” Ernie Regehr, to Michael Bryans, October 18, 1991, Project Ploughshares Archive.

<sup>493</sup> Original emphasis. Project Ploughshares, "Agenda: Project Ploughshares Board Minutes June 21-22, 1991." Project Ploughshares Archive.

(including sanctions) upon Iraq had been a welcome and appropriate response to the invasion of Kuwait. At the point when this pressure transitioned into Operation Desert Storm, it had overextended into military coercion shaped by American policy interests. Second, the massive military buildup judged necessary for liberating Kuwait was a direct result of decades of uncontrolled arms transfers into Iraq, proving that in a globalized world, the immediate domestic profit of arms sales may have significant future costs. Third, the debate around multilateral interventions required some theoretical structure to define the context of appropriate action and evaluate its potential consequences. The just war tradition was used for both purposes by multiple actors during the Gulf Crisis, and was presented as the primary instrument of Ploughshares' opposition to the conflict.

## **Summary**

Project Ploughshares was instituted in 1976 with a mandate to study militarization and underdevelopment. At the time, this largely involved the study of the arms trade between a few industrialized suppliers and the post-colonial Third World. Founded as a hybrid ecumenical advocacy organization that bridged the gap between theological paradigms and secular policy research, Ploughshares inhabited an essential niche translating between the aligned but separate ecosystems of church and state.

Over the course of the ensuing decades the organization expanded its mandate to embrace nuclear issues, military-industrial criticism, and a common security paradigm. Expanding in both budget and personnel, Ploughshares began to compile the Canadian Military Industrial Database, and focus its advocacy on the military and governmental decision-makers who created and directly interpreted Canadian policy. By the late 1980s, a Reagan-era escalation in the Cold War and a Canadian push into expanding its DIB had

buoyed Ploughshares to new levels of popular awareness, grassroots participation, and political importance. By the early 1990s Ploughshares members Ernie Regehr and Ken Epps had become regular expert witnesses to government committees and reviews, as well as frequent presences in Canadian regional and national media. This domestic prominence also began to translate to international opportunities with the UN and other multilateral organizations to help formulate appropriate responses to the arms trade.

The end of the Cold War provided Project Ploughshares a significant opportunity to pursue its mandate in radical and innovative ways. Because the world was no longer dominated by a bipolar conflict threatening imminent annihilation, Ploughshares could actively pursue new paradigms in UN-led multilateral initiatives for arms control, disarmament, and peacebuilding. Because national militaries could no longer use the excuse of an imminent global war to protect defence spending, Ploughshares strongly advocated for a “peace dividend” and the reorientation of military forces to post-Cold War roles. Because of incidents like the Gulf War, as well as receding global defence markets and threat estimates, Ploughshares was able to focus public attention upon military producers and their role in arming repressive regimes and regions of conflict. In the vacuum created by the end of the bipolar global order, Ploughshares was able to push new ideas and policies into public discourse that sought to differentiate concepts of security and military power.

These policies initially included comprehensive ideas on specific issues such as industrial conversion, defence budget cuts, and military export policy. Yet by 1993, Ploughshares was expanding into more general advocacy by drafting an alternate defence policy to combat the innate conservatism of the Canadian military. Having tied military doctrine, military procurement policies, and the Canadian DIB into a Canadian “military

industrial complex,” Ploughshares sought to transform the macro-level paradigm that kept foiling the organization’s specific policy goals. Key to this policy was a rejection of the missions assigned to the Canadian Forces during the Cold War, and the expansion of other missions tied into a common security paradigm. Because it was the Cold War missions that tended to require heavy military systems and three-force capability, Ploughshares was also able to propose substantial budget cuts tied to acceptance of a new mission structure. Additionally, because the new missions emphasized peacekeeping, not warfighting, the Ploughshares defence doctrine did not require extensive domestic military industrial capacity, and consequently rejected the contemporary Canadian policy of subsidizing and marketing Canadian defence producers.

At the international level, Ploughshares used the Gulf War to popularize the idea of an international arms register maintained and housed by the UN. This was congruent with Ploughshares’ assertion that true security relied on the ability of the international community to regulate and police the global environment through contributions from the individual states. An arms regime to promote arms transfer transparency would not provide tools to help the UN control the arms trade, but it would provide useful information about its scale and current trends, as well as encourage openness and cooperation among potential rival states.

All in all, Ploughshares used the early 1990s to advocate for a new understanding of security, criticize the fusion of defence and industrial policy in regards to the Canadian DIB, and propose a radical new mandate for the Canadian forces. The success of these various initiatives was tempered by a general reluctance in Canada (and the international community) to reject the systems of thought that had prevailed since 1945, as well as Canada’s alliance-backed commitment to a domestic DIB. Where Ploughshares was

successful was in getting Canadian policy-makers to embrace the language and concepts of common security, as well as the motions (if not the actual spirit) of military export transparency.

## Conclusion

There are many more Ploughshares initiatives that could be explored, including the coverage of Innu protests to low-level flight training in Labrador, multiple projects pursuing conflict resolution and small arms control in the Horn of Africa, the process leading to the Ottawa Treaty to ban anti-personnel landmines, and policy formulation for an international response to small arms and light weapon proliferation. There are also significant Ploughshares actions involving the control of weapons of mass destruction (nuclear, biological, chemical, etc.) that also deserve analysis as part of the Ploughshares disarmament paradigm. Yet, the requirements of a masters thesis being what they are, and the flow of time being both inexorable and inescapable, these other initiatives will not be explored here.

This thesis has described the advocacy of the Canadian disarmament NGO Project Ploughshares in highlighting and criticizing Canada's military industrial complex, military policy, and Canadian military export policy. It has argued that Ploughshares' disarmament paradigm is fundamentally shaped by 2000 years of western thinking in the just war tradition, and that Canadian military policy and military export policy have been correspondingly shaped by complementary defence doctrines and industrial strategies that have worked to make the Canadian DIB export dependent. This thesis has also highlighted that profound shifts in military and political realities caused by the end of the Cold War provided Canada (and the world) with an opportunity to reevaluate both the incorporation of just war thinking into a new geopolitical paradigm, and the relevance of the military and industrial policies that sustain the international arms trade.

Arms control and disarmament measures in the western tradition have been significantly influenced by just war thought, and Project Ploughshares' paradigm is no exception. As described in the first chapter, while the just war tradition was initially formulated as a system of classical/Christian thought for evaluating the relative moral and spiritual criteria of conflict, its precepts have since been expanded both into systems of international human rights and international law. Arms control and disarmament measures have been used by followers of the tradition as tools for a number of purposes, including to enforce proscriptions on weapons perceived as unjust, to limit an "unjust" society's capacity for warfare, and to limit a society's capacity for internal conflict. As just war constructs of justice and security have widened and deepened, so the aligned arms control measures have also widened and deepened to accommodate new concerns and strategies. Ploughshares' advocacy for certain arms control measures, as well as its rationale to support those measures, have been fundamentally rooted in just war thought.

This thesis argues that the just war tradition has gone through three significant "turns" in the modern era. The first was the prioritization of a natural law foundation over theological assumptions which extended sovereign rights to all states, privileged the state as the sole legitimate agent of violence, and emphasized self-defence as war's primary justification. The second was the genesis of an international authority above nation-states that viewed the rights of the individual as superior to (and the responsibility of) the state itself. The third was a pivot away from warfare as a mechanism for combatting injustice because of the inability of war to solve the underlying causes of violence rooted in economic, social, and political conflicts. In summary, the first reinvention was the natural law turn accomplished by Vittoria, Suarez, and especially Grotius, the second was the

coinciding UN and human rights mandates established after 1945, and the third was the common security/human security turn begun in the 1980s.

All three turns are important to how arms control was conceptualized and structured in the early 1990s. The extension of sovereignty to all states within a Grotian/Westphalian system ended the insider/outsider measures of earlier periods in which weapon restrictions were relaxed for wars with religious and ethnic outsiders. The emphasis on natural law rather than a specific religious structure set a precedent for holding warring states accountable to the international community, and prioritized *ius in bello* (right conduct) requirements as the primary means of ascertaining the justice of a conflict. Because these requirements were closely associated with certain types of weapons and certain types of conduct, they led to the creation of regimes to regulate both.

As nations industrialized and military technology improved, it became increasingly important for states to regulate both weapon production and to enforce the just war requirements of proportionality and discrimination. States responded with increasing complexity in arms control measures to control production and use in the same regimes, and began to require participation from greater portions of the international community as industrial capacity and military technologies proliferated.

The formation of the UN created an ideal venue for, and enforcement of, multilateral arms control regimes. As well, the corresponding creation of human rights discourses grounded in just war thought brought even greater scrutiny to war practices and led to certain categories of weapons being outlawed as inherently indiscriminate and disproportional. Since states with these weapons were characterized as dangerous to the entire international community, not just states in geographical proximity and/or potential conflict, arms control and non-proliferation measures were ascribed global importance.

As well, expanded notions of human rights and international responsibility created a growing list of ways that a state could violate international law, commit war crimes, or be in violation of arms control regimes. Each of these violations could in turn provoke a military response from the UN, backed by the international community.

If the human rights turn expanded the sovereignty and sanctity imbued by the international community into the individual human being, the common security/human security turn securitized rights violations into potential sources of international instability. By the end of the Cold War, the international community was forced to recognize that the state monopoly on violence had been broken by a burgeoning number of intrastate conflicts waged by non-state actors. According to the common security/human security paradigm, these actors were motivated by structural injustices stemming from regional and global economic, social, and political disparities. Consequently, forces such as economic exploitation, climate change, or state shrinkage/failure were potential sources of geopolitical instability and therefore potential sources of international violence and insecurity.

The international community was consequently awakened to the reality that in a globalized environment, individual nations could no longer guarantee their national security through military strength alone. Instability could enter the environment by a number of vectors and from any region, and most of the underlying causes of violence were not conducive to military solutions. When conventional military interventions were attempted (as in the Persian Gulf in 1991), the cost and mixed results motivated states to explore alternative preventative and non-violent measures to prevent and/or de-escalate future crisis. Arms control measures, especially proliferation regimes and transparency/control mechanisms, enjoyed an increase in importance as means to limit the

occurrence and scale of conflicts around the world. These measures were also expanded to deal with conventional weapons, which had become the weapons of choice in developing world conflicts.

The human security turn was often articulated with the assertion that people should enjoy two distinct freedoms: freedom from want, and freedom from fear. According to Project Ploughshares, the unrestricted sale of military goods around the world infringed on both freedoms, since it drained resources from developing world weapons consumers to developed world weapons suppliers while fueling violent conflicts. This economic exploitation was also “securitized” as a cause of instability and therefore insecurity, as well as a propagation of injustice against the developing world, and consequently the international community.

Canadian policymakers were not averse to this line of thinking, in fact Canada made many important contributions to the common security/human security turn during the early 1990s. Still, the historical evolution of Canadian defence and industrial policy since 1945 made it profoundly difficult both ideologically and practically for Canada to implement changes. Although the Soviet “threat” had crumbled, Canadian defence policy remained inextricably tied to the US by both political and economic considerations. Despite the global reset which heralded the end of the Cold War, Canadian policymakers found themselves in a defence trap created by Canada’s alliance commitments, export dependence, and defence policy goals.

While the Canadian military industrial complex lacked the size and funding of its American counterpart, it still played a significant role in Canadian defence and industrial policy creation in the early 1990s. During the global defence spending boom of the mid-1980s, Canada had energetically subsidized and expanded Canadian defence production,

while encouraging the establishment of licenced production facilities in Canada by foreign defence producers. When the boom bust, the end of the Cold War destroyed the military's iron-clad rationale for expansion, and with thousands of Canadian jobs at production facilities now dependent on exporting military goods, Canadian policymakers found themselves trapped. For decades defence policy had been conceptualized, built, and managed within a Cold War system which prioritized the necessity of defence industrial capacity, the benefits of producing sophisticated defence technology, and the importance of maintaining Canadian force and industry commitments to NATO and NORAD. Despite the *raison d'être* of the underlying policy have been removed, the status quo continued to be vigorously defended by a dependent system of military producers, defence lobbyists, and DND officials. Canada seemed poised to continue contradictory and anachronistic policies simply to avoid the friction of transition to a different structure.

It was in this spirit of perpetuating contradiction that Joe Clark conducted an export policy review in 1986 that highlighted human rights concerns, while simultaneously exploring military export potential with Saudi Arabia. It was also in the same spirit that Brian Mulroney and Clark announced a new international arms control initiative following the Cold War, while also greenlighting the introduction of Bill C-6 to remove restrictions on the export of automatic weapons from Canada. It was this spirit that John Lamb identified in 1991 when he argued that Canada's "restrictive" military export policy was becoming increasingly flexible in its application because of the increasing necessity of Canadian producers selling to the developing world. The "tail" of Canada's commitments and industrial requirements was wagging the "dog" of foreign and defence policy, despite the progressive rhetoric of Canadian policymakers.

Project Ploughshares advocated for the dismantling of the Canadian military industrial complex based upon the fundamental exploitation of the export dependent model. Ploughshares consistently argued that a link existed between militarization in the Third World and underdevelopment, that militarization perpetuated the global hierarchy by turning developing states into “clients” of the superpowers, and that that state militarization led to repression and state-sanctioned violence. Together, these foundational Project Ploughshares “truths” made a Canadian withdrawal from the arms trade (and militarism in general) a political, economic, and moral necessity.

The Canadian DIB’s viability during the 1980s and 1990s relied on offloading significant costs to international military consumers, who were essentially subsidizing Canada’s military production capacity. Although this model was acceptable under the old security paradigms of the mid-twentieth century – which prioritized national security through military strength – it proved deeply problematic under the new common security/human security paradigm. If true security required international stability and cooperation, then selling military goods to repressive states or states engaged in violence did not enhance Canadian security but instead undermined it. If Canada was not an island to itself but instead one small part of a world order that functioned as an ecosystem or global body, the Canadian military industrial complex was making short-term profits at the expense of international security.

Although the motivation for Canadian military exports by the early 1990s was primarily economic, it was buttressed by a Canadian military policy still preparing for World War III against the Russians. Project Ploughshares understood that, as long as the official mandate of the armed forces included vast and ambiguous Cold War era defence missions, military planners would argue that the Canadian DIB needed to be able to

produce major weapons systems for the Canadian Forces. Consequently, Ploughshares created an alternate defence policy that focused on peacemaking, rather than warfighting missions, and allowed for a diminished Canadian defence budget, as well as a deeply reduced need for domestic military industrial production. By chipping away at the foundation of the policy structure defending Canadian military export reliance, as well as providing alternative defence paradigms, Ploughshares hoped to convince the Canadian government to align its progressive rhetoric with its actual practice in regards the DIB and military export policy.

The mandate of Project Ploughshares when it began in 1976 was to explore the link between militarization and underdevelopment. This link included ties both to the human rights turn after 1945, and the emerging concepts of common security/human security. Both evolved out of the just war tradition as proponents set out to identify what rights natural law afforded humanity, and how injustice might be constituted within an international system. As Ploughshares begin assembling alternative foreign and defence policy structures in the early 1990s, it began to depend more on just war thinking as it addressed larger questions about the nature of security, the purpose of the Canadian military, and the fundamental injustice of the Canadian DIB's export dependence. The tentative success that Ploughshares enjoyed in proposing changes was largely a result of a policy vacuum left by the withdrawal of the Soviet threat and the end of the Cold War. Still, deeply embedded military industrial ecosystems and defence policies hindered swift change, despite the dynamic nature of the international situation. After having spent almost a century beating ploughshares into swords in preparation for nuclear Armageddon, Canadian policymakers had difficulty imagining themselves reversing the transition, or dismantling a military industrial base that made significant money on sword

production and trade. The fact that, in the long run, the world would be far better off with the proliferation of ploughshares than the proliferation of swords only gradually permeated Canadian policy, and Canadian military export policy has proved particularly resistant. As Regehr told me in 2016 after forty years of advocacy and struggle for “just” Canadian military and industrial policies, “the fruit is not yet ripe.”

This thesis began with a description of the 2015 deal to sell \$14.8 billion in Light Armoured Vehicles to Saudi Arabia. It ends with the argument that the Saudi-LAV deal represents a continuing Canadian security orientation which prioritizes military solutions, and continuing military export decisions which prioritize industrial policy over international considerations. The Canadian paradigm of justice, as interpreted through the just war tradition, continues to conflict with the Canadian security paradigm, even as the latter continues to provide cover for the economic exploitation of the developing world through military exports. Project Ploughshares was constituted with the hope that one day the resources invested into global arms production and arms procurement could be redirected into areas such as development, education, and healthcare. At the time, such a transition would be considered impossible due to the continuing existential threat of the Cold War. Today that existential threat is gone, and yet the transition is still mostly unrealized due to the economic investment and benefits Canadian industries have made into and receive from the international arms trade.

The Saudi-LAV deal is the continuing legacy of a military export policy that is not “restrictive,” coupled with a military industrial policy intended to exploit an out-of-control global arms market. This is the legacy of Canada’s involvement in the 20th century arms trade, and we need to prevent it from becoming Canada’s legacy in the 21st century as well.



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