

Exerting 'hard power' in the Arctic

Professor Eric Posner is both wrong and right when he argues that when it comes to Arctic sovereignty, "Power, not international law, will settle the issue."

In international law, whether dealing with secessionist states (Bangladesh vs. Pakistan), war crimes prosecutions (see Nuremberg through Rwanda), boundary disputes (Libya vs. Chad), post-colonial borders (Eritrea vs. Ethiopia) or conquered territories (China vs. Tibet), power and legality go hand-in-glove. There are some counter examples, but for the most part those are cases where the glove doesn't fit and power can't hold. Power can be complex and, contrary to many pundits, the United States does not always wield it (South Vietnam faded with no legal rights but North Korea persists with plenty of them), but there can be no international legal calculus without factoring power into the equation.

Canada's problem in all of this is that for so many years we had a foreign and defence policy premised on what Lloyd Axworthy dubbed "soft power." Our soft power, however, turns out to have been nothing more than soft thinking. We enacted long-arm environmental legislation to protect the Arctic, but deprived ourselves of any means of getting there to police the polluters; we embraced peacekeeping as our primary military goal, but deprived ourselves of the forces needed to fill in the space between warring parties; we endorsed humanitarian intervention as a military mission, but deprived ourselves of the aircraft needed to fly personnel and equipment to the world's inhospitable regions.

The government of Canada finally appears to have turned the corner on its long lapse of focus, and is now pushing a version of hard power. It's about time. If we're going to savour the international law rights of a sovereign state, we have to crack some ice.

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